WATER-RIGHT DOCKET

Zion National Park

Docket No: 7

TAYLOR CREEK WELL

Preliminary Docket Information

00-00-0000: water right record

WATER RIGHT RECORD

Park: ZION

Docket Number:
Federal 7

ID NO: ZION W 2 9 3 8 1 2 A F 0 7

DITCH/WATER SYSTEM: Taylor Creek Well

SOURCE OF SUPPLY: Taylor Creek Well

LOCATION: 3351.74'N and 2857.73'E of the SW Cor. of Sec. 29, T38S, R12W, SLM

WATER RIGHT:

Appropriator: United States of America, National Park Service

Application/Permit Number: 36782

Certificate Record Number:

Date of Priority: March 10, 1965

Quantity of Water: 0.0688 c.f.s.

Purpose: Domestic

Irrigated Land Description:

SUMMARY OF STATUS: This is a Federal water right consisting of a capped well.

KOLOB WATER REPORT

1. Well completed June 15, 1965 by Effinger Drilling and Pump Service. Claim filed February 23, 1965.

2. Depth of well - 206 feet. 6" diameter casing

3. Production of water - 37.5 GPM with 5½ foot drawdown after 96 hours of pumping. Static water level 105 feet below surface.

4. Uses of water:
   Domestic and public use - January 1 - December 31
   Irrigation and stock watering - April 15 - November 1

5. I-15 under construction 1959 - 1961. Water from well used by contractor in road construction.

6. Road in to Kolob Canyons improved in 1967 and trailer placed at entrance.

7. Water lines installed in April 1979 by the National Park Service. New trailer located at entrance.

8. Cost of improvements:
   1985 - Filter system - $4,723.25
   Misc. testing - 284.15
   Rehab - 73,965.00
   1984 - Relocate 2" line - 3,506.40
   1979 - Day labor - No cost records.

9. New developments in 1984 include visitor center with public restrooms. Area attracted 132,812 visitors in 1985. Provides visitor information to tourists in southern Utah which is a major economic benefit to the area.

10. Storage capacity - 12,000 gallon underground storage installed in 1985.

05-09-2002: Letter to Jerry Olds, State Engineer from Chuck Pettee Re: Withdrawal of state water rights at Zion National Park

United States Department of the Interior

NATIONAL PARK SERVICE
Water Resources Division
1201 Oakridge Drive, Suite 250
Fort Collins, Colorado 80525-5596

IN REPLY REFER TO:

May 09, 2002

L54 (2380)
ZION/Water Rights

Mr. Jerry D. Olds, P.E.
State Engineer
Department of Natural Resources
1594 West North Temple, Suite 220
P.O. Box 146300
Salt Lake City, Utah 84114-6300

Re: Withdrawal of State Appropriative Water Rights at Zion National Park

Dear Jerry:

Please withdraw our water rights applications and/or certificates for the East Entrance (WUC No. 81-514; A34269; a10851; Cert. 10754) and Taylor Creek (WUC No. 81-662; A36782) wells as required in the Zion Water Rights Settlement Agreement in Article III.K. As described in Article III.K of the Agreement, the State will now recognize these wells as reserved water rights with priority dates of June 13, 1930, and January 22, 1937, respectively. Please let us know if we need to do anything else to complete this action.

If you have any questions please contact Bill Hansen, of my staff, at (970) 225-3532.

Sincerely,

Chuck W. Pettee
Chief, Water Rights Branch

cc: ZION – Ott, Sharrow
IMRO - Reber
SOL - Karkut
2380 (email) – Pettee, McGlothlin
ZION-0006 and 0007 Dockets
Virgin River Adjudication Files

United States Department of the Interior

NATIONAL PARK SERVICE
Water Resources Division
1201 Oak Ridge Drive, Suite 250
Fort Collins, Colorado 80525

IN REPLY REFER TO:

April 20, 1993

L54(479)
ZION/Water Rights

Gerald W. Stoker, P.E.
Southwestern Area
State of Utah
Department of Water Resources
585 North Main Street
P.O. Box 506
Cedar City, Utah 84721-0506

Re: Proof of Appropriation No. 81-662 (A36782)

Dear Mr. Stoker:

Please find enclosed the above noted Proof of Appropriation and Certificate of Proof Engineer requested in your letter to Ronald G. Whitehead, Bush and Gudgell, Inc., dated April 8, 1993. We have asked Mr. Whitehead to forward the Certificate to us so we could inform you of the National Park Service (NPS) position regarding Taylor Creek well.

The NPS has completed the Proof in order to perfect and record this water right with the State Engineer. This appropriation does not waive the NPS claim to a Federal reserved water right for water at Taylor Creek well. If this right is recognized in the Virgin River Adjudication as a Federal reserved water right, the NPS will relinquish its state appropriative right.

If you have any questions regarding this matter please contact Bill Hansen, of my staff, at (303) 225-3532.

Sincerely,

Owen R. Williams
Chief, Water Rights Branch

Enclosure

cc: ZION - Falvey, Karazewski
RMR - Wise
SOL - Loveless
DOJ - Walch, Gheleta, Smith
Docket ZION - 0007

04-08-1993: letter to bush and gudgell inc. from the regional engineer regarding proof of appropriation no. 81-662 (a36782)

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
Robert L. Morgan
State Engineer

Southwestern Area
585 North Main Street
P.O. Box 506
Cedar City, Utah 84721-0506
801-586-4231

April 8, 1993

Ronald G. Whitehead
Bush and Gudgell Inc.
205 E. Tabernacle
St. George, UT 84770

Re: Proof of Appropriation No. 81-662 (A36782)

Dear Mr. Whitehead:

We have examined the above noted proof of appropriation and believe that it meets the criteria for filing of proof in the State of Utah.

It will be necessary for you to sign the "Certificate of Proof Engineer" before a notary public and return said proof to this office. We will allow ten (10) days from the date of receipt to complete this requirement.

If you have any questions concerning this matter or proof please contact the office at your convenience.

Yours truly,

Gerald W. Stoker, P.E.
Regional Engineer

Enclosure: Original Proof of Appropriation No. 81-662 (A36782)

RECEIVED
OCT 14 1992
WATER RIGHTS
CEDAR CITY

PROOF OF APPROPRIATION OF WATER STATE OF UTAH

RECEIVED
OCT 16 1992
WATER RIGHTS

For the purpose of proving that diverting works are completed and that water is being applied to a beneficial use, proof of appropriation of water is hereby submitted to the State Engineer in accordance with Section 73-3-16 of the Utah Code Annotated 1953, as amended.

WATER RIGHT NO. 81 — 662 **APPLICATION NO. A** 36782

1. **OWNER INFORMATION**
Name: USA National Park Service (Zion National Park) * Interest: _____ %
Address: 301 South Howes Street, Room 353
City: Fort Collins State: Colorado Zipcode: 80521

2. **QUANTITY OF WATER:** 0.0688 cfs and/or (47.9) ac-ft

3. **SOURCE:** under ground well * **DRAINAGE:** Virgin River
which is tributary to _____
which is tributary to _____
POINT(S) OF DIVERSION: **COUNTY:** Washington
1. North 3348 feet East 2873 feet from SW corner, Section 29, Township 38 South, Range 12 West, Salt Lake Base and Meridian.

Description of Diverting Works and Carrying Works: 6" well 206 feet deep

4. **POINT(S) OF REDIVERSION**
The water is rediverted from n/a at a point:

Description of Diverting Works and Carrying Works: _____

5. **POINT(S) OF RETURN**
The amount of water consumed is n/a cfs or _____ ac-ft
The amount of water returned is _____ cfs or _____ ac-ft
The water is returned to the natural stream/source at a point(s): _____

6. **STORAGE**
Reservoir Name: n/a Storage Period: from _____ to _____
Capacity: _____ ac-ft. Inundated Area: _____ acres
Height of dam: _____ feet
Legal description of inundated area by 40 acre tract(s): _____

7. List any other water rights which are supplemental to this application: n/a

CALENDAR
COMPUTER
INDEXED

* These items are to be completed by the Division of Water Rights

[redacted] *Appropriation Proof* [redacted]

8. NATURE AND PERIOD OF USE

Irrigation:	From 4/15	to 11/1
Stockwatering:	From	to
Domestic:	From 1/1	to 12/31
Municipal:	From	to
Mining:	From	to
Power:	From	to
Other:	From	to

not currently irrigating any per ph. conversation Dave Koresewski on 7/19/96

9. PURPOSE AND EXTENT OF USE

Irrigation: 10 acres. Sole supply of 10 acres.
Stockwatering (number and kind):
Domestic: Families and/or 15 Persons
Municipal (name):
Mining: Mining District in the Mine
Ores mined:
Power: Plant name: Type: Capacity:
Other (describe):

10. PLACE OF USE

Legal description of place of use by 40 acre tract(s): SW¼ & SW¼ of the SE¼, Section 29, Township 38 South, Range 12 West, Salt Lake Base and Meridian. SW ¼ of the NE¼ of Section 29, Township 38 South, Range 12 West, Salt Lake Base and Meridian.

11. DEVELOPMENT HISTORY

Construction of works commenced: unknown, 19
and were completed: , 19
Works were first used to convey water: , 19
Water measured by (name):
Date: , 19
Method of measurement:
(Give sufficient data in "EXPLANATORY" to enable the State Engineer to check the water measurement.)

12. EXPLANATORY (Use additional pages of same size if necessary)

Water is to be used in two duplexes, one family residence, one visitor center, one utility building and one picnic area for Kolob Canyons District of Zions National Park. Domestic use will include 15 park employees and approximately 200,000 park visitors.

40 AF irrig + 1.8 (domestic 15 people) + 6.1 AF (visitor 200K visits) = 47.9
(Max. AF)

(Fill in blank spaces but do not sign until proof has been submitted to the State Engineer and accepted as sufficient.)

CERTIFICATE OF APPLICANT

STATE OF UTAH)
ss
COUNTY OF Washington)

Owen R. Williams being first duly sworn, certify that I am the person, assignee or agent of the person who filed in the State Engineer's office Application No. A 36782; that I, as appropriator, employed Ron Whitehead to compile information for the purpose of completion of proof of appropriation and that I hereby accept and submit this written proof together with tracings consisting of sheet Nos. 1 to - incl.; that said facts and tracings are hereby submitted, and that each and all items contained herein are true to the best of my knowledge and belief.

Owen R. Williams
Applicant or His Agent

SANDY L. DARJURAN
Notary Public
State of Utah
My Commission Expires July 1, 1995

Subscribed and sworn to before me this 3rd day of September, 19 92
My commission expires , 19

Notary Public

CERTIFICATE OF PROOF ENGINEER

STATE OF UTAH) ss
COUNTY OF Washington)

Ronald G. Whitehead being first duly sworn, certify that I was employed to prepare proof of appropriation under Application No. A 36782; that the accompanying tracings were prepared from field notes of a survey made by me between the _____ and _____ days of _____, 19____; that these tracings, labeled as sheet Nos. _____ to _____ incl., when combined with the written proof fully describe the method and extent of beneficial use of the water and that each and all of the items contained herein are true to the best of my knowledge.

~~Proof Engineer~~ Licensed Land Surveyor - Ronald G. Whitehead

Address: 205 E. Tabernacle - St. George, Utah 84770

STATE OF UTAH
License No. 7753
Ronald G. Whitehead
4-12-93
(Proof Engineer)
REGISTERED LAND SURVEYOR

Subscribed and sworn to before me this 12th day of April 19 93

(Seal of Notary) Notary Public Craig W
205 E. Tabernacle
St. George, Utah
My Comm. Exp.
June 5, 1993
NOTARY PUBLIC

My commission expires June 5, 1993

Linda Glasgow
Notary Public

STATE ENGINEER'S ENDORSEMENTS

Dates

02-23-1965 Application received in State Eng. office; Approved 07-18-1986
11-30-1993 Proof of Appropriation due in State Engineer's office
10-14-1992 Written proof and maps received in State Eng. office by BL
_____ Written proof and maps returned for correction by _____
_____ Corrected written proof and maps examined and certificate written by _____
4/7/93 Field checked by _____
_____ Certificate of Appropriation issued (No. _____)
24X32" Maps, profiles, and drawings are filed hanger 56 page 127

This written proof and the maps, profiles, and drawings pertaining thereto, are found to comply with the requirements of the Laws of Utah, and the same are hereby approved.

_____ 19____ _____
State Engineer

Proof of Appropriation
on Application No. A36782

INSTRUCTIONS FOR COMPLETING AND SUBMITTING
PROOF OF APPROPRIATON

Proofs of Appropriation of water must be prepared by a registered engineer or licensed land surveyor. Each proof shall consist of two parts: (a) a written proof and (b) a sheet or sheets of maps, and drawings. The proof must indicate that the water sought to be appropriated has been applied to beneficial use, as provided in the application. Any amendments necessary must be made and the proof returned to the office within the time allowed by the State Engineer.

CERTIFICATE OF PROOF ENGINEER

STATE OF UTAH) ss
COUNTY OF Washington)

Ronald G. Whitehead being first duly sworn, certify that I was employed to prepare proof of appropriation under Application No. A 36782; that the accompanying tracings were prepared from field notes of a survey made by me between the _____ and _____ days of _____, 19____; that these tracings, labeled as sheet Nos. _____ to _____ incl., when combined with the written proof fully describe the method and extent of beneficial use of the water and that each and all of the items contained herein are true to the best of my knowledge.

~~Proof Engineer~~ Licensed Land Surveyor - Ronald G. Whitehead

Address: 205 E. Tabernacle - St. George, Utah 84770

Subscribed and sworn to before me this 12th day of April 19 93

(Seal of Notary) Notary Public Craig W
205 E. Tabernacle
St. George, Utah
My Comm. Exp.
June 5, 1993

My commission expires June 5, 1993

Linda Glasgow
Notary Public

STATE OF UTAH
License No. 7753
Ronald G. Whitehead
4-12-93
(Seal of Proof Engineer)
REGISTERED LAND SURVEYOR

STATE ENGINEER'S ENDORSEMENTS

Dates

02-23-1965 Application received in State Eng. office; Approved 07-18-1986
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_____ Certificate of Appropriation issued (No. _____)
24X32" Maps, profiles, and drawings are filed hanger 56 page 127

This written proof and the maps, profiles, and drawings pertaining thereto, are found to comply with the requirements of the Laws of Utah, and the same are hereby approved.

_____ 19____

_____
State Engineer

Proof of Appropriation
on Application No. A36782

INSTRUCTIONS FOR COMPLETING AND SUBMITTING PROOF OF APPROPRIATON

Proofs of Appropriation of water must be prepared by a registered engineer or licensed land surveyor. Each proof shall consist of two parts: (a) a written proof and (b) a sheet or sheets of maps, and drawings. The proof must indicate that the water sought to be appropriated has been applied to beneficial use, as provided in the application. Any amendments necessary must be made and the proof returned to the office within the time allowed by the State Engineer.

WATER MEASUREMENT

Each written proof shall contain details of measurements of water changed. Measurements may be made by vessel, weir, meter, rated flume, reservoir capacity table or other accepted standard method of measurement; but not by floating chip or theoretical carrying capacity of conveying channel. Such details shall describe the method used in making the measurement, the date when made, the name of the person making the measurement and sufficient information to enable the State Engineer to compute the quantity of water measured in each case. This will include current meter notes and rating tables or field observation notes if other devices are used. Where the source of supply is of a fluctuating nature, a series of measurements should be submitted to show the variation in flow and the period or periods during which it is available. The maximum flow claimed cannot exceed that contained in the original application.

LEGAL TIES

All ties to points of diversion, rediversion, return, etc. must be given by one course and distance or by rectangular coordinates with reference to a regularly established U.S. land corner if within a distance of six miles of such corner, otherwise to a mineral monument, or a federal triangulation or traverse monument. If not within a distance of six miles of a corner or monument, the point may be designated with reference to a prominent natural object. All bearings must be given to the nearest minute of arc.

DIVERSION AND CONVEYANCE WORKS

A concise description of the present diverting and conveyance works shall be given under general remarks. This description must trace the water from the point of diversion to and including the place of use. The reservoir, if any, diverting dams, headgates, canals, flumes, and other related structures shall be included. This description shall be in the form of a concise word picture of the storage of water, if stored, its release, rediversion and conveyance to point of use.

USE OF WATER

An explanation of the nature and extent of all present uses of the water must be made, including acres irrigated, household connections, number of stock, periods of use, etc.

PLACE OF PRESENT USE AND ACREAGE

If the water is now used for irrigation of a full legal subdivision, the various irrigated areas shall be described by 40 acre tracts of each section, township and range. Where less than a legal subdivision is irrigated, the number of acres within each legal subdivision of 40 acres must be given. No legal subdivision of forty acres shall be described if no part of it has been irrigated. In no instance is an irrigated area to be given by elimination of non-irrigated areas. The descriptions in the written proof are to conform strictly with the maps.

A description of the legal subdivision embracing the "water using areas" shall be given in the blank spaces of item 10. If insufficient space is there provided, it may be given under general remarks or on added sheets with reference thereto in the paragraph. In addition to this statement, there shall appear under general remarks or on additional sheets attached thereto and made a part of the written proof, detailed descriptions of the irrigated areas as referred to in the above paragraph. Descriptions in the written proof by legal subdivision and fractional subdivision shall be prepared in the following manner:

39.7 acres in SW1/4NW1/4, 9.6 acres in NE1/4SW1/4, 7.0 acres in NW1/4SW1/4, Sec. 15, T4S, R2E, SLBM

MAPS AND DRAWINGS

All maps must be submitted on sheets of tracing linen or acetate having dimensions of 24" x 30" and a margin of at least 1½" on all sides, except in cases where the proof maps and drawings can be placed on not more than 4 sheets of tracing linen or acetate cut to the size of one page of this form. If form-size maps are used, the sheets must have a margin of at least 1¼ inches at the top and one-half on sides and bottom. For filing purposes the title block should appear on the lower right hand side of the page with the short side being the bottom. For the large maps, the title block must be in the lower right hand corner with the long side of the map being the bottom. All information directly pertaining to this proof must be in black India ink and all other information should be in contrasting color. The proof, when prepared with the smaller maps must not be folded in mailing or otherwise. It must be mailed flat with stiff cardboard protection against crushing. Larger maps should be rolled and sent in a mailing tube.

September 28, 1992

L54(479)
ZION/Water Rights

Mr. Ronald G. Whitehead
Bush & Gudgell, Inc.
205 E. Tabernacle
St. George, Utah 84770

Re: Proof of Appropriation - Taylor Creek Well - Zion National Park

Dear Mr. Whitehead:

Please find enclosed the Proof of Appropriation of Water (Proof) for the Taylor Creek well at Zion National Park. My staff has reviewed the Proof and finds the information correct. In addition, I have signed the Certificate of Applicant section.

It is our understanding that you will forward the Proof, and the enclosed maps to Gerald Stoker, Division of Water Rights, State of Utah, for his review. If the Proof meets his approval he will return the Proof to your office for correction (if any) and signature. Once you have signed the Proof please forward it to our office so we can send the Proof and associated map to the State with a letter of explanation.

If there are any questions concerning the Proof or our understanding of the process, please contact Bill Hansen, of my staff, at (303) 493-1441.

Sincerely,

Owen Williams

Owen R. Williams
Chief, Water Rights Branch

Enclosures

FNP:WHANSEN:bb:(303)493-1441:09/28/92:B:\TAYSIGN.ZIO

PROOF OF APPROPRIATION OF WATER
STATE OF UTAH

For the purpose of proving that diverting works are completed and that water is being applied to a beneficial use, proof of appropriation of water is hereby submitted to the State Engineer in accordance with Section 73-3-16 of the Utah Code Annotated 1953, as amended.

WATER RIGHT NO. 81 – 662 **APPLICATION NO. A** 36782

1. **OWNER INFORMATION**
Name: USA National Park Service (Zion National Park) * Interest: _____%
Address: 301 South Howes Street, Room 353
City: Fort Collins State: Colorado Zipcode: 80521

2. **QUANTITY OF WATER:** 0.0688 cfs and/or _____ ac-ft

3. **SOURCE:** under ground well * **DRAINAGE:** Virgin River
which is tributary to _____
which is tributary to _____
POINT(S) OF DIVERSION: **COUNTY:** Washington
1. North 3348 feet East 2873 feet from SW corner, Section 29, Township 38 South, Range 12 West, Salt Lake Base and Meridian.

Description of Diverting Works and Carrying Works: 6" well 206 feet deep

4. **POINT(S) OF REDIVERSION**
The water is rediverted from n/a at a point:

Description of Diverting Works and Carrying Works: _____

5. **POINT(S) OF RETURN**
The amount of water consumed is n/a cfs or _____ ac-ft
The amount of water returned is _____ cfs or _____ ac-ft
The water is returned to the natural stream/source at a point(s): _____

6. **STORAGE**
Reservoir Name: n/a Storage Period: from _____ to _____
Capacity: _____ ac-ft. Inundated Area: _____ acres
Height of dam: _____ feet
Legal description of inundated area by 40 acre tract(s): _____

7. List any other water rights which are supplemental to this application: n/a

*** These items are to be completed by the Division of Water Rights**

8. NATURE AND PERIOD OF USE

Irrigation:	From 4/15 to 11/1
Stockwatering:	From _____ to _____
Domestic:	From 1/1 to 12/31
Municipal:	From _____ to _____
Mining:	From _____ to _____
Power:	From _____ to _____
Other:	From _____ to _____

9. PURPOSE AND EXTENT OF USE

Irrigation: 10 acres. Sole supply of 10 acres.
Stockwatering (number and kind): _____
Domestic: _____ Families and/or 15 Persons
Municipal (name): _____
Mining: _____ Mining District in the _____ Mine
Ores mined: _____
Power: Plant name: _____ Type: _____ Capacity: _____
Other (describe): _____

10. PLACE OF USE

Legal description of place of use by 40 acre tract(s): SW¼ & SW¼ of the SE¼, Section 29, Township 38 South, Range 12 West, Salt Lake Base and Meridian. SW ¼ of the NE¼ of Section 29, Township 38 South, Range 12 West, Salt Lake Base and Meridian.

11. DEVELOPMENT HISTORY

Construction of works commenced: unknown, 19____
and were completed: _____, 19____
Works were first used to convey water: _____, 19____
Water measured by (name): _____
Date: _____, 19____
Method of measurement: _____
(Give sufficient data in "EXPLANATORY" to enable the State Engineer to check the water measurement.)

12. EXPLANATORY (Use additional pages of same size if necessary)

Water is to be used in two duplexes, one family residence, one visitor center, one utility building and one picnic area for Kolob Canyons District of Zions National Park. Domestic use will include 15 park employees and approximately 200,000 park visitors.

(Fill in blank spaces but do not sign until proof has been submitted to the State Engineer and accepted as sufficient.)

CERTIFICATE OF APPLICANT

STATE OF UTAH)
COUNTY OF Washington) ss

Owen R. Williams being first duly sworn, certify that I am the person, assignee or agent of the person who filed in the State Engineer's office Application No. A 36782; that I, as appropriator, employed Ron Whitehead to compile information for the purpose of completion of proof of appropriation and that I hereby accept and submit this written proof together with tracings consisting of sheet Nos. 1 to – incl.; that said facts and tracings are hereby submitted, and that each and all items contained herein are true to the best of my knowledge and belief.

Owen R. Williams
Applicant or His Agent

SANDY L. DANDURAN NOTARY PUBLIC STATE OF COLORADO

Subscribed and sworn to before me this 3rd day of September, 19 92
My commission expires My Commission Expires July 21, 1995, 19____

Sandy L. Danduran
Notary Public

09-03-1992: proof of appropriation - a36782, page 2cont

CERTIFICATE OF PROOF ENGINEER

STATE OF UTAH) ss
COUNTY OF Washington)

Ronald G. Whitehead being first duly sworn, certify that I was employed to prepare proof of appropriation under Application No. A 36782; that the accompanying tracings were prepared from field notes of a survey made by me between the _____ and _____ days of _____, 19____; that these tracings, labeled as sheet Nos. _____ to _____ incl., when combined with the written proof fully describe the method and extent of beneficial use of the water and that each and all of the items contained herein are true to the best of my knowledge.

~~Proof Engineer~~ Licensed Land Surveyor - Ronald G. Whitehead 7753
License No.

Address: 205 E. Tabernacle - St. George, Utah 84770

Subscribed and sworn to before me this _____ day of _____, 19____

(Seal of Notary) *(Seal of Proof Engineer)*

My commission expires _____, 19____

_____
Notary Public

STATE ENGINEER'S ENDORSEMENTS

Dates

_____ Application received in State Eng. office; Approved _____
_____ Proof of Appropriation due in State Engineer's office
_____ Written proof and maps received in State Eng. office by _____
_____ Written proof and maps returned for correction by _____
_____ Corrected written proof and maps examined and certificate written by _____
_____ Field checked by _____
_____ Certificate of Appropriation issued (No. _____)
_____ Maps, profiles, and drawings are filed _____

This written proof and the maps, profiles, and drawings pertaining thereto, are found to comply with the requirements of the Laws of Utah, and the same are hereby approved.

_____ 19____ _____
State Engineer

Proof of Appropriation
on Application No. A_____

INSTRUCTIONS FOR COMPLETING AND SUBMITTING
PROOF OF APPROPRIATON

Proofs of Appropriation of water must be prepared by a registered engineer or licensed land surveyor. Each proof shall consist of two parts: (a) a written proof and (b) a sheet or sheets of maps, and drawings. The proof must indicate that the water sought to be appropriated has been applied to beneficial use, as provided in the application. Any amendments necessary must be made and the proof returned to the office within the time allowed by the State Engineer.

00-00-0000: certificate of proof engineer

WATER MEASUREMENT

Each written proof shall contain details of measurements of water changed. Measurements may be made by vessel, weir, meter, rated flume, reservoir capacity table or other accepted standard method of measurement; but not by floating chip or theoretical carrying capacity of conveying channel. Such details shall describe the method used in making the measurement, the date when made, the name of the person making the measurement and sufficient information to enable the State Engineer to compute the quantity of water measured in each case. This will include current meter notes and rating tables or field observation notes if other devices are used. Where the source of supply is of a fluctuating nature, a series of measurements should be submitted to show the variation in flow and the period or periods during which it is available. The maximum flow claimed cannot exceed that contained in the original application.

LEGAL TIES

All ties to points of diversion, rediversion, return, etc. must be given by one course and distance or by rectangular coordinates with reference to a regularly established U.S. land corner if within a distance of six miles of such corner, otherwise to a mineral monument, or a federal triangulation or traverse monument. If not within a distance of six miles of a corner or monument, the point may be designated with reference to a prominent natural object. All bearings must be given to the nearest minute of arc.

DIVERSION AND CONVEYANCE WORKS

A concise description of the present diverting and conveyance works shall be given under general remarks. This description must trace the water from the point of diversion to and including the place of use. The reservoir, if any, diverting dams, headgates, canals, flumes, and other related structures shall be included. This description shall be in the form of a concise word picture of the storage of water, if stored, its release, rediversion and conveyance to point of use.

USE OF WATER

An explanation of the nature and extent of all present uses of the water must be made, including acres irrigated, household connections, number of stock, periods of use, etc.

PLACE OF PRESENT USE AND ACREAGE

If the water is now used for irrigation of a full legal subdivision, the various irrigated areas shall be described by 40 acre tracts of each section, township and range. Where less than a legal subdivision is irrigated, the number of acres within each legal subdivision of 40 acres must be given. No legal subdivision of forty acres shall be described if no part of it has been irrigated. In no instance is an irrigated area to be given by elimination of non-irrigated areas. The descriptions in the written proof are to conform strictly with the maps.

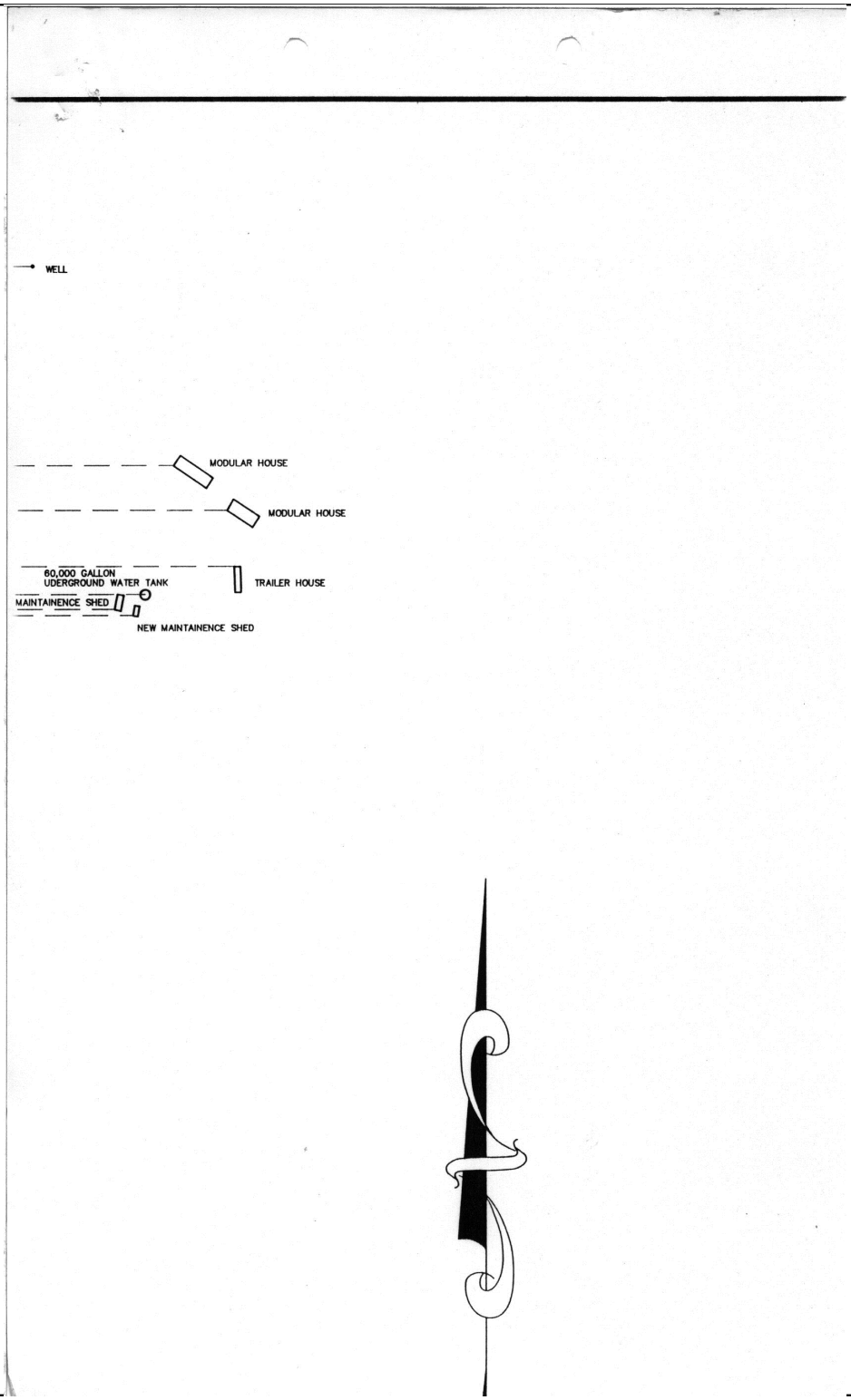
A description of the legal subdivision embracing the "water using areas" shall be given in the blank spaces of item 10. If insufficient space is there provided, it may be given under general remarks or on added sheets with reference thereto in the paragraph. In addition to this statement, there shall appear under general remarks or on additional sheets attached thereto and made a part of the written proof, detailed descriptions of the irrigated areas as referred to in the above paragraph. Descriptions in the written proof by legal subdivision and fractional subdivision shall be prepared in the following manner:

39.7 acres in SW1/4NW1 4, 9.6 acres in NE1/4SW1/4, 7.0 acres in NW1/4SW1/4, Sec. 15, T4S, R2E, SLBM

MAPS AND DRAWINGS

All maps must be submitted on sheets of tracing linen or acetate having dimensions of 24" x 30" and a margin of at least 1½" on all sides, except in cases where the proof maps and drawings can be placed on not more than 4 sheets of tracing linen or acetate cut to the size of one page of this form. If form-size maps are used, the sheets must have a margin of at least 1¼ inches at the top and one-half on sides and bottom. For filing purposes the title block should appear on the lower right hand side of the page with the short side being the bottom. For the large maps, the title block must be in the lower right hand corner with the long side of the map being the bottom. All information directly pertaining to this proof must be in black India ink and all other information should be in contrasting color. The proof, when prepared with the smaller maps must not be folded in mailing or otherwise. It must be mailed flat with stiff cardboard protection against crushing. Larger maps should be rolled and sent in a mailing tube.

00-00-0000: part of a plan map





VISITOR CENTER

GRAPHIC SCALE

200 0 100 200 400 800

(IN FEET)
1 inch = 200 ft.

LEGEND

SECTIONAL MONUMENTATION (TYPE, LOCATION ETC. AS NOTED ON THE PLAT).

& GUDGELL, INC.
– Planners – Surveyors
East Tabernacle
eorge, Utah 84770
ne (801) 673-2337

No	Date	By	Revision



VISITOR CENTER

GRAPHIC SCALE

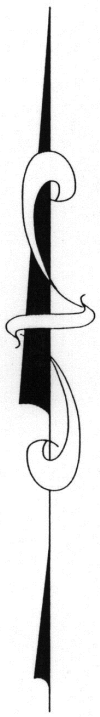
200 0 100 200 400 800

(IN FEET)
1 inch = 200 ft.

LEGEND

SECTIONAL MONUMENTATION (TYPE, LOCATION ETC. AS NOTED ON THE PLAT).

& GUDGELL, INC.
rs – Planners – Surveyors



VISITOR CENTER

GRAPHIC SCALE

200 0 100 200 400 800

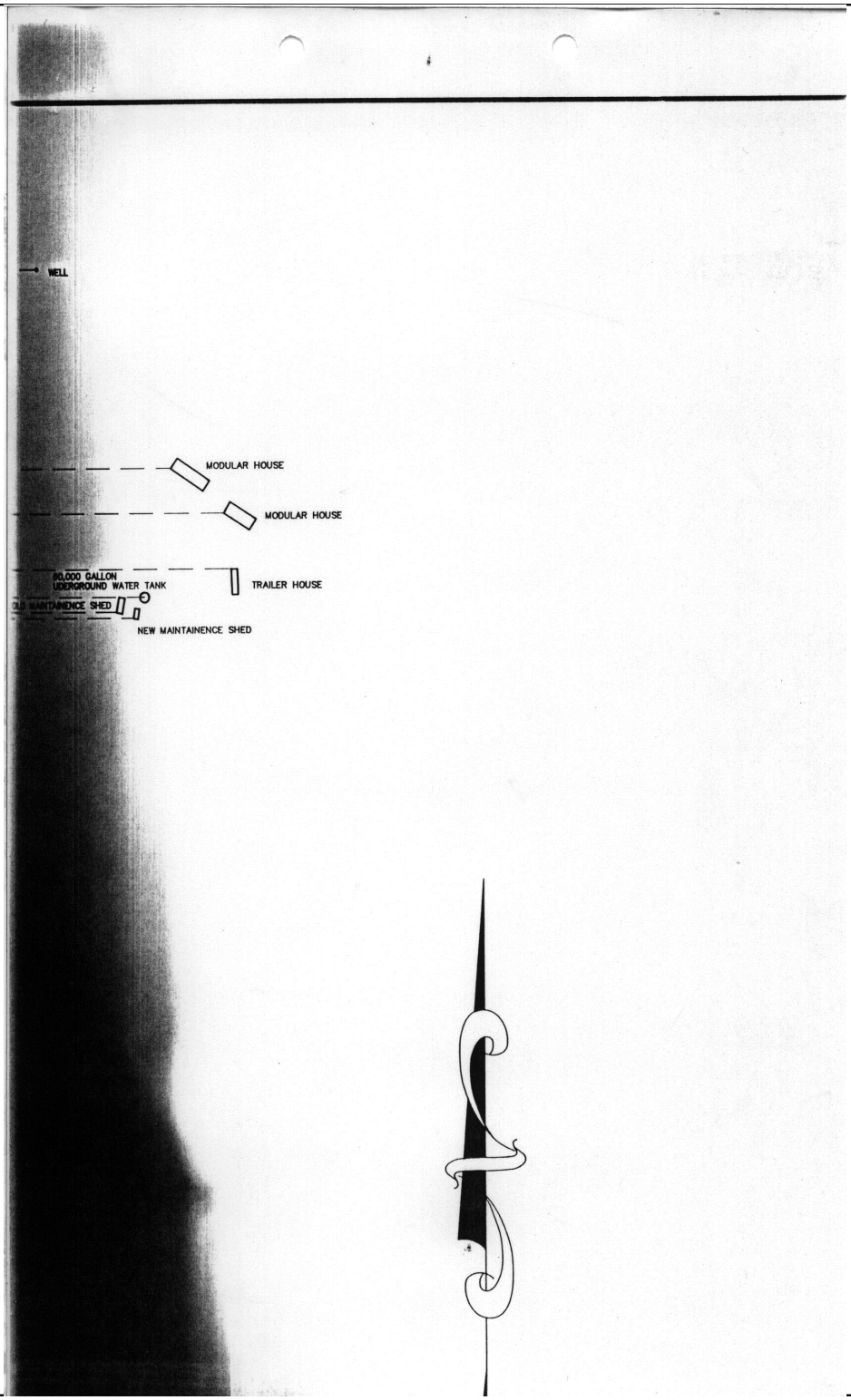
(IN FEET)
1 inch = 200 ft.

LEGEND

SECTIONAL MONUMENTATION (TYPE, LOCATION ETC. AS NOTED ON THE PLAT).

GUDGELL, INC.
Planners – Surveyors
gt Tabernacle
e, Utah 84770
801) 673-2337

No	Date	By	Revision

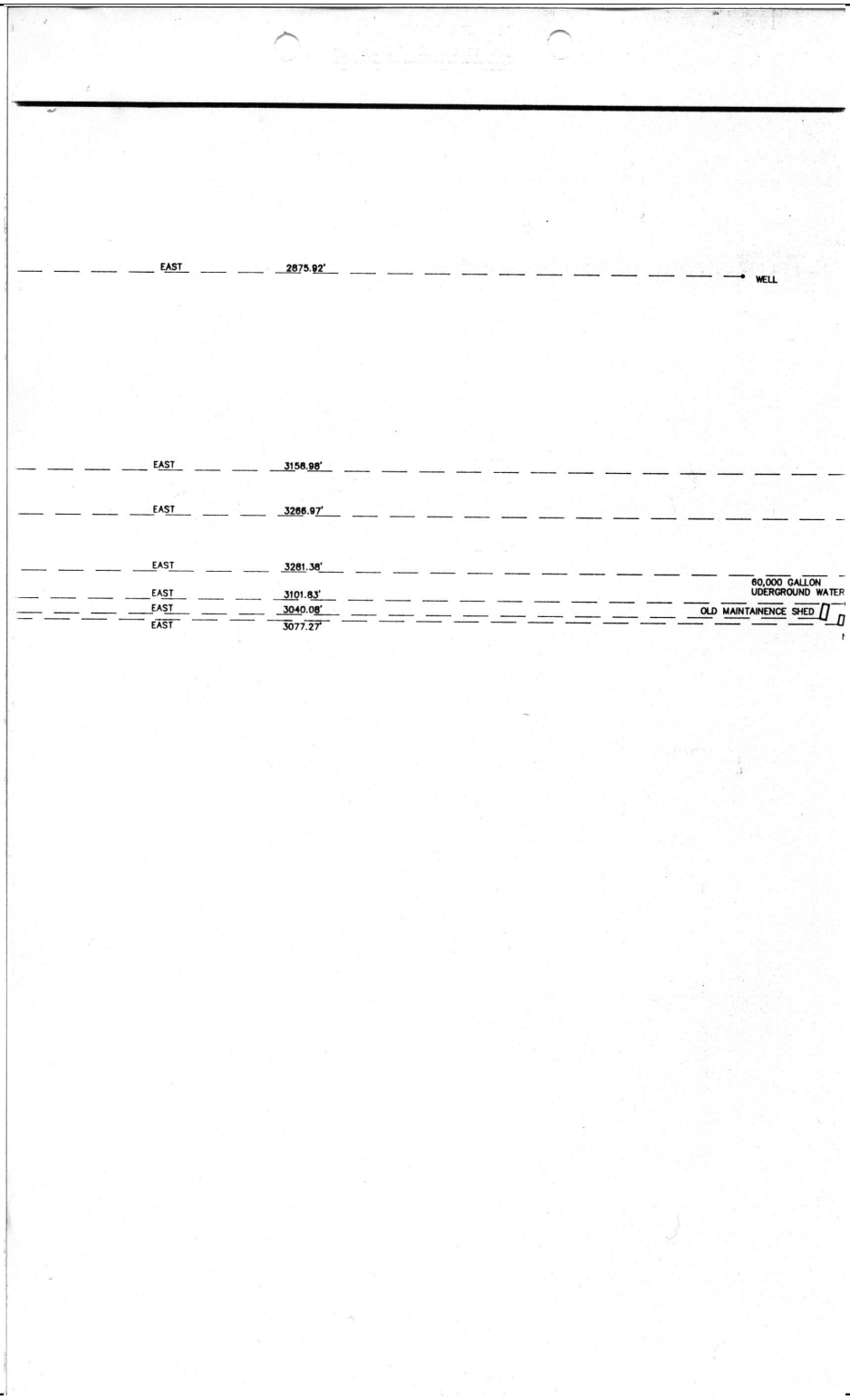

WELL
MODULAR HOUSE
MODULAR HOUSE
TRAILER HOUSE
UNDERGROUND WATER TANK
NEW MAINTAINENCE SHED

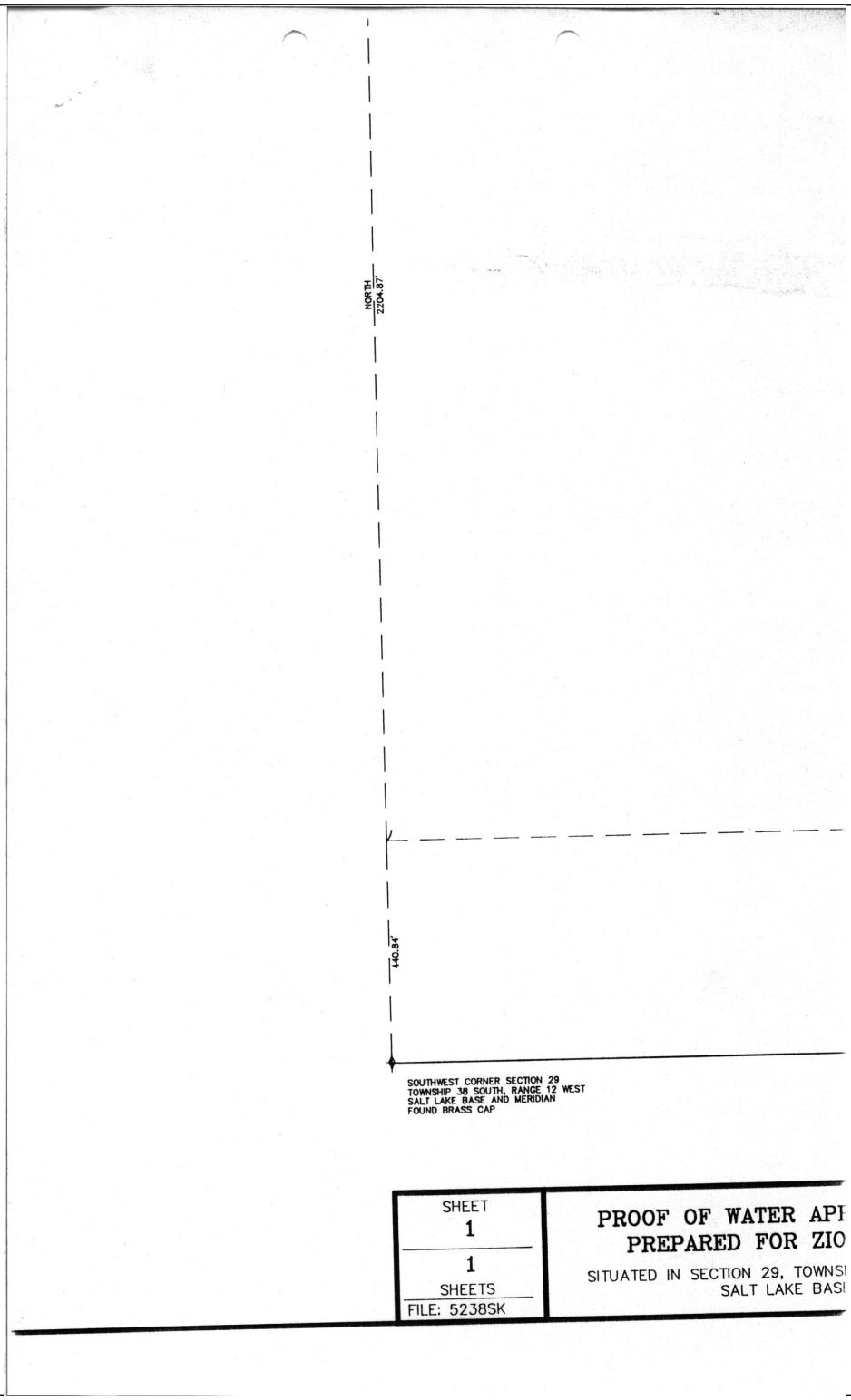


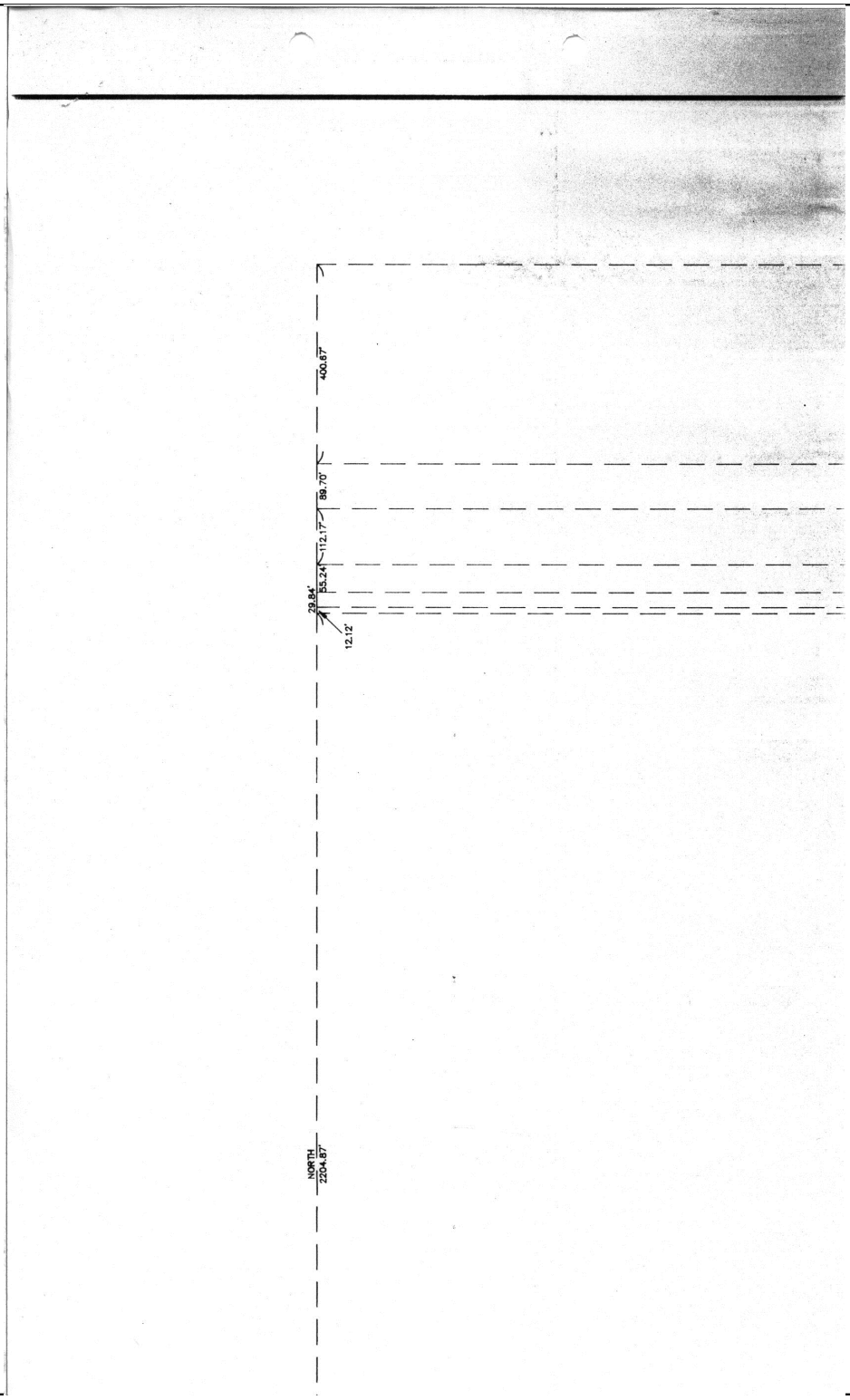
SOUTH 1/4 CORNER SECTION 29
TOWNSHIP 38 SOUTH, RANGE 12 WEST
SALT LAKE BASE AND MERIDIAN
FOUND BRASS CAP

n : M.A.S. Date : 8/17/92
ıner :
ked :
oved : R.G.W.
: 1" = 200'
lo : 5 - 5238

BUSH & GUDGELL, INC
Engineers - Planners - Surveyors
205 East Tabernacle
St. George, Utah 84770
Phone (801) 673-2337


EAST
2875.92'
WELL
EAST
3158.98'
EAST
3266.97'
EAST
3261.38'
60,000 GALLON
UDERGROUND WATER
EAST
3101.83'
EAST
3040.08'
OLD MAINTAINENCE SHED
EAST
3077.27'


NORTH
2204.87'
440.84'
SOUTHWEST CORNER SECTION 29
TOWNSHIP 38 SOUTH, RANGE 12 WEST
SALT LAKE BASE AND MERIDIAN
FOUND BRASS CAP
SHEET
1
1
SHEETS
FILE: 5238SK
PROOF OF WATER API
PREPARED FOR ZIO
SITUATED IN SECTION 29, TOWNSI
SALT LAKE BASI


400.67'
89.70'
112.17'
55.24'
29.84'
12.12'
NORTH
2204.87'

Received 20 Nov 1989

FILING FOR WATER IN THE STATE OF UTAH

APPLICATION TO APPROPRIATE WATER

Rec. by _____
Fee Rec. _____
Receipt # _____
Microfilmed _____
Roll # _____

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of the Laws of Utah.

WATER USER CLAIM NO. 81 - 662 APPLICATION NO. A36782

1. **PRIORITY OF RIGHT:** Feburary 23, 1965 **FILING DATE:** Feburary 23, 1965

2. **OWNER INFORMATION**
Name: USA National Park Service
Address: 655 Parfet Street, Box 25287, Denver, CO 80225
The land is owned by the applicant(s).

3. **QUANTITY OF WATER:** 0.0688 cubic feet per second (CFS)

4. **SOURCE:** Underground Water Well **DRAINAGE:** Virgin River
POINT(S) OF DIVERSION: **COUNTY:** Washington
(1) N. 1570 feet, E. 1235 feet, from the SW Corner of Section 27,
Township 38 S, Range 12 W, SLB&M
Description of Diverting Works: inch diameter well.
(2) N. 500 feet, E. 3240 feet, from the SW Corner of Section 29,
Township 38 S, Range 12 W, SLB&M
Description of Diverting Works: inch diameter well.
(3) N. 3358 feet, E. 2858 feet, from the SW Corner of Section 29,
Township 38 S, Range 12 W, SLB&M
Description of Diverting Works: 6 inch diameter well 206 ft.
COMMON DESCRIPTION: South of Kanarraville

5. **NATURE AND PERIOD OF USE**
Domestic: From January 1 to December 31.
Irrigation: From April 15 to November 1.

6. **PURPOSE AND EXTENT OF USE**
Domestic: 15 Persons.
Water to be used in 2 duplexes, 1 family residence, 1 visitor center, 1 utility building, and 1 picnic area for the Kolob Canyons district of Zion National Park. Domestic use will include 15 park employees and approximately 200,000 park visitors.
Irrigation: Total 10.00 acres Limited to the irrigation requirements of 10.00 acres.

7. **PLACE OF USE**
The water is used in all or parts of each of the following legal subdivisions.

			North East Quarter				North West Quarter				South West Quarter				South East Quarter			
TOWN	RANGE	SEC	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
38 S	12 W	29			X											X	X	

All locations in Salt Lake Base and Meridian

Appropriate

EXPLANATORY

Water to be used in 2 duplexes, 1 family residence, 1 visitor center,

1 utility building, and 1 picnic area for the Kolob Canyons District of Zion National Park. Domestic use will include 15 park employees and approximately 200,000 park visitors.

****

The applicant hereby acknowledges he/they are a citizen(s) of the United States or intends to become such a citizen.

****

The quantity of water sought to be appropriated is limited to that which can be beneficially used for the purpose herein described.

****

The undersigned hereby acknowledges that even though he/they may have been assisted in the preparation of the above-numbered application through the courtesy of the employees of the Division of Water Rights, all responsibility for the accuracy of the information contained therein, at the time of filing, rests with the applicant(s).

COPY

Signature of Applicant

NATIONAL PARK SERVICE

WATER RESOURCES DIVISION

WATER RIGHTS BRANCH

FORT COLLINS, COLORADO

FAX NUMBER: (303) 493-1441 ext. 27

VERIFICATION NUMBER: (303) 493-1441

DATE: 11/25/91

FROM: Bill Hansen — GROUP: National Park Service Water Rights Branch

TO: Ron Whitehead — GROUP: Bush/Gudgell ?

CITY, STATE: St. George — MAIL CODE: _____

OFFICE PHONE: (801) 673-2337

FAX NUMBER: (801) 673-3161 — VERIFICATION: yes

TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): 3

SPECIAL INSTRUCTIONS:

Ron - Here is the information you requested re: the Taylor Ck Well in Zion National Park. I will send on the extension of time - can you have the proof filed by 12/6/91? Please call me at (303) 493-1411 and let me know. Thanks

Bill Hansen

Receipt verified by: BETH Date: 11/25/91 Time: 9:15 am

19

Norman H. Bangerter
Governor
Dee C. Hansen
Executive Director
Robert L. Morgan
State Engineer

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

1636 West North Temple, Suite 220
Salt Lake City, Utah 84116-3156
801-538-7240

DEC 1991
RECEIVED
WRD - FT COLLINS

December 11, 1991

USA National Park Service Zion NP
Water Resources Division
301 South Howes Street, Room 353
Fort Collins, CO 80521

Dear Applicant: RE: Application No. 81-662 (A36782)

Request for extension of time in which to submit Proof of Appropriation or Proof of Change contemplated by the above-numbered application has been considered and the time for receiving Proof of Appropriation is hereby extended from November 30, 1991, to November 30, 1993.

This extension is granted in accordance with the law which states: "The construction of the works and the application of water to beneficial use shall be diligently prosecuted to completion within the time fixed by the state engineer. Extensions of time ... may be granted by the state engineer on proper showing of diligence or reasonable cause for delay... In the consideration of an application to extend the time in which to place the water to beneficial use under an approved application, ... the State Engineer shall deny such extension and declare the application lapsed, unless the applicant affirmatively shows that he has exercised or is exercising reasonable and due diligence in working toward completion of the appropriation."

I earnestly recommend that you complete your development and submit Proof of Appropriation at the earliest possible date.

Your contact with this office, should you need it, is with the Area Engineer, Gerald W. Stoker. The telephone number is (801)586-4231.

Yours truly,

Robert L. Morgan

Robert L. Morgan, P.E.
State Engineer

EXTENSION GRANTED

an equal opportunity employer

November 25, 1991

L54(479)
ZION/Water Rights

Mr. Gerald W. Stoker
State of Utah
Division of Water Rights
Southwestern Area
P.O. Box 506
Cedar City, UT. 84720-0506

Re: Application 81-662 (A36782)

Dear Mr. Stoker:

Please find enclosed the completed REQUEST FOR EXTENSION OF TIME form for the above referenced water right for Zion National Park (ZION). Due to budgetary constraints there have been delays in completing the survey and Proof of Appropriation by the November 30, 1991 filing date. ZION has contracted Mr. Ron Whitehead, St. George, to conduct a location survey and file the Proof of Appropriation by December 13, 1991. Therefore, we would like to request a reinstatement and extension of time for filing Proof until November 30, 1992.

If you have any questions concerning this request please contact Bill Hansen, of my staff, at (303) 493-1441.

Sincerely,

Owen Williams

Owen R. Williams
Chief, Water Rights Branch

bcc: ZION - Van Slyke, Karaszewski
RMR - Chaney

Hautzinger confirmed receipt of extension on 12/7/91 @ 1525 w/ G. Stoker. Recommended for approval - gone to St. Eng - should hear in 7-10 days
WRH

11-26-1991: request for reinstatement and extension of time; appl. a36782

UTAH
NATURAL RESOURCES
Water Rights

1636 West North Temple • Suite 220 • Salt Lake City, UT 84116-3156 • (801) 538-7240

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH
REQUEST FOR REINSTATEMENT AND EXTENSION OF TIME
(Before Fourteen Years)

APPLICATION NO. 31-662(A36782)

STATE OF UTAH
COUNTY OF Washington

Applicant's present address
USA National Park Service (ZION NP)
Water Resources Division
~~301 S. Howes Street, Rm. 353~~
Fort Collins, CO 80521

Owen R. Williams being first duly sworn that he is the (agent of the) ~~owner of~~ the above numbered application; that the information given is true and correct to the best of his knowledge.

Describe briefly the type, extent, and cost of construction completed to date, and the estimated cost of any remaining construction to complete the project and to submit Proof of Appropriation. Give reasons why the work could not be completed and water put to beneficial use within time allowed.

All construction on the well is complete and the well is presently operating to supply visitors and park staff with water. Due to park budgetary constaints, Proof of Appropriation of Water, prepared by an engineer or land surveyor, will not be completed until December 13, 1991.

Pursuant to Section 73-3-12, *Utah Code Annotated 1953* (as amended), request is made for reinstatement and extension of time for filing proof from November 30, 19 91 to November 30, 19 92.

Owen R. Williams

Chief, Water Rights Branch
APPLICANT (If a corporation, give title of officer signing.)

Subscribed and sworn to before me this 26 day of November 19 91

My Commission Expires December 20, 1993 Cindy Matt
NOTARY PUBLIC

FOR OFFICE USE ONLY

PROOF DUE DATE _____ 14 YEAR PERIOD ENDS _____

REMARKS _____

RECOMMENDED DISPOSITION _____

_____ CALENDAR
_____ COMPUTER
_____ INDEXED

EXTENSION REQUEST-Form 29

an equal opportunity employer

Rev. 7/89

11-15-1991: letter to the nps from the state engineer regarding application no. a36782, proof due date

11

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Norman H. Bangerter
Governor
Dee C. Hansen
Executive Director
Robert L. Morgan
State Engineer

1636 West North Temple, Suite 220
Salt Lake City, Utah 84116-3156
801-538-7240



November 15, 1991

USA National Park Service Zion NP
Water Resources Division
301 South Howes Street, Room 353
Fort Collins, CO 80521

Dear Applicant:

RE: Application No. 81-662 (A36782)
PROOF-DUE DATE: November 30, 1991

It is noted from our files that you have only fourteen (14) more days in which to submit proof before the lapsing of your application.

This letter is sent to remind you to have your proof or request for extension of time filed in this office before the proof-due date of your application, which is November 30, 1991.

Enclosed is a request for extension of time form in case you have misplaced the one previously sent to you.

Your contact with this office, should you need it, is with the Area Engineer, Gerald W. Stoker. The telephone number is (801)586-4231.

Yours truly,

Robert L. Morgan

Robert L. Morgan, P.E.
State Engineer

Enclosure: Form 29

14 DAY NOTICE

an equal opportunity employer

10-01-1991: letter to the nps from the state engineer regarding application no. a36782, proof due

21

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Norman H. Bangerter
Governor
Dee C. Hansen
Executive Director
Robert L. Morgan
State Engineer

1636 West North Temple, Suite 220
Salt Lake City, Utah 84116-3156
801-538-7240



October 1, 1991

USA National Park Service Zion NP
Water Resources Division
301 South Howes Street, Room 353
Fort Collins, CO 80521

Dear Applicant:

RE: Application No. 81-662 (A36782)
PROOF-DUE DATE: November 30, 1991

To appropriate water in Utah, or to change the point of diversion, place and nature of use of water, you must make application, receive approval, complete the intended development work and submit proof that the water has been put to beneficial use. Upon submission of satisfactory proof, a certificate will be issued, which is your evidence of a water right. Our records indicate that you have not made proof of appropriation or change on your application. This is due November 30, 1991.

Proof must be prepared by a registered engineer or land surveyor and must be filed in this office on or before the above proof-due date. Failure to make proof by this due date will allow the application to LAPSE. Blank forms for submitting proof will be sent upon request.

If proof cannot be submitted at this time, an extension of time may be requested by completing the enclosed form and submitting the request in affidavit form on or before the proof-due date. Submission of a request for an extension of time does not assure that it will be granted. An extension will generally be granted only after an applicant has made a showing of diligence to the State Engineer. Requests should not be made for unreasonable periods of time beyond that needed to complete the appropriation and proof.

Your contact with this office, should you need it, is with the Area Engineer, Gerald W. Stoker. The telephone number is (801)586-4231.

Yours truly,

Robert L. Morgan

Robert L. Morgan, P.E.
State Engineer

Enclosure: Form 29
Certified Mail

PROOF DUE

an equal opportunity employer

00-00-0000: request for reinstatement and extension of time

UTAH
NATURAL RESOURCES
Water Rights
1636 West North Temple • Suite 220 • Salt Lake City, UT 84116-3156 • (801) 538-7240

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH
REQUEST FOR REINSTATEMENT AND EXTENSION OF TIME
(Before Fourteen Years)

APPLICATION NO. _____ Applicant's present address

STATE OF UTAH
COUNTY OF _____ _____

_____, being first duly sworn that he is the (agent of the) owner of the above numbered application; that the information given is true and correct to the best of his knowledge.

Describe briefly the type, extent, and cost of construction completed to date, and the estimated cost of any remaining construction to complete the project and to submit Proof of Appropriation. Give reasons why the work could not be completed and water put to beneficial use within time allowed.

Pursuant to Section 73-3-12, *Utah Code Annotated 1953* (as amended), request is made for reinstatement and extension of time for filing proof from _____, 19 _____ to _____, 19 _____.

_____
APPLICANT (If a corporation, give title of officer signing.)

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

_____
NOTARY PUBLIC

FOR OFFICE USE ONLY

PROOF DUE DATE _____ 14 YEAR PERIOD ENDS_____

REMARKS _____

_____

_____

RECOMMENDED DISPOSITION _____

_____CALENDAR
_____COMPUTER
_____ INDEXED

12-20-1989: letter to the nps from the state engineer regarding application no. a36782, extension granted

19

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Norman H. Bangerter
Governor
Dee C. Hansen
Executive Director
Robert L. Morgan
State Engineer

1636 West North Temple, Suite 220
Salt Lake City, Utah 84116-3156
801-538-7240

DEC 1989
RECEIVED
WRD - FT COLLINS

December 20, 1989

USA National Park Service Zion NP
Water Resources Division
301 South Howes Street, Room 353
Fort Collins, CO 80521

Dear Applicant: RE: Application No. 81-662 (A36782)

Request for extension of time in which to submit Proof of Appropriation or Proof of Change contemplated by the above-numbered application has been considered and the time for receiving Proof of Appropriation is hereby extended from November 30, 1989, to November 30, 1991.

This extension is granted in accordance with the law which states: "The construction of the works and the application of water to beneficial use shall be diligently prosecuted to completion within the time fixed by the state engineer. Extensions of time ... may be granted by the state engineer on proper showing of diligence or reasonable cause for delay... In the consideration of an application to extend the time in which to place the water to beneficial use under an approved application, ... the State Engineer shall deny such extension and declare the application lapsed, unless the applicant affirmatively shows that he has exercised or is exercising reasonable and due diligence in working toward completion of the appropriation."

I earnestly recommend that you complete your development and submit Proof of Appropriation at the earliest possible date.

Your contact with this office, should you need it, is with the Area Engineer, Gerald W. Stoker. The telephone number is (801)586-4231.

Yours truly,

Robert L. Morgan

Robert L. Morgan, P.E.
State Engineer

EXTENSION GRANTED

an equal opportunity employer

November 29, 1989

L54(479)
ZION/Water Rights

Mr. Gerald W. Stoker
State of Utah
Division of Water Rights
Southwestern Area
P.O. Box 506
Cedar City, UT 84720-0506

Re: Application 81-662 (A36782)

Dear Mr. Stoker:

Please find enclosed the completed REQUEST FOR REINSTATEMENT AND EXTENSION OF TIME form for the above-cited Utah water right application for Zion National Park. Due to budgetary constraints, the National Park Service is requesting a one-year extension of time. No application fees have been enclosed as per your telephone conversation with Jeff Hughes, of my staff, on November 16, 1989. Also, in a subsequent telephone conversation with Mr. Hughes on November 28, 1989, you mentioned that you would accept this form if the envelope was postmarked by November 30, 1989.

If you have any questions, please call me at (303) 221-8301.

Sincerely,

Owen Williams

Owen R. Williams
Chief, Water Rights Branch

bcc: ZION - Superintendent, Karaszewski
RMR - Hermance
WRD - Hansen, Issue File

FNP:~~BHansen~~:bv:221-~~8333~~ 1827:11/29/89:zion.bil
JHUGHES

UTAH
NATURAL RESOURCES
Water Rights
1636 West North Temple • Suite 220 • Salt Lake City, UT 84116-3156 • (801) 538-7240

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH
REQUEST FOR REINSTATEMENT AND EXTENSION OF TIME
(Before Fourteen Years)

APPLICATION NO. 81-662(A36782)

STATE OF UTAH
COUNTY OF Washington

Applicant's present address
USA National Park Service (Zion N.P.)
Water Resources Division
301 S. Howes St., Rm 353
Fort Collins, CO 80521

Owen R. Williams being first duly sworn that he is the (agent of the) ~~owner~~ above numbered application; that the information given is true and correct to the best of his knowledge.

Describe briefly the type, extent, and cost of construction completed to date, and the estimated cost of any remaining construction to complete the project and to submit Proof of Appropriation. Give reasons why the work could not be completed and water put to beneficial use within time allowed.

All construction on the well is complete and the well is presently operating to supply visitors and park staff with water. Due to park budgetary constraints, proof of beneficial use, prepared by an engineer or land surveyor, has not been completed.

Pursuant to Section 73-3-12, *Utah Code Annotated 1953* (as amended), request is made for reinstatement and extension of time for filing proof from November 30, 19 89 to November 30, 19 90.

Chief, Water Rights Branch
APPLICANT (If a corporation, give title of officer signing.)

Subscribed and sworn to before me this _____ day of _____, 19____

NOTARY PUBLIC

FOR OFFICE USE ONLY

PROOF DUE DATE _____ 14 YEAR PERIOD ENDS _____

REMARKS _____

RECOMMENDED DISPOSITION _____

_____ CALENDAR
_____ COMPUTER
_____ INDEXED

EXTENSION REQUEST Form 2c

an equal opportunity employer

Rev. 7/89

11-14-1989: letter to the nps from the state engineer regarding application no. a36782, proof due date notice

11

Attn: J. Hughes

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Norman H. Bangerter
Governor
Dee C. Hansen
Executive Director
Robert L. Morgan
State Engineer

Southwestern Area
585 North Main Street
P.O. Box 506
Cedar City, Utah 84720-0506
801-586-4231

November 14, 1989

USA National Park Service Zion NP
655 Parfet Str., P.O. Box 25287
Denver, CO 80225

Dear Applicant:

RE: Application No. 81-662 (A36782)
PROOF-DUE DATE: November 30, 1989

It is noted from our files that you have only fourteen (14) more days in which to submit proof before the lapsing of your application.

This letter is sent to remind you to have your proof or request for extension of time filed in this office before the proof-due date of your application, which is November 30, 1989.

Enclosed is a request for extension of time form in case you have misplaced the one previously sent to you.

Your contact with this office, should you need it, is with the Area Engineer, Gerald W. Stoker. The telephone number is (801)586-4231.

Yours truly,

Robert L. Morgan

Robert L. Morgan, P.E.
State Engineer

Enclosure: Request Form

14 DAY NOTICE

an equal opportunity employer

09-29-1989: letter to the nps from the state engineer regarding application no. a36782, proof due

21

OCT 2 REC'D OCT 2 1989

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Norman H. Bangerter
Governor
Dee C. Hansen
Executive Director
Robert L. Morgan
State Engineer

1636 West North Temple, Suite 220
Salt Lake City, Utah 84116-3156
801-538-7240

received
WRD
Nov 17, 1989

Ron Hermance

September 29, 1989

USA National Park Service Zion NP
655 Parfet Str., P.O. Box 25287
Denver, CO 80225

Dear Applicant:

RE: Application No. 81-662 (A36782)
PROOF-DUE DATE: November 30, 1989

To appropriate water in Utah, or to change the point of diversion, place and nature of use of water, you must make application, receive approval, complete the intended development work and submit proof that the water has been put to beneficial use. Upon submission of satisfactory proof, a certificate will be issued, which is your evidence of a water right. Our records indicate that you have not made proof of appropriation or change on your application. This is due November 30, 1989.

Proof must be prepared by a registered engineer or land surveyor and must be filed in this office on or before the above proof-due date. Failure to make proof by this due date will allow the application to LAPSE. Blank forms for submitting proof will be sent upon request.

If proof cannot be submitted at this time, an extension of time may be requested by completing the enclosed form and submitting the request in affidavit form on or before the proof-due date. Submission of a request for an extension of time does not assure that it will be granted. An extension will generally be granted only after an applicant has made a showing of diligence to the State Engineer. Requests should not be made for unreasonable periods of time beyond that needed to complete the appropriation and proof.

Your contact with this office, should you need it, is with the Area Engineer, Gerald W. Stoker. The telephone number is (801)586-4231.

Yours truly,

Robert L. Morgan

Robert L. Morgan, P.E.
State Engineer

Enclosure: Form 29
Certified Mail

P R O O F D U E

an equal opportunity employer

00-00-0000: request for reinstatement and extension of time

UTAH
NATURAL RESOURCES
Water Rights

1636 West North Temple • Suite 220 • Salt Lake City, UT 84116-3156 • (801) 533-6071

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH
REQUEST FOR REINSTATEMENT AND EXTENSION OF TIME
(Before Fourteen Years)

APPLICATION NO. _____ Applicant's present address

STATE OF UTAH
COUNTY OF _____ _____

_____, being first duly sworn that he is the (agent of the) owner of the above numbered application; that the information given is true and correct to the best of his knowledge.

Describe briefly the type, extent, and cost of construction completed to date, and the estimated cost of any remaining construction to complete the project and to submit Proof of Appropriation. Give reasons why the work could not be completed and water put to beneficial use within time allowed.

Pursuant to Section 73-3-12, *Utah Code Annotated 1953* (as amended), request is made for reinstatement and extension of time for filing proof from _____, 19 _____ to _____, 19 _____.

_____
APPLICANT (If a corporation, give title of officer signing.)

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

_____
NOTARY PUBLIC

FOR OFFICE USE ONLY

PROOF DUE DATE _____ 14 YEAR PERIOD ENDS_____

REMARKS _____

_____

_____

RECOMMENDED DISPOSITION _____

_____CALENDAR
_____COMPUTER
_____ INDEXED

07-18-1986: letter to the nps from the state engineer regarding application no. a36782, approved apllication

STATE OF UTAH
NATURAL RESOURCES
Water Rights

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Robert L. Morgan, State Engineer

1636 West North Temple • Suite 220 • Salt Lake City, UT 84116-3156 • 801-533-6071

July 18, 1986

USA National Park Service
655 Parfet Street, Box 25287
Denver, CO 80225

Dear Applicant:

RE: APPROVED APPLICATION
NUMBER 81-662 (A36782)

Enclosed is a copy of approved Application No. 81-662 (A36782). This is your authority to proceed with the actual construction work which under Section 73-3-10 and 73-3-12, Utah Code Annotated, 1953, as amended, must be diligently prosecuted to completion. The water must be put to beneficial use and proof of appropriation be made to the State Engineer on or before November 30, 1989, otherwise, the application will be lapsed.

Proof of Appropriation is evidence to the State Engineer that the water has been placed to its full intended beneficial use. By law, it must be prepared by a registered engineer or land surveyor, who will certify to the location and the uses for the water. Your proof of appropriation will become the basis for the extent of your water right.

Failure on your part to comply with the requirements of the statutes may result in forfeiture of this application.

Sincerely,

Robert L. Morgan

Robert L. Morgan, P.E.
State Engineer

RLM:laz

Encl.: Copy of Approved Application
Memorandum Decision

an equal opportunity employer

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

IN THE MATTER OF APPLICATION)
) MEMORANDUM DECISION
NUMBER 81-662 (A36782))

Application No. 81-662 (A36782) was filed February 23, 1965, by the USA National Parks Service to appropriate 0.0688 cfs. of water from a well to be used for a visitor's center and irrigation within Section 29, T38S, R12W SLB&M. The application was amended and readvertised in the Washington County News from June 27 through July 11, 1986. A protest was received from Carr Land Company.

A hearing was held in the Washington County Courthouse on April 16, 1986. The National Park Service drilled a well years ago under a test well permit. The well was developed but the water was not suitable for public use. Action on the application was held by the State Engineer for several years awaiting further information. The need for water at the visitor's center has become critical. The protestant owns land and water rights on adjacent land and are concerned that the proposed usage for this project could interfere with the water supply in their existing wells.

The State Engineer recognizes that southern Utah is a water-short area and believes that an effort must be made to utilize existing sources in the best public interest. The National Parks Service have a public requirement for water at this location and the amount that they request should not have any communication with the protestants water rights or cause them a direct interference problem.

It is, therefore, ordered and Application to Appropriate Water No. 81-662 (A36782) is hereby APPROVED, subject to prior rights and the proper development & drilling procedures for the State of Utah.

This decision is subject to the provisions of Section 73-3-14, Utah Code Annotated, 1953, which provides for plenary review by the filing of a civil action in the appropriate district court within sixty days from the date hereof.

Dated this 18th day of July, 1986.

Robert L. Morgan

Robert L. Morgan, P.E., State Engineer

RLM:GWS:laz

Mailed a copy of the foregoing Memorandum Decision this 18th day of July, 1986 to:

USA National Park Service
655 Parfet Street
Box 25287
Denver, CO 80225

Carr Land Company
c/o E. Ross Syphus
48 West 3450 South
Salt Lake City, UT 84115

BY: Laurel A. Zundel
Laurel A. Zundel, Secretary

RETAIN THIS COPY IN DOCKET

FILING FOR WATER IN THE STATE OF UTAH

APPLICATION TO APPROPRIATE WATER

Rec. by _____
Fee Rec. 22.50 Receipt # 15141
Microfilmed 5-24-86
Roll # 1075

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of the Laws of Utah.

WATER USER CLAIM NO. 81 - 662 APPLICATION NO. A36782

1. **PRIORITY OF RIGHT:** Feburary 23, 1965 **FILING DATE:** Feburary 23, 1965

2. **OWNER INFORMATION**
Name: USA National Park Service
Address: 655 Parfet Street, Box 25287, Denver, CO 80225
The land is owned by the applicant(s).

3. **QUANTITY OF WATER:** 0.0688 cubic feet per second (CFS)

4. **SOURCE:** Underground Water Well **DRAINAGE:** Virgin River
POINT(S) OF DIVERSION: **COUNTY:** Washington
(1) N. 1570 feet, E. 1235 feet, from the SW Corner of Section 27,
Township 38 S, Range 12 W, SLB&M
Description of Diverting Works: inch diameter well.
(2) N. 500 feet, E. 3240 feet, from the SW Corner of Section 29,
Township 38 S, Range 12 W, SLB&M
Description of Diverting Works: inch diameter well.
(3) N. 3358 feet, E. 2858 feet, from the SW Corner of Section 29,
Township 38 S, Range 12 W, SLB&M
Description of Diverting Works: 6 inch diameter well 206 ft.
COMMON DESCRIPTION: South of Kanarraville

5. **NATURE AND PERIOD OF USE**
Domestic: From January 1 to December 31.
Irrigation: From April 15 to November 1.

6. **PURPOSE AND EXTENT OF USE**
Domestic: 15 Persons.
Water to be used in 2 duplexes, 1 family residence, 1 visitor center, 1 utility building, and 1 picnic area for the Kolob Canyons district of Zion National Park. Domestic use will include 15 park employees and approximately 200,000 park visitors.
Irrigation: Total 10.00 acres Limited to the irrigation requirements of 10.00 acres.

7. **PLACE OF USE**
The water is used in all or parts of each of the following legal subdivisions.

			North East Quarter				North West Quarter				South West Quarter				South East Quarter			
TOWN	RANGE	SEC	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
38 S	12 W	29		X												X	X	

All locations in Salt Lake Base and Meridian

Appropriate

EXPLANATORY

Water to be used in 2 duplexes, 1 family residence, 1 visitor center,

1 utility building, and 1 picnic area for the Kolob Canyons District of Zion National Park. Domestic use will include 15 park employees and approximately 200,000 park visitors.

****

The applicant hereby acknowledges he/they are a citizen(s) of the United States or intends to become such a citizen.

****

The quantity of water sought to be appropriated is limited to that which can be beneficially used for the purpose herein described.

****

The undersigned hereby acknowledges that even though he/they may have been assisted in the preparation of the above-numbered application through the courtesy of the employees of the Division of Water Rights, all responsibility for the accuracy of the information contained therein, at the time of filing, rests with the applicant(s).

COPY

Signature of Applicant

STATE ENGINEER'S ENDORSEMENT

WATER USER'S CLAIM NO. 81 - 662 APPLICATION NO. A36782

1. February 23, 1965 Application received.

2. February 23, 1965 Priority of Application.

3. June 14, 1985 Application reviewed and approved for advertising by GWS.
   June 17, 1985 Publication began in Washington County News.
   August 14, 1985 Publication completed and verified by LZ.

4. August 10, 1985 End of protest period.
   Application protested: NO

5. May 31, 1985 Application designated for APPROVAL by GWS and SG.

6. Comments:
   Protested by Carr Land Co.

Conditions:
This application is hereby APPROVED by Memorandum Decision, dated July 18, 1986, subject to prior rights and the following conditions:

a. Actual construction work shall be diligently prosecuted to completion.
b. Proof of Appropriation shall be submitted to the State Engineer's Office by November 30, 1989.

Robert L. Morgan

Robert L. Morgan, P.E.
State Engineer

Time for making Proof of Appropriation extended to _____

Proof submitted _____

STATE OF UTAH
NATURAL RESOURCES
Water Rights

1636 West North Temple • Suite 220 • Salt Lake City, UT 84116-3156 • 801-533-6071

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Robert L. Morgan, State Engineer

APR 1 1986
RECEIVED
LAND RESOURCES
DIVISION

April 2, 1986

USA National Park Service
655 Parfet Street
Box 25287
Denver, CO 80225

RE: Appl. No. 81-662 (A36782)

Dear Applicant:

A hearing regarding the protest(s) on your above-numbered application(s) has been scheduled for 3:15 p.m., Wednesday, April 16, 1986 at the Washington County Courthouse, Commissioners Chambers, 197 East Tabernacle, St George, UT.

Prompt attendance of all interested parties will be appreciated.

Yours very truly,

Stanley Green, P.E.
Directing Appropriations Engineer

SG:laz

cc: Carr Land Company
c/o E. Ross Syphus
48 West 3450 South
Salt Lake City, UT 84115

04-09-1985: letter to the nps from the state engineer regarding application a36782

08/21/85 10:00 RMR-AC NO.007 002

STATE OF UTAH
NATURAL RESOURCES
Water Rights

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Robert L. Morgan, State Engineer

1636 West North Temple • Suite 220 • Salt Lake City, UT 84116-3156 • 801-533-6071

Rocky Mountain Regional Office
AUG 15 '85

August 9, 1985

MR - Herman

USA National Park Service
655 Parfet Street
Box 25287
Denver, CO 80225

RE: Application 81-662 (A36782)

Dear Applicant:

Please find enclosed the following document relating to the above-numbered application:

Protest filed by: Carr Land Co.
% E. Ross Syphus
48 West 3450 South
Salt Lake City, UT 84115

If you desire to answer the protest, submit same in duplicate on or before August 29, 1985.

A hearing regarding the protest will be held at a later date in the county courthouse of the county where the water is to be diverted under the application. Notice of this hearing will be sent to all interested parties.

Yours truly,

Robert L. Morgan

Robert L. Morgan, P.E.
State Engineer

laz

Enclosure

an equal opportunity employer

08-07-1985: form 12; application a36782

08/21/85 10:01 RMR-AC NO.007 003

RECEIVED
AUG 7 1985
WATER RIGHTS
SALT LAKE

Form 12

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH

(Must be submitted in duplicate)
(81-662)

IN THE MATTER OF APPLICATION NO. A 36782

FILED BY U.S.A. National Park Service

TO APPROPRIATE WATER FROM Wells (Name of Source)

IN Washington COUNTY, UTAH)

PROTEST OF

Carr Land Co.
c/o Stephen D. Swindle

* * * * * * * * *

STATE OF UTAH)
)
COUNTY OF Salt Lake)

Comes now E. Ross Syphus

Whose Address is 48 West 3450 South, Salt Lake City, Utah 84115

and protests the approval of the above-numbered Application on the following grounds, to-wit:

Carr Land Co. is the owner of water rights immediately below the points of diversion listed in this application and the owners feel that the drilling of one to three wells above could adversely affect their rights in their two wells and their rights in Kanarra Creek. Approval of any new application in this drainage area will undoubtedly affect existing rights.

WHEREFORE, Protestant prays that the Application be rejected
(rejected or approved

by State Engineer, as the case may be.)

Carr Land Co.
By E. Ross Syphus
Agent for Protestant

PUBLIC NOTICES

Public Notice Advertising Protects Your Right To Know

NOTICE TO WATER USERS

The following application(s) have been filed with the State Engineer to appropriate water in Washington County throughout the entire year unless otherwise designated Locations in SLB&M.

81-662 (A36782) APPLICANT: USA National Park Service, 655 Parfet Street, Box 25287, Denver, CO. QUANTITY: 0.0688 cfs. SOURCE: Underground Water Well. POINTS (S) OF DIVERSION: (1) N 1570 E 1235 from SW Cor, Sec 27 (2) N 500 E 3240 (3) N 3358 E 2858 from SW Cor, Sec 29, T38S, R12W., 6 in. well 206 ft. deep. (South of Kanarraville) PURPOSE AND PERIOD OF USE: Irrigation: from Apr 15 to Nov 1, total acreage 10.00 acs, sole supply 10.00 acs; Domestic: 15 persons. PLACE OF USE: SW1/4NE1/4,W1/2AE1/4 Sec 29, T38S, R12W.

Protests resisting the granting of this application with reasons therefore must be filed in duplicate with the State Engineer, 1636 West North Temple, Salt Lake City, Utah 84116 on or before AUGUST 10, 1985.

Robert L. Morgan, P.E.
STATE ENGINEER.

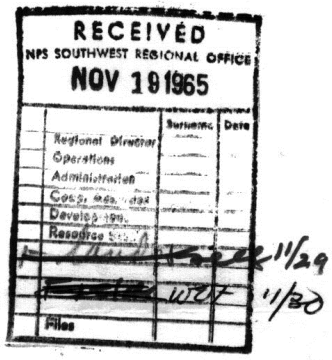
Published in Washington County News on June 27, July 4, & 11, 1985.

11-15-1965: letter to the acting assistant regional director from appropriations engineer regarding application 36782

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

HUBERT C. LAMBERT
STATE ENGINEER

November 15, 1965



Mr. Thomas M. Moran
Acting Assistant Regional Director
U. S. Department of the Interior
National Park Service
Southwest Region
P. O. Box 728
Santa Fe, New Mexico 87501

Dear Sir: RE: APPLICATION NO. 36782 (81-662)

The above-numbered application was received in this Office February 23, 1965.

Soon after it was received, a letter was forwarded to you dated March 24, 1965, requesting that certain amendments and corrections be made respecting the quantity of water appropriated and the uses indicated, specifically the 150 acres of irrigation. On September 13, 1965, we received a letter from you requesting that the point of diversion under this application be corrected. However, no mention was made in this letter regarding the amendments we had previously requested.

The above-numbered application has not been advertised, and we feel you should give your immediate attention to this matter. We note that the proposed well under this application has already been drilled, and I find no authority given to you to drill this well.

We feel that 30 days should be sufficient to reply to this inquiry.

Respectfully,

Donald G. Stewart
APPROPRIATIONS ENGINEER

DGS:sjz

L 54 zion

03-24-1965: letter to the nps from the state engineer regarding application 36782

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

WAYNE D. CRIDDLE
Acting STATE ENGINEER
HUBERT C. LAMBERT

RECEIVED
NPS SOUTHWEST REGIONAL OFFIC
MAR 26 1965

	Surname	De
Regional Director		
Operations		
Administration		
Coop. Activities		
Development		
Resource Studies		
~~Landscape Arch~~	4/3	
Files		

March 24, 1965

United States of America,
National Park Service
P. O. Box 728
Santa Fe, New Mexico 87501

ATTENTION: Mr. George W. Miller

Gentlemen: RE: APPLICATION NO. 36782

We have examined the above-numbered application and find that the amount of irrigation as shown in Paragraph 11 should be reduced. The amount of water you indicated in Paragraph 4 (0.0688 c.f.s.) is not sufficient to irrigate the 150 acres as called for in the application. The amount of acreage shown would be that which would actually be irrigated such as lawn, trees, shrubs, and so on.

This Office called Zion National Park Headquarters and talked to Mr. Fred Brueck. He indicated the project would not entail more than 5 acres of actual irrigation. Therefore, with your permission, we will amend the amount of irrigation to show this amount.

If you desire any further information concerning this application, please write or call this Office.

Respectfully,

William L. Burton

William L. Burton
APPLICATIONS REVIEWER

WLB:sjz

L 54 zion

02-26-1965: application to appropriate water; application 36782

Form 97 10M 2-62

DUPLICATE ORIGINAL

Application No. 36782

RECEIVED FEB 26 1965 STATE ENGINEER

APPLICATION TO APPROPRIATE WATER
STATE OF UTAH

NOTE:—The information given in the following blanks should be free from explanatory matter, but when necessary, a complete supplementary statement should be made on the following page under the heading "Explanatory."

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, for uses indicated by (X) in the proper box or boxes, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of the Laws of Utah.

1. Irrigation ☒ Domestic ☒ Stockwatering ☐ Municipal ☐ Power ☐ Mining ☐ Other Uses ☐
2. The name of the applicant is United States of America, National Park Service
3. The Post Office address of the applicant is P.O. Box 728, Santa Fe, New Mexico 87501
4. The quantity of water to be appropriated is 0.0688 second-feet or ..... acre-feet
5. The water is to be used for Domestic (Major Purpose) from Jan. (Month) 1 (Day) to Dec. (Month) 31 (Day)
   other use period Irrigation (Minor Purpose) from April (Month) 15 (Day) to Nov. (Month) 1 (Day)
   and stored each year (if stored) from ..... (Month) (Day) to ..... (Month) (Day)
6. The drainage area to which the direct source of supply belongs is ..... (Leave Blank)
7. The direct source of supply is* Underground Water (Name of stream or other source)
   which is tributary to ....., tributary to .....

*Note.—Where water is to be diverted from a well, a tunnel, or drain, the source should be designated as "Underground Water" in the first space and the remaining spaces should be left blank. If the source is a stream, a spring, a spring area, or a drain, so indicate in the first space, giving its name, if named, and in the remaining spaces, designate the stream channels to which it is tributary, even though the water may sink, evaporate, or be diverted before reaching said channels. If water from a spring flows in a natural surface channel before being diverted, the direct source should be designated as a stream and not a spring.

8. The point of diversion from the source is in Washington County, situated at a point* N. 15°18' E., 3084.87' ~~from South quarter corner of Section 29, T. 38 S., R. 12 W., SLB&M.~~ N. 3351.74' and E 2857.73' from SW section corner of said Sec. 29

*Note.—The point of diversion must be located definitely by course and distance or by giving the distances north or south, and east or west with reference to a United States land survey corner or United States mineral monument, if within a distance of six miles of either, or if at a greater distance, to some prominent and permanent natural object. No application will be received for filing in which the point of diversion is not defined definitely.

9. The diverting and carrying works will consist of 800' of 6" line, 3000' of 2" line, and 350' of 1-1/2" line.
10. If water is to be stored, give capacity of reservoir in acre-feet --- height of dam ..... area inundated in acres ..... legal subdivision of area inundated .....
11. If application is for irrigation purposes, the legal subdivisions of the area irrigated are as follows: S²NE⁴, SE⁴ Section 29, T. 38 S., R. 12 W., SLB&M.

Total ~~5~~ Acres

12. Is the land owned by the applicant? Yes √ No ..... If "No," explain on page 2.
13. Is this water to be used supplementally with other water rights? Yes ..... No √
    If "yes," identify other water rights on page 2.
14. If application is for power purposes, describe type of plant, size and rated capacity. ---
15. If application is for mining, the water will be used in --- Mining District at the ..... mine, where the following ores are mined .....
16. If application is for stockwatering purposes, number and kind of stock watered ---
17. If application is for domestic purposes, number of persons 200,000 visitors/yr & 7 permanent families, or families .....
18. If application is for municipal purposes, name of municipality ---
19. If application is for other uses, include general description of proposed uses ---
20. Give place of use by legal subdivision of the United States Land Survey for all uses described in paragraphs 14 to 19, incl. S²NE⁴, SE⁴ Section 29, T. 38 S., R. 12 W., SLB&M.
21. The use of water as set forth in this application will consume 0.0688 second-feet of water and 0.0 second feet will be returned to the natural stream or source at a point described as follows:

See sketch map 9/14/65 by Mann

FEES FOR APPLICATIONS TO APPROPRIATE WATER IN UTAH

Flow rate — c.f.s.			Cost	
0.0	to	0.1	$ 10.00	
over 0.1	to	0.5	20.00	
over 0.5	to	1.0	30.00	
over 1.0	to	15.0	30.00	plus $5 for each cfs above the first cubic foot per second.
over 15.0			100.00	

Storage — acre-feet				
0	to	20	15.00	
over 20	to	500	30.00	
over 500	to	7500	30.00	plus $5 for each 500 a.f. above the first 500 acre feet.
over 7500			100.00	

(This section is not to be filled in by applicant)

STATE ENGINEER'S ENDORSEMENTS

1. Feb. 23, 1965 Application received by mail ~~over counter~~ in State Engineer's office by mt
2. ..... Priority of Application brought down to, on account of .....
3. March 10, 1965 Application fee, $ 10.00, received by mt Rec. No. 00441
4. ..... Application copied in book ....., page ....., and indexed by .....
5. ..... Application platted by .....
6. ..... Application examined by .....
7. ..... Application returned, ... or corrected by office .....
8. ..... Corrected Application resubmitted over counter / by mail to State Engineer's office.
9. ..... Application approved for advertisement by .....
10. ..... Notice to water users prepared by .....
11. ..... Publication began; was completed .....
    Notice published in .....
12. ..... Proof slips checked by .....
13. ..... Application protested by .....
14. ..... Publisher paid by M.E.V. No. .....
15. ..... Hearing held by .....
16. ..... Field examination by .....
17. ..... Application designated for approval / rejection
18. ..... Application copied or photostated by ..... proofread by .....
19. ..... Application approved / rejected
20. Conditions:

    This Application is approved, subject to prior rights, as follows:

    a. Actual construction work shall be diligently prosecuted to completion.

    b. Proof of Appropriation shall be submitted to the State Engineer's office by .....

    c. .....

    ....
    State Engineer.

21. ..... Time for making Proof of Appropriation extended to .....
22. ..... Proof of Appropriation submitted.
23. ..... Certificate of Appropriation, No. ....., issued

Application No. .....

Page No. 2

EXPLANATORY

The following additional facts are set forth in order to define more clearly the full purpose of the proposed application:

We will drill an 8" well, 300' in depth, case it, install a pump, build a pump house and pump the water to a 40,000 gallon pump house. From here it will flow by gravity through 800' of 6" line, 3000' of 2" line and 350' of 1-1/2" line to furnish water to 3 duplexes, 1-4 unit apartment, 1 visitor center, 1 utility building, campgrounds and picnic areas for the Taylor Creek Entrance and District Ranger Station at Zion National Park.

NOTHING HEREIN CONSTITUTES A WAIVER OR RELINQUISHMENT BY THE UNITED STATES OF ANY RIGHTS THEY MAY HAVE TO THE USE OF THIS WATER OR ANY OTHER WATER.

(Use page 4 if additional explanatory is needed.)

The quantity of water sought to be appropriated is limited to that which can be beneficially used for the purpose herein described.

United States of America, Southwest Region, National Park Servic

Daniel B. Beard

Signature of Applicant*

Daniel B. Beard, Regional Director

*If applicant is a corporation or other organization, signature must be the name of such corporation or organization by its proper officer, or in the name of the partnership by one of the partners, and the names of the other partners shall be listed. If a corporation or partnership, the affidavit below need not be filled in. If there is more than one applicant, a power of attorney, authorizing one to act for all, should accompany the Application.

DECLARATION OF CITIZENSHIP

STATE OF UTAH,
County of..... } ss

On the ..... day of....., 19....., personally appeared before me, a notary public for the State of Utah, the above applicant who, on oath, declared that he is a citizen of the United States, or has declared his intention to become such a citizen.

My commission expires:

(SEAL)

Notary Public

Supporting Hydro Data

06-25-1965: memorandum to the director from the assistant regional director regarding well test, taylor creek well

H68-L-38-65

W Reading Ent 6/29

Southwest Region
P.O. Box 728
Santa Fe, New Mexico
87501

L54

JUN 25 1965

Memorandum

To: Director

From: Assistant Regional Director, Operations

Subject: Well Test, Taylor Creek Well, Zion National Park

During the week of June 8 quality and quantity tests were conducted on the newly drilled Taylor Creek Well at Zion National Park.

The well was drilled by Effinger Drilling and Pumping Service from Las Vegas, Nevada, and it bottomed in boulders and bedrock at 208'. The static water level is 105'. It is cased from the bottom to 2' above the ground surface and the lower 100' of this casing is perforated with 1/8" torch slots. A field chemical analysis was made and the results are as follows:

Specific Conductance	1200 ppm
Hardness	496 ppm
pH	7.5
Iron	0.1 ppm
Chlorides	37 ppm
Alkalinity	188 ppm
Temperature	52° F

The well was developed and pumped for a period of 124 hours and at the end of developing and testing there was still one ml. of sand per liter of water. The pump test itself was of a duration of 48 hours. A 3 HP Berkley submergible pump was used and the well produced 37-1/2 gpm throughout this testing period with a drawdown of only 7.4'.

In order to completely develop and clean this well, it is hoped to sell water from it to the road contractor when

he constructs the entrance road. He can install a 100 to 150 gpm pump and a short period of use at this discharge will adequately develop the well for our use.

By copies of this memorandum we are sending these test results to Chief, WODC for his information and preliminary design.

(SIGNED)

George W. Miller

In duplicate

cc: Chief, WODC (2)

Form 113—SM—12-60

Examined .....
Recorded: B. C. ..... T. B. .....
Inspection Sheet .....
Copied .....

REPORT OF WELL DRILLER
STATE OF UTAH

Application No. .....
Claim No. .....
Coordinate No. .....

GENERAL STATEMENT: Report of well driller is hereby made and filed with the State Engineer, in accordance with the laws of Utah. (This report shall be filed with the State Engineer within 30 days after the completion or abandonment of the well. Failure to file such reports constitutes a misdemeanor.)

Sec 29 T 38S R 12W SLBM Signed by Heron 7/16/65 Cert

(1) WELL OWNER:
Name Zion National Park
Address Springdale, Utah

(2) LOCATION OF WELL:
County Washington Ground Water Basin (leave blank)
North 2857.73 feet, East 3351.74 feet from SW Corner
South 3351.74 West 1857.73
of Section 29, T 38 S, R 12 W SLBM (strike out words not needed)

(3) NATURE OF WORK (check): New Well X
Replacement Well ☐ Deepening ☐ Repair ☐ Abandon ☐
If abandonment, describe material and procedure: .....

(4) NATURE OF USE (check):
Domestic ☐ Industrial ☐ Municipal ☐ Stockwater ☐
Irrigation ☐ Mining ☐ Other ☐ Test Well X

(5) TYPE OF CONSTRUCTION (check):
Rotary ☐ Dug ☐ Jetted ☐
Cable ☑ Driven ☐ Bored ☐

(6) CASING SCHEDULE: Threaded ☐ Welded X
8ID " Diam. from 0 feet to 145 feet Gage .156
6ID " Diam. from 0 feet to 206 feet Gage .250
" Diam. from ..... feet to ..... feet Gage .....
New X Reject ☐ Used ☐

(7) PERFORATIONS: Perforated? Yes ☐ No X
Type of perforator used Torch
Size of perforations 1/8 inches by 12 inches
106 206
..... perforations from ..... feet to ..... feet
..... perforations from ..... feet to ..... feet
..... perforations from ..... feet to ..... feet
..... perforations from ..... feet to ..... feet
..... perforations from ..... feet to ..... feet

(8) SCREENS: Well screen installed? Yes ☐ No X
None
Manufacturer's Name .....
Type ..... Model No. .....
Diam. ..... Slot size ..... Set from ..... ft. to .....
Diam. ..... Slot size ..... Set from ..... ft. to .....

(9) CONSTRUCTION:
Was well gravel packed? Yes ☐ No X Size of gravel: .....
Gravel placed from ..... feet to ..... feet
Was a surface seal provided? Yes X No ☐
To what depth? 12 feet
Material used in seal: Cement, sand & gravel
Did any strata contain unusable water? Yes X No
Type of water: Good Depth of strata 103
Method of sealing strata off: .....

Was surface casing used? Yes X No ☐
Was it cemented in place? Yes X No ☐

(10) WATER LEVELS:
Static level 105 feet below land surface Date .....
Artesian pressure ..... feet above land surface Date .....

LOG RECEIVED:

(11) FLOWING WELL:
Controlled by (check) Valve ☐
Cap X Plug ☐ No Control ☐
Does well leak around casing? Yes ☐
No ☐

(12) WELL TESTS: Drawdown is the distance in feet the water level is lowered below static level.
Was a pump test made? Yes X No ☐ If so, by whom? Effinger Drilling
Yield: 37½ gal./min. with 52 feet drawdown after 96 hours
" " " " " "
" " " " " "
Bailer test ..... gal./min. with ..... feet drawdown after ..... hours
Artesian flow ..... g.p.m. Date .....
Temperature of water 52 Was a chemical analysis made? No ☐ Yes X

(13) WELL LOG: Diameter of well 6ID inches
Depth drilled 206 feet. Depth of completed well 206 feet.

NOTE: Place an "X" in the space or combination of spaces needed to designate the material or combination of materials encountered in each depth interval. Under REMARKS make any desirable notes as to occurrence of water and the color, size, nature, etc., of material encountered in each depth interval. Use additional sheet if needed.

DEPTH From	DEPTH To	Clay	Silt	Sand	Gravel	Cobbles	Boulders	Hardpan	Conglomerate	Bedrock	Other	REMARKS
0	7			X								Red Sand
7	9										X	Red Sandstone
9	19			X								Red Sand
19	24					X					X	Rocks & Sandstone
24	31			X								Red Sand
31	36										X	Red Sandstone
36	91										X	Gray Sandstone
91	105					X						Rocks
105	135			X	X							Sand & Gravel (Water)
												Caving.
135	165										X	Gray Limestone
165	190										X	Black Shale
190	200			X	X							Sand & Gravel (Water)
												Caving.

Work started May 3, 1965, 19.... Completed June 8, 65, 19....

(14) PUMP: No pump left on well
Manufacturer's Name .....
Type: ..... H. P. .....
Depth to pump or bowles ..... feet

Well Driller's Statement:
This well was drilled under my supervision, and this report is true to the best of my knowledge and belief.
Name Effinger Drilling & Pump Service (Person, firm or corporation) (Type or print)
Address P.O. Box 579, Las Vegas, Nevada
(Signed) ..... (Well Driller)
License No. 252 Date June 15, 65, 19....

USE OTHER SIDE FOR ADDITIONAL REMARKS

WATER SUPPLY FOR TAYLOR CREEK ENTRANCE, ZION NATIONAL PARK, UTAH

By

Joseph S. Gates
Geologist, U.S. Geological Survey

PURPOSE OF REPORT

The National Park Service needs a source of water to supply 20 to 30 gpm (gallons per minute) to the new Taylor Creek entrance of Zion National Park. At the request of the Park Service the U.S. Geological Survey made a short study of hydrologic conditions in the entrance area. The writer visited the entrance during June 8-10, 1964, made a geologic reconnaissance, and collected water samples from three nearby wells and from Taylor Creek. Data on the wells were obtained from the files of the Utah State Engineer.

GEOLOGY

Gregory and Williams (1947) mapped the northwest part of Zion National Park, which includes the Taylor Creek entrance; and Averitt (1962) mapped the Cedar Mountain quadrangle, northeast of the entrance. The Hurricane Cliffs, which mark the approximate location of the Hurricane fault, cross the Taylor Creek entrance area (fig. 1). On the eastern (upthrown) side of the fault, bedrock is exposed; west of the fault, bedrock is buried beneath an unknown thickness of alluvium.

The rocks exposed in the Hurricane Cliffs and immediately east of the cliffs are of Mesozoic age. At the base of the cliffs is the Timpoweap Member of the Moenkopi Formation of Early Triassic age. Above the Timpoweap, younger formations of Mesozoic age, including the Moenkopi, Chinle, Moenave, and Kayenta Formations, crop out in the Taylor Creek drainage basin. The youngest pre-Quaternary formation exposed is the Entrada Sandstone of Late Jurassic age. The Kaibab Limestone of Permian age underlies the Timpoweap Member and probably is in turn underlain by the Coconino Sandstone of Permian age. The rocks east of the fault dip to the east, steeply near the fault and progressively less steep away from the fault.

The alluvium west of the Hurricane Cliffs has been deposited by Kanarra Creek and by streams that rise in the highlands and flow west through the cliffs (fig. 1). The alluvium is largely composed of material from the Mesozoic formations. Wells (C-38-12)20bba-1, 20bcc-1, and 32bbc-1 (fig. 1), all within 1 mile of the Hurricane Cliffs, are 212, 220, and 216 feet deep, respectively. The driller's log of well (C-38-12) 32bbc-1 indicates that the well penetrated soil from 0 to 6 feet, clay from 6 to 40 feet, gravel from 40 to 54 feet, clay from 54 to 88 feet, gravelly clay from 88 to 166 feet, and clay from 166 to 216 feet. The other two wells probably also bottomed in alluvium. Although the depth to bedrock (thickness of alluvium) is not known at any location west of the cliffs, it may be a few hundred feet within the area of figure 2; and bedrock may be near the land surface up to a few hundred feet west of the cliffs.

HYDROLOGY

Taylor Creek is the only significant source of surface water in the Taylor Creek entrance area. The creek probably flows in its reach east of the cliffs most of the year, and the Park Service reported that during wet periods it flows all year.

The occurrence of ground water in the bedrock east of the Hurricane Cliffs is unknown, although some of the limestone and sandstone may contain water in fractures and solution channels. West of the cliffs, the alluvium probably contains water in most places; including the Taylor Creek entrance area, although no ground-water data are available within a mile of the entrance. Sandberg (1963) compiled ground-water data from southwestern Utah, including the part of the Kanarra Creek drainage north of the center of figure 1. He listed two wells near Taylor Creek, (C-38-12)19aaa-1 and 19aca-1. These wells were renumbered (C-38-12)20bba-1 and 20bcc-1, respectively, during this study. In addition to these two wells, the Park Service pointed out the location of well (C-38-12)32bbc-1, south of the entrance.

The three wells are pumped, and wells (C-38-12)20bba-1 and 20bcc-1 each produces at least a few hundred gallons per minute. Discharge data are not available for well (C-38-12)32bbc-1, but the well penetrated water-bearing material at 40 to 54 feet, 88 to 126 feet, and 130 to 166 feet; and the static water level was at 21 feet.

Recharge to the alluvium in the entrance area probably is mostly from Taylor Creek, which loses water by seepage after leaving its canyon through the Hurricane Cliffs. On June 8, 1964, the creek flowed about 160 gpm in the canyon and about 110 gpm at Interstate U.S. 15 (fig. 2); and thus lost about 50 gpm. Water seeps into the alluvium under the creek channel, moves downward to the water table, and then moves parallel to the hydraulic gradient, which is probably toward the southwest. Minor amounts of water from precipitation on the area and from seepage directly from rocks to the east may also recharge the ground-water body.

QUALITY OF WATER

Taylor Creek and two wells near the entrance area were sampled for chemical analysis during this study, and one well was sampled before this study. The three wells and the sampling site on Taylor Creek are shown in figure 1; the analyses are given in table 1.

The water of Taylor Creek has the best quality of the four samples, although it does contain 394 ppm (parts per million) of sulfate and 778 ppm of dissolved solids and is very hard. These amounts exceed the maximum concentration of 250 ppm of sulfate and 500 ppm of dissolved solids recommended for drinking water by the U.S. Public Health Service (1962). The sample from the creek likely is typical of this source; although during periods of flood flow the quality would be better, and during periods when the discharge is less than the 160 gpm measured at the time of sampling, the water might be more mineralized.

The water discharged from the three wells is of similar quality--it contains large amounts of calcium, sulfate, and dissolved solids and is very hard. The sulfate content ranges from 714 to 914 ppm, about triple the recommended maximum; and the dissolved solids content ranges from 1,250 to 1,590 ppm.

The mineral matter in the water from Taylor Creek probably is mostly dissolved from the silty and shaly beds in the Moenkopi, Chinle, Moenave, and Kayenta Formations which crop out in the Taylor Creek drainage basin. After water seeps from the creek into the ground, it dissolves additional mineral matter from the alluvium, which is partly composed of fine-grained material derived from the bedrock formations.

The quality of ground water in the area covered by figure 2 is not known. Ground water probably moves from the creek toward well (C-38-12) 32bbc-1, and therefore, the quality of ground water close to the entrance may be intermediate between that of the creek water and that of the well water. If a significant amount of water is seeping into the alluvium from the Timpoweap Member of the Moenkopi or the underlying Kaibab Limestone, water may be of better quality in some places along the base of the cliffs. The Timpoweap and Kaibab are mostly composed of limestone and sandstone, and contain less soluble material than the overlying silt and shale.

RECOMMENDATIONS

Taylor Creek probably is not a suitable source of supply for the entrance because it may not flow during dry periods and because its water contains more than the maximum amount of sulfate recommended by the U.S. Public Health Service (1962) for public supply.

Ground water in the entrance area should be a reliable source of water, but its chemical quality may be poor. Two sites for test holes (shown in fig. 2) were selected during the field reconnaissance. Site 1 has the best potential yield but may yield water of poor quality; whereas site 2 has a poorer potential yield but a better potential for water of good quality.

Site 1 is on the alluvial fan of Taylor Creek and a test hole there probably will penetrate coarse, well-sorted material deposited by the creek. A test hole 200 feet deep likely will produce enough water to supply the entrance, and if the water quality is satisfactory, the test hole could be completed as a supply well. If water quality is unsatisfactory and the Park Service decides not to treat and use the water, a test hole can be drilled at site 2.

Site 2 is too far up the hillside to be on the Taylor Creek fan, and a test hole at this site probably will penetrate some landslide and slump material from the cliffs. This material may be poorly sorted and contain fine-grained material mixed with blocks of rock. Drilling may be difficult if many such blocks are encountered.

Water quality at site 2 may be better than at site 1 if the unconsolidated material is composed mostly of conglomerate and limestone of the Timpoweap Member and if the unconsolidated material derives some recharge from seepage from the Timpoweap in the Hurricane Cliffs. If the test hole yields water of poor quality, it should be abandoned, because it is extremely unlikely that fresh water would be encountered beneath water of poor quality. However, if the quality of the water is good, but the yield of the test hole is inadequate because the material is fine grained, it could be deepened to see if the yield could be increased.

A test hole 200 feet deep might reach bedrock at site 2. It is not known, however, which formations underlie the alluvium west of the cliffs, so their water-bearing characteristics are not known. If the test hole reaches bedrock, the zone directly above the bedrock should be tested carefully. Where the bedrock is of low permeability, this zone may be a channel for water which has percolated down through the unconsolidated material and has been unable to enter the bedrock. If the yield from the alluvium is inadequate, the bedrock should be tested. The test hole could be drilled into bedrock a few tens of feet to determine whether it is fractured or contains intergranular openings or solution channels. If it is at all permeable, the hole could be deepened and completed as a supply well.

Ground water at either site probably would not be contaminated by seepage from the entrance sewage disposal area, which is topographically lower and hydrologically downgradient. Pumping at either site would not affect the flow of Taylor Creek, providing that the water table is below the creek channel.

If test holes at sites 1 and 2 do not locate enough water of good quality, and water treatment is not feasible, a deep well could be drilled to test the Timpoweap Member of the Moenkopi Formation and the underlying Kaibab Limestone and Coconino Sandstone. Such a well should be drilled into the Timpoweap Member on the hillside above site 2 (so as to be east of the fault), and it probably would reach the base of the Coconino at a depth of 1,000 to 2,000 feet.

REFERENCES CITED

Averitt, Paul, 1962, Geology and coal resources of the Cedar Mountain quadrangle, Iron County, Utah: U.S. Geol. Survey Prof. Paper 389, 72 p.

Gregory, H. E., and Williams, N. C., 1947, Zion National Monument, Utah: Geol. Soc. America Bull., v. 58, no. 3, p. 211-244.

Sandberg, G. W., 1963, Ground-water data, Beaver, Escalante, Cedar City, and Parowan Valleys, parts of Washington, Iron, Beaver, and Millard Counties, Utah: U.S. Geol. Survey open-file rept. (duplicated as Basic-Data Rept. No. 6), 26 p.

U.S. Public Health Service, 1962, Drinking water standards, 1962: U.S. Public Health Service Pub. 956, 61 p.

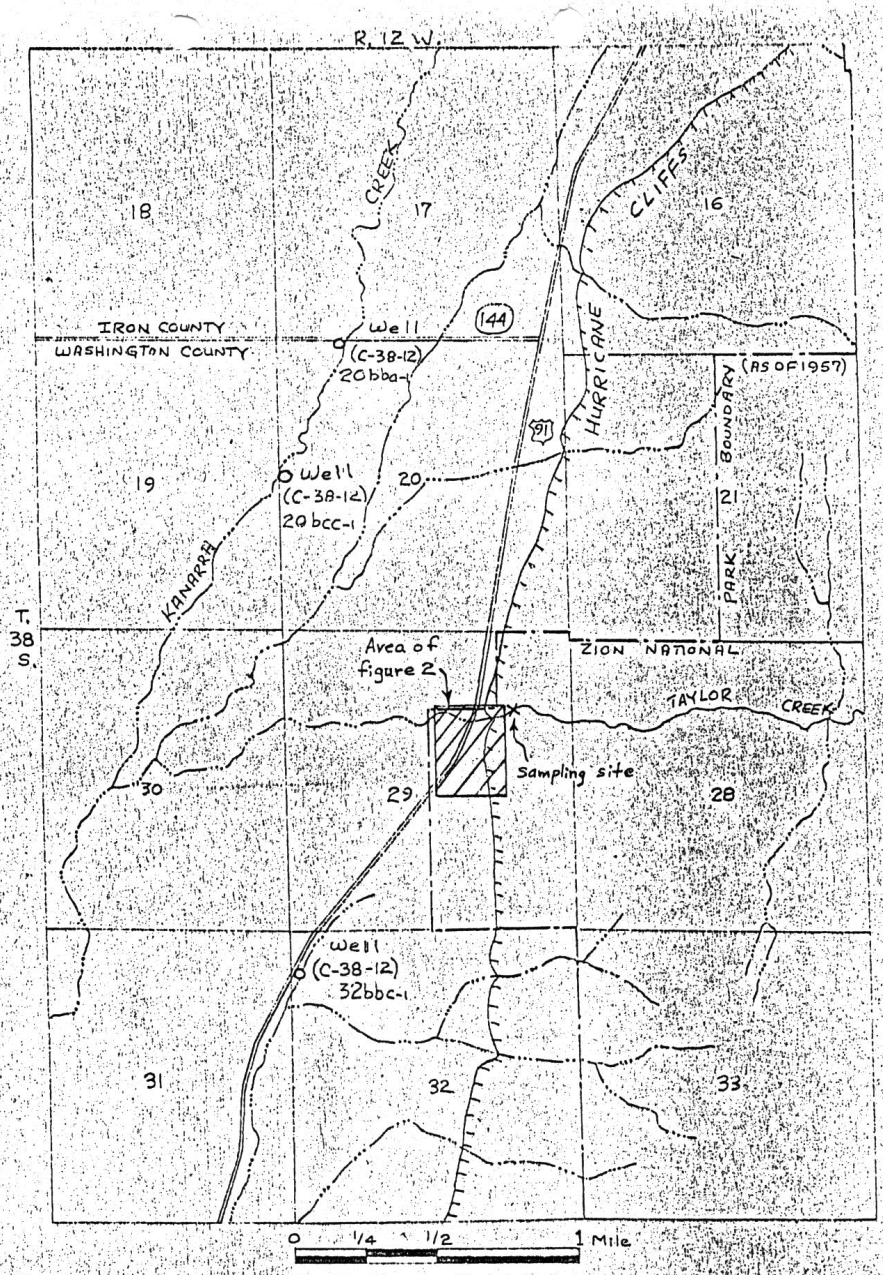


Figure 1.—Map of the Taylor Creek entrance area showing sampled wells, the sampling site on Taylor Creek, and the area of figure 2.

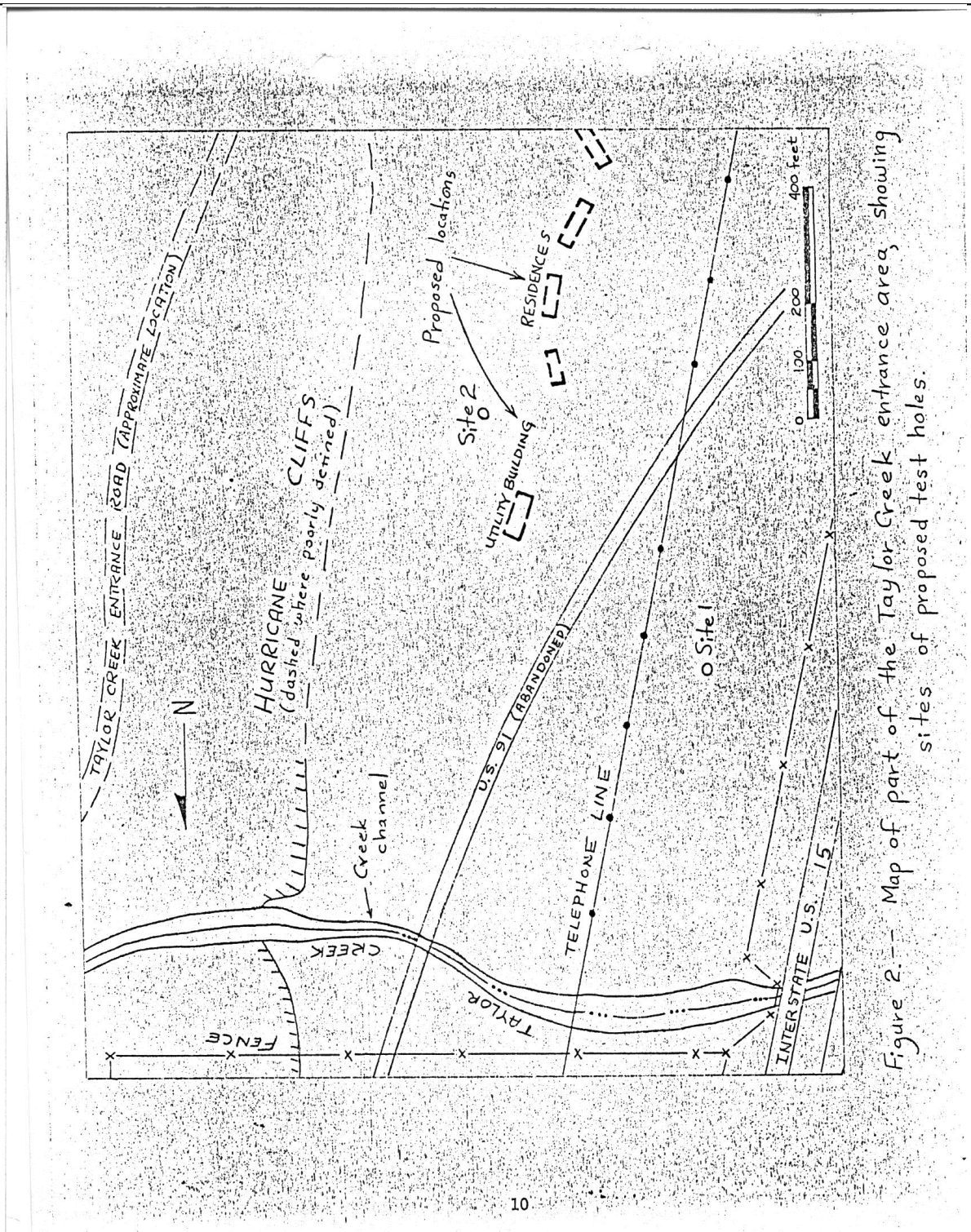
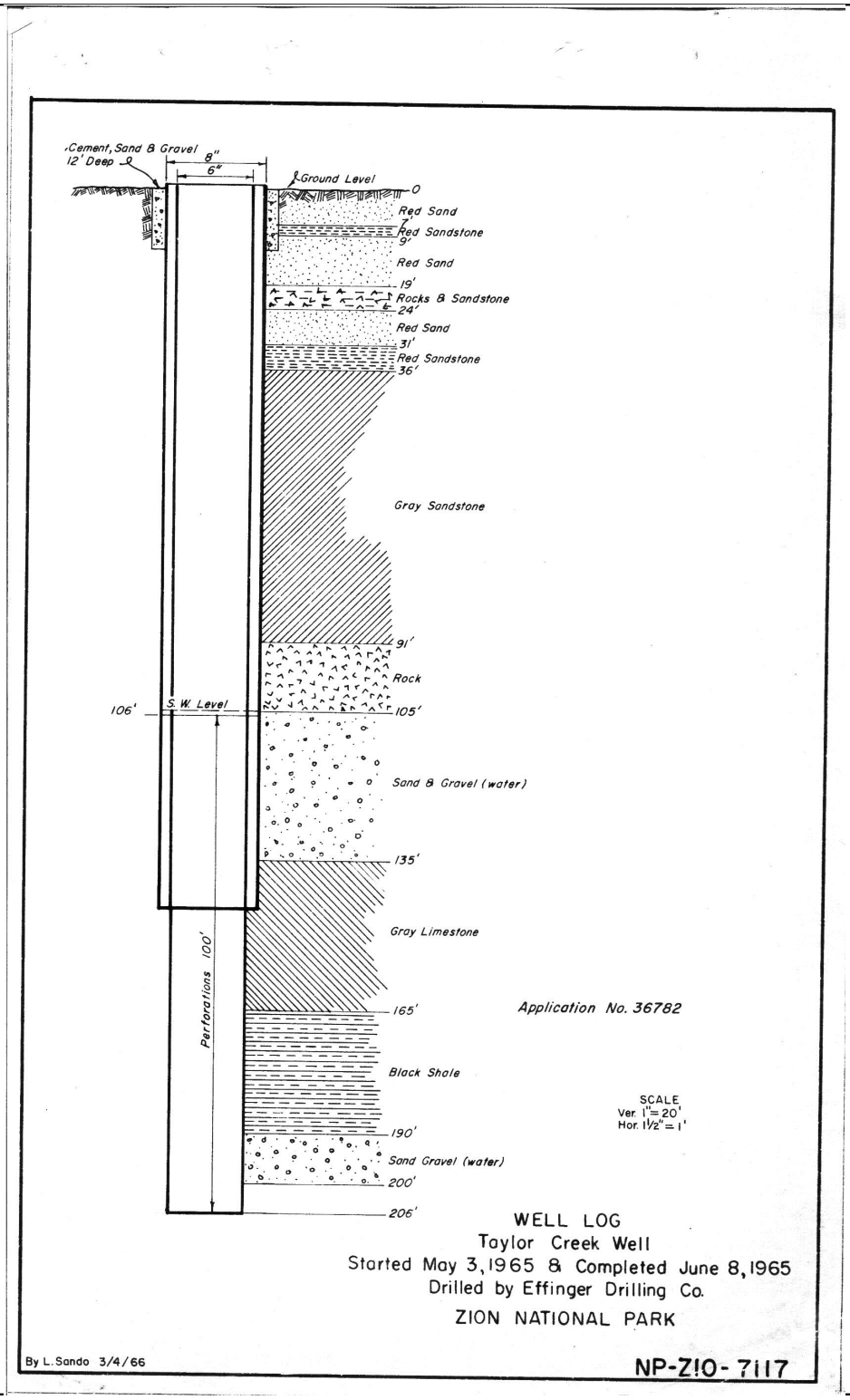


Figure 2.— Map of part of the Taylor Creek entrance area, showing sites of proposed test holes.

06-08-1965: well log, taylor creek well



Other Supporting Information

HANSEN

October 28, 1991

L54(479)
ZION/Water Rights

Memorandum

To: Scott Loveless, Office of the Regional Solicitor, Salt Lake City

From: Chief, Water Rights Branch

Subject: NPS Water Right Claim for Taylor Creek Well (Application No. 81-662 (A36782))

Please find enclosed the factual information regarding water rights for the Taylor Creek Well (Application No. 81-662, A36782) at Zion National Park (ZION) as per your discussion with Bill Hansen, of my staff, on October 16, 1991. The following discussion represents a chronology of events leading to the current request by State of Utah for a Proof of Appropriation for the Taylor Creek Well.

1) The National Park Service (NPS) filed an application to appropriate water at Taylor Creek on February 23, 1965.

2) The Taylor Creek Well was completed on June 8, 1965.

3) The Taylor Creek Well is located on land reserved by Presidential Proclamation No. 2221, dated January 22, 1937 (50 Stat. 1809) and later designated as National Park lands by the Act of July 11, 1956 (70 Stat. 527). (See attached enabling legislation)

4) The well was used between October 1965 and April 1966 for road construction and was then capped until NPS facilities were constructed in the late 1970's.

5) During the periods referred to in (4) above, no Notice of Posting was published nor was a Proof of Beneficial Use submitted to the State.

6) In June and July, 1985, the NPS published a Notice to Water Users that the NPS had filed an application to appropriate water for the Taylor Creek Well.

7) On August 13, 1985, the NPS received a protest by the Carr Land Company protesting its application for water rights at the Taylor Creek Well.

8) On August 22, 1985, Stan Ponce, then Chief of the Water Rights Branch, sent a letter to Robert L Morgan, the Utah State Engineer, informing the State of an address change and notifying the State that the NPS considered the Taylor Creek Well to be a Federal reserved water right (attached).

9) On July 18, 1986, Morgan ruled in favor of the NPS, with regard to the Carr Land Company protest, and accepted the application for appropriation of water at the Taylor Creek Well with a February 23, 1965 priority date (application information attached).

10) On May 15, 1987, the Department of Justice, on behalf of the NPS, filed for a reserved water right for the Taylor Creek Well as part of the Statement of Water User's Claims for ZION in the Virgin River Adjudication.

11) On November 17, 1989, the NPS received a letter from Morgan requesting that the NPS file a Proof of Appropriation for the Taylor Creek Well.

12) On November 29, 1989, the NPS filed a Request for Reinstatement and Extension of Time for the Taylor Creek Well.

13) On December 12, 1989, Morgan granted an extension of time to file the Proof of Appropriation for the Taylor Creek Well until November 30, 1991.

14) On October 1, 1991, Morgan sent a reminder letter requesting that the NPS file a Proof of Appropriation for the Taylor Creek Well by November 30, 1991.

15) A Proof of Appropriation or an Extension of Time must be submitted by the NPS to the State Engineer by November 30, 1991.

It is unknown why the NPS filed the original application to appropriate water at Taylor Creek Well. It is also unknown as to why the NPS never advertised a Posting Notice prior to 1985. Based upon these facts we would like a legal opinion on the following questions:

1) Should the NPS perfect the state appropriative water right when the well is located on reserved lands?

2) If so, should the NPS request that the application be amended to show a priority date of January 22, 1937?

3) Should the NPS continue the application and notify the State, for purpose of comity, that the NPS considers the Taylor Creek Well to be a reserved water right recognizing that a final determination cannot be made until the Virgin River Adjudication is completed?

4) What will occur if we withdraw the NPS application to appropriate water at the Taylor Creek Well and the State finds that the NPS is not entitled to a Federal reserved water right in the Adjudication?

5) What will occur if the state grants the NPS an appropriative water right and later adjudicates a Federal reserved water right for the Taylor Creek Well? How will these duplicative claims be handled in the Adjudication?

6) Does State statute or administrative policy require that the NPS hire a State registered engineer or land surveyor to prepare the Proof of Appropriation for Federal agencies or can the NPS use park or regional staff to prepare the Proof?

In order to submit the Proof of Appropriation or Extension of Time to the State Engineer by November 30, 1991, we would like to request an opinion by November 23, 1991. If this is not feasible or if you have any questions please contact Bill Hansen at (303) 493-1441.

Dan McGlothlin

Attachments

cc: ZION - Superintendent
RMR - Chaney
DOJ - Walch

FNP:BHANSEN:jt:(303)493-1441:10/28/91:A:\TAYLORCK.ZIO

08-22-1985: letter to the state of utah natural resources water rights from s.l. ponce regarding protest to the water right application

August 22, 1985

L54 (479)
ZION Docket #7
x RMR Water Rights

Mr. Robert L. Morgan, P.E.
State of Utah Natural Resources
Water Rights
1636 West North Temple
Suite 220
Salt Lake City, UT 84116-3156

Dear Mr. Morgan:

This letter is in reply to your letter of August 9 to our Regional Office at 655 Parfet Street, Denver, CO. Your letter transmitted a protest by the Carr Land Company to our Water Right Application 81-662 (A 36782).

It is the intent of the National Park Service to work cooperatively with the State of Utah in all matters related to water use and rights. The diversion in question lies within reserved lands and is considered a Federal Reserved water right for purposes set forth in 16 U.S.C. 1, establishing the National Park Service, and Presidential Proclamation No. 2221, establishing Zion National Park. The State was originally notified of our intent to develop this water source February 20, 1965. The quantity to be diverted was 0.0688 cfs for year-round domestic use and watering of lawns in mid-summer. The water has been in beneficial use for 20 years. Upon the advice of the State of Utah Natural Resources, Application 81-662 (A 36782) was revised in the Spring of 1985, maintaining the same number, to reflect the relocation of our Regional Office from Santa Fe, New Mexico, to Denver, Colorado.

We hope this letter will clear up any misunderstanding concerning our reserved water right.

Sincerely,

Stanley L. Ponce

Stanley L. Ponce

FNP:SPonce:pml:8/22/85:221-5341:30822pon.ltr

cc: Homer Rouse, RMR
Ron Hermance, RMR-ME
Superintendent, Zion NP

16. Zion National Park

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Mukuntuweap National Monument established: Proclamation (No. 877) of July 31, 1909 53
Zion National Monument established: Proclamation (No. 1435) of March 18, 1918 53

MUKUNTUWEAP NATIONAL MONUMENT,[1] UTAH

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

[No. 877—July 31, 1909—36 Stat. 2498]

WHEREAS, the Mukuntuweap Canyon, through which flows the North Fork of the Rio Virgin, or Zion River, in Southwestern Utah, is an extraordinary example of canyon erosion and is of the greatest scientific interest, and it appears that the public interest would be promoted by reserving it as a National monument, with such other land as may be necessary for its protection;

NOW, THEREFORE, I, William H. Taft, President of the United States of America, by virtue of the power in me vested by Section 2 of the Act of Congress approved June 8, 1906, entitled, "An Act for the Preservation of American Antiquities", do hereby set aside, as the Mukuntuweap National Monument, the Mukuntuweap Canyon of the North Fork of the Rio Virgin, or Zion River, embracing Sections three, four, five, six, eight, nine, ten, fourteen, fifteen, sixteen, twenty-one, twenty-two, twenty-three, twenty-six, twenty-seven, twenty-eight, thirty-three and thirty-four, Township forty South, Range ten, and all of the said canyon of the Rio Virgin, or Zion River, in Township forty-one South, Range ten, all west of the Salt Lake Meridian, Utah, as shown upon the diagram hereto attached and made a part of this proclamation.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure or destroy any feature of this National Monument, or to locate or settle upon any of the lands reserved by this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 31st day of July, in the year of our Lord one thousand nine hundred and nine, and of the [SEAL] Independence of the United States the one hundred and thirty-fourth.

WM. H. TAFT.

By the President:
HUNTINGTON WILSON,
Acting Secretary of State.

ZION NATIONAL MONUMENT, UTAH[2]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

[No. 1435—Mar. 18, 1918—40 Stat. 1760]

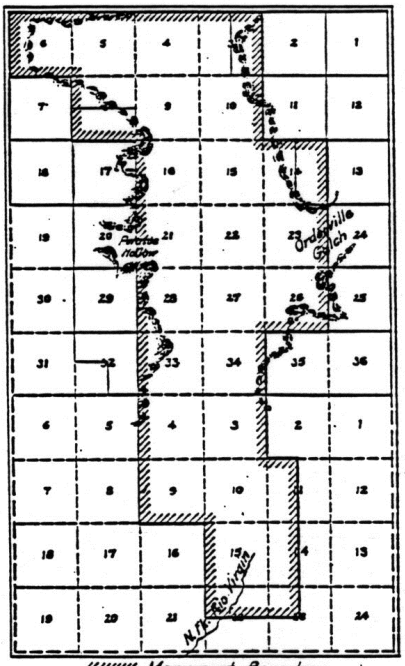
WHEREAS, It has been established by the research of competent observers

[1] Name changed to Zion National Monument by proclamation of March 18, 1918, immediately following.
[2] Monument was established as Zion National Park by act of November 19, 1919 (41 Stat. 356). See Vol. I, p. 217.

MUKUNTUWEAP NATIONAL MONUMENT

Embracing Sections 3, 4, 5, 6, 8, 9, 10, 14, 15, 16, 21, 22, 23, 26, 27, 28 33 and 34 in T. 40 S. R. 10; and all of the Mukuntuweap canyon in T. 41 S. R. 10 all west of the Salt Lake Meridian

UTAH



DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
Fred Dennett, Commissioner

that certain lands directly bordering upon the Mukuntuweap National Monument, reserved by proclamation dated July 31, 1909, said monument and adjacent lands being in the State of Utah, contain many natural features of unusual archaeologic, geologic, and geographic interest, unknown at the time the monument was created,

AND WHEREAS, The archaeologic features perttain to the prehistoric races of America and to the ancestral Indian tribes,

AND WHEREAS, The geologic features include craters of extinct volcanoes, fossiliferous deposits of unusual nature, and brilliantly colored strata of unique composition, among which are some believed to be the best representatives in the world of a rare type of sedimentation,

AND WHEREAS, The features of geographic interest include a labyrinth of remarkable canyons with highly ornate and beautifully colored walls, in which are plainly recorded the geologic events of past ages,

AND WHEREAS, It appears that the entire area herein referred to should be preserved intact for the purpose of scientific research and for the enjoyment and enlightenment of the public,

AND WHEREAS, The canyon of the North Fork of the Virgin River, the principal natural feature of geologic and geographic interest included within the boundaries of the said Mukuntuweap National Monument, was named "Zion Canyon" by Mormon settlers many years before the name "Mukuntuweap" was given to this region because it was regarded as a safe refuge in the event of Indian attacks on neighboring settlements,

AND WHEREAS, The name "Zion" is still applied to this region to the exclusion of the name "Mukuntuweap,"

AND WHEREAS, It is desirable that the national monument embracing said region shall bear the generally accepted name "Zion,"

NOW, THEREFORE, I, Woodrow Wilson, President of the United States of America, by virtue of the power and authority in me vested by section two of the Act of Congress entitled "An Act for the preservation of American antiquities," approved June 8, 1906 (34 Stat., 225), do proclaim that there are hereby reserved from all forms of appropriation under the public-land laws, and set apart as the Zion National Monument, certain tracts of land particularly described as follows, to wit, all of township forty south, range ten west; all of township forty south, range ten and one-half west, with the exceptions of sections one and two; sections one, eleven, twelve, thirteen, fourteen, twenty-three, twenty-four, twenty-five, twenty-six, thirty-five, and thirty-six of township forty south, range eleven west; sections one, two, three, ten, eleven, twelve, thirteen, fourteen, fifteen, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, and twenty-seven of township forty-one south, range eleven west; and sections one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, the north half and southeast quarter of twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, the south half and northeast quarter of twenty-seven, thirty, thirty-four, thirty-five, and thirty-six of township forty-one south, range ten, all west of the Salt Lake Meridian in the State of Utah, which tracts include the lands embraced in the Mukuntuweap National Monument as reserved by the proclamation of July 31, 1909, and that the boundaries of said Zion National Monument are as shown on the diagram hereto attached and made a part hereof.

Warning is hereby given to all unauthorized persons not to appropriate or injure any natural feature of this monument or to occupy, exploit, settle, or

locate upon any of the lands reserved by this proclamation.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument, as provided in the Act of Congress entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat., 535).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE in the District of Columbia This eighteenth day of March, in the year of our Lord one thousand nine hundred and eighteen, and [SEAL] of the Independence of the United States of America the one hundred and forty-second.

WOODROW WILSON.

By the President:
ROBERT LANSING.
Secretary of State.

17. Zion National Park

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Excerpt from act of June 7, 1924, authorizing the exchange of alienated lands in the Zion National Park for other lands	217
Act of May 28, 1928, for the relief of the town of Springdale, Utah	217
Act of June 13, 1930, adding certain lands to the Zion National Park	218

An Act To establish the Zion National Park in the State of Utah, approved November 19, 1919 (41 Stat. 356)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Zion National Monument, in the county of Washington, State of Utah, established and designated as a national monument under the Act of June 8, 1906, entitled "An Act for the preservation of American antiquities." by Presidential proclamations of July 31, 1909, and March 18, 1918, is hereby declared to be a national park and dedicated as such for the benefit and enjoyment of the people, under the name of the Zion National Park, under which name the aforesaid national park shall be maintained by allotment of funds heretofore or hereafter appropriated for the national monuments, until such time as an independent appropriation is made therefor by Congress. (U.S.C., title 16, sec. 344.)

Zion National Park, Utah. Former national monument, changed to. Vol. 34, p. 225. See p. 296. Vol. 34, p. 2698; vol. 40, p. 1760.

SEC. 2. That the administration, protection, and promotion of said Zion National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provision of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes," and Acts additional thereto or amendatory thereof. (U.S.C., title 16, sec. 345.)

Administration by National Park Service. Vol. 39, p. 535. See p. 2.

Excerpt from "An Act To establish the Utah National Park in the State of Utah," approved June 7, 1924 (43 Stat. 593)

The Secretary of the Interior is hereby authorized to exchange, in his discretion, alienated lands in * * * Zion National Park for unappropriated and unreserved public lands of equal value and approximately equal area in the State of Utah outside of said park. (U.S.C., title 16, sec. 346.)

Exchange of alienated lands in Zion National Park for other lands.

An Act For the relief of the town of Springdale, Utah, approved May 28, 1928 (45 Stat. 787)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assem-

Springdale, Utah. May divert water from springs in Zion National Park.

bled, That the Secretary of the Interior is hereby authorized and directed, under such reasonable regulations as he may prescribe, to grant permission to the town of Springdale, Utah, to divert through such piping facilities as may be necessary, for domestic and other uses within the limits of said town of Springdale, Utah, water from certain springs in the Zion National Park, Utah, situated at the head of what is known as Oak Creek, which crosses the main highway about one-half mile below the park boundary, and located in approximately section 20, township 41 south, range 10 west, Salt Lake meridian.

An Act To add certain lands to the Zion National Park in the State of Utah, and for other purposes, approved June 13, 1930 (46 Stat. 582).

Zion National Park. Lands added to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 7, 17, 18, 19, 20, 29, 30, 31, and 32, township 41 south, range 9 west; unsurveyed sections 5, 6, 7, 8, 17, and 18, township 42 south, range 9 west; unsurveyed sections 5, 6, 7, and 8, township 42 south, range 9½ west; unsurveyed sections 1, 2, and the north half and southeast quarter section 3; northeast quarter section 4, east half section 10, sections 11 and 12, township 42 south, range 10 west; all of section 21, southwest quarter section 22, northwest quarter section 27, southeast quarter unsurveyed section 28; east half unsurveyed section 33, township 41 south, range 10 west; and all of sections 34, 35, and 36, township 41 south, range 11 west, all with reference to the Salt Lake meridian, be, and the same are hereby, added to and made a part of the Zion National Park in the State of Utah, subject to all laws and regulations applicable to and governing said park. (U.S.C., 6th supp., title 16, sec. 346a.)

83. Zion National Monument

Establishment: Proclamation (No. 2221) of January 22, 1937..... Page 129

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

[No. 2221—January 22, 1937—50 Stat. 1309]

WHEREAS certain public lands in the State of Utah contain volcanic phenomena of unusual scientific value, and have situated thereon various other objects of geological and scientific interest; and

WHEREAS it appears that it would be to the public interest to reserve such lands as a national monument, to be known as the Zion National Monument:

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that, subject to all valid existing rights, the following-described lands in Utah are hereby reserved from all forms of appropriation under the public-land laws and set apart as the Zion National Monument:

SALT LAKE MERIDIAN

T. 39 S., R. 10 W., sec. 31, lots 4 to 14, and 19 to 30, inclusive.
T. 40 S., R. 10½ W., sec. 1 and unsurveyed fractional sec. 2.
T. 38 S., R. 11 W., secs. 31, 32 and 33
T. 39 S., R. 11 W., secs. 4 to 9, and 16 to 21, inclusive, partly unsurveyed;
sec. 24, NE¼ and S½;
secs. 25 to 29, and 33 to 36, inclusive.
T. 40 S., R. 11 W., secs. 2, 3, 4, 9, 10, 15, 16, 21, 22, 27, 28, 33 and 34.
T. 41 S., R. 11 W., sec. 4;
sec. 5, E½;
sec. 8, NE¼;
secs. 9, 16 and 21.

T. 38 S., R. 12 W., sec. 10, lots 3 to 10, inclusive;
sec. 11, S½;
sec. 12, S½;
secs. 13, 14 and 15;
sec. 21 E½;
secs. 22 to 28, inclusive;
sec. 29, lot 1 and lots 3 to 8, inclusive.
secs. 33 to 36, inclusive.

T. 39 S., R. 12 W., secs. 1 to 4, and 9 to 15, inclusive, partly unsurveyed;
sec. 16, E½;
secs. 22, 23 and 24, partly unsurveyed,

containing approximately 49,150 acres.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes", approved August 25, 1916 (ch. 408, 39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.

The reservation made by this proclamation supersedes as to any of the above-described lands affected thereby the temporary withdrawals for classification and other purposes made by Executive Orders No. 5573 of March 7, 1931, and No. 6910 of November 26, 1934, as amended, and Executive Order of April 17, 1926, creating Public Water Reserve No. 107.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 22d day of January, in the year of our Lord nineteen hundred and thirty-seven and of the Independence of the United States of America the one hundred and sixty-first.

[SEAL]

FRANKLIN D. ROOSEVELT.

By the President:
CORDELL HULL,
The Secretary of State.

27. Zion National Park

		Page
Inclusion of the present area of Zion National Monument within Zion National Park	Act of July 11, 1956	178
Revision of boundaries of park	Act of February 20, 1960	178

An Act To include the present area of Zion National Monument within Zion National Park, in the State of Utah, and for other purposes, approved July 11, 1956 (70 Stat. 527)

Zion National Park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of combining Zion National Park and Zion National Monument, Utah, in a single national park unit, in the interest of efficient administration and to preserve adequately the features thereof, Zion National Park hereafter shall comprise the present area of the National Park and the present area of the Zion National Monument: *Provided*, That the enactment of this Act shall not affect adversely any valid rights or privileges heretofore existing within the areas hereby established as the Zion National Park. (16 U.S.C. § 346b.)

Administration.

SEC. 2. The Secretary of the Interior is authorized to administer Zion National Park as hereby established in accordance with his authority over the park heretofore granted by the Congress and in accordance with the general laws governing areas of the national park system. (16 U.S.C. § 346c.)

Funds.

SEC. 3. All funds heretofore made available for purposes of Zion National Park and Zion National Monument may be used for purposes of Zion National Park as established by this Act. (16 U.S.C. § 346d.)

An Act To revise the boundaries of the Zion National Park in the State of Utah, and for other purposes, approved February 20, 1960 (74 Stat. 4)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of the Zion National Park are hereby revised to include the following described lands: Zion National Park, Utah.

SALT LAKE MERIDIAN

Township 39 south, range 10 west: Section 30, those portions of lots 1 to 7, inclusive, lying south of Kolob Creek and lots 8 to 32, inclusive; section 31, lots 1, 2, 3, 15, 16, 17, 18, 31 and 32.

Township 41 south, range 10 west: Section 28, northeast quarter, that portion of the northwest quarter lying east of the North Fork of the Virgin River and lot 9 of the O. D. Gifford survey, the ownership of which is recorded on page 247 of deed book U12 in Washington County, Utah; section 29, west half; section 31; section 32 (partly surveyed), northeast quarter northwest quarter and west half northwest quarter.

Township 39 south, range 11 west: Section 13, southeast quarter southeast quarter; section 32, north half and southeast quarter.

Township 40 south, range 11 west: Section 5, lots 1 and 2 and south half northeast quarter.

Township 38 south, range 12 west: Section 29, those portions of lot 2 and of the southwest quarter lying east of the easterly right-of-way line of United States Highway 91, identified as project numbered I–01–1(1), Washington County, Utah, said line being 150 feet from and parallel the centerline of such highway, as constructed. (16 U.S.C. § 346a–1 [Supp. II].)

Acquisition of land.

SEC. 2. Privately owned land, or interests therein, within the aforesaid revised boundary may be acquired by the Secretary of the Interior by purchase, donation, with donated funds, or by such other means as the Secretary may consider to be in the public interest. When acquired, such land and interests in land shall be administered as a part of the Zion National Park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended. (16 U.S.C. § 346a–2 [Supp. II].)

16 U.S.C. 1–4.

Land conveyance.

SEC. 3. The Secretary of the Interior is authorized to convey to the Utah State Road Commission under such terms and conditions as he may deem necessary such lands or interests in land in lot 3, section 29, township 38 south, range 12 west, Salt Lake meridian, containing approximately four and one-half acres, as are required by the Commission for the realinement and construction of United States Highway 91: *Provided,* That in exchange, the State of Utah constructs an interchange of design, type, and location acceptable to the Secretary which will provide vehicular access between the said highway and Zion National Park. Such conveyed lands shall thereafter be considered as excluded from the Zion National Park and the easterly right-of-way line of United States Highway 91, identified as project numbered I–01–1(1), Washington County, Utah, shall become the westerly boundary of the Zion National Park in lot 3, section 29, township 38 south, range 12 west, Salt Lake meridian. (16 U.S.C. § 346a–3 [Supp. II].)

Received 20 Nov 1989

FILING FOR WATER IN THE STATE OF UTAH

APPLICATION TO APPROPRIATE WATER

Rec. by _____
Fee Rec. _____
Receipt # _____
Microfilmed _____
Roll # _____

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of the Laws of Utah.

WATER USER CLAIM NO. 81 - 662 APPLICATION NO. A36782

1. PRIORITY OF RIGHT: Feburary 23, 1965 FILING DATE: Feburary 23, 1965

2. OWNER INFORMATION
Name: USA National Park Service
Address: 655 Parfet Street, Box 25287, Denver, CO 80225
The land is owned by the applicant(s).

3. QUANTITY OF WATER: 0.0688 cubic feet per second (CFS)

4. SOURCE: Underground Water Well DRAINAGE: Virgin River
POINT(S) OF DIVERSION: COUNTY: Washington
(1) N. 1570 feet, E. 1235 feet, from the SW Corner of Section 27,
Township 38 S, Range 12 W, SLB&M
Description of Diverting Works: inch diameter well.
(2) N. 500 feet, E. 3240 feet, from the SW Corner of Section 29,
Township 38 S, Range 12 W, SLB&M
Description of Diverting Works: inch diameter well.
(3) N. 3358 feet, E. 2858 feet, from the SW Corner of Section 29,
Township 38 S, Range 12 W, SLB&M
Description of Diverting Works: 6 inch diameter well 206 ft.
COMMON DESCRIPTION: South of Kanarraville

5. NATURE AND PERIOD OF USE
Domestic: From January 1 to December 31.
Irrigation: From April 15 to November 1.

6. PURPOSE AND EXTENT OF USE
Domestic: 15 Persons.
Water to be used in 2 duplexes, 1 family residence, 1 visitor center, 1 utility building, and 1 picnic area for the Kolob Canyons district of Zion National Park. Domestic use will include 15 park employees and approximately 200,000 park visitors.
Irrigation: Total 10.00 acres Limited to the irrigation requirements of 10.00 acres.

7. PLACE OF USE
The water is used in all or parts of each of the following legal subdivisions.

			North East Quarter				North West Quarter				South West Quarter				South East Quarter			
TOWN	RANGE	SEC	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
38 S	12 W	29			X											X	X	

All locations in Salt Lake Base and Meridian

Appropriate

EXPLANATORY

Water to be used in 2 duplexes, 1 family residence, 1 visitor center,

1 utility building, and 1 picnic area for the Kolob Canyons District of Zion National Park. Domestic use will include 15 park employees and approximately 200,000 park visitors.

****

The applicant hereby acknowledges he/they are a citizen(s) of the United States or intends to become such a citizen.

****

The quantity of water sought to be appropriated is limited to that which can be beneficially used for the purpose herein described.

****

The undersigned hereby acknowledges that even though he/they may have been assisted in the preparation of the above-numbered application through the courtesy of the employees of the Division of Water Rights, all responsibility for the accuracy of the information contained therein, at the time of filing, rests with the applicant(s).

COPY

Signature of Applicant

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

IN THE MATTER OF APPLICATION)
) MEMORANDUM DECISION
NUMBER 81-662 (A36782))

Application No. 81-662 (A36782) was filed February 23, 1965, by the USA National Parks Service to appropriate 0.0688 cfs. of water from a well to be used for a visitor's center and irrigation within Section 29, T38S, R12W SLB&M. The application was amended and readvertised in the Washington County News from June 27 through July 11, 1986. A protest was received from Carr Land Company.

A hearing was held in the Washington County Courthouse on April 16, 1986. The National Park Service drilled a well years ago under a test well permit. The well was developed but the water was not suitable for public use. Action on the application was held by the State Engineer for several years awaiting further information. The need for water at the visitor's center has become critical. The protestant owns land and water rights on adjacent land and are concerned that the proposed usage for this project could interfere with the water supply in their existing wells.

The State Engineer recognizes that southern Utah is a water-short area and believes that an effort must be made to utilize existing sources in the best public interest. The National Parks Service have a public requirement for water at this location and the amount that they request should not have any communication with the protestants water rights or cause them a direct interference problem.

It is, therefore, ordered and Application to Appropriate Water No. 81-662 (A36782) is hereby APPROVED, subject to prior rights and the proper development & drilling procedures for the State of Utah.

This decision is subject to the provisions of Section 73-3-14, Utah Code Annotated, 1953, which provides for plenary review by the filing of a civil action in the appropriate district court within sixty days from the date hereof.

Dated this 18th day of July, 1986.

Robert L. Morgan

Robert L. Morgan, P.E., State Engineer

RLM:GWS:laz

January 4,1989

TAYLOR CREEK WELL - RESERVED RIGHTS ISSUE

Correspondence Dated	Highlights
May 13, 1986	Owen's report on a strategy meeting at ZION and an administrative hearing (April 16, 1986) concerning the Taylor Creek Well water right application (NO. 81-662(A36782)). Owen stated that to the best of his knowledge, the well is located on Federal reserved lands and does not currently need a State appropriative water right. However, he also mentioned that "it seemed advisable, in view of ongoing adjudications, to not address the reserved vs. appropriative rights issue at this time".
May 15, 1987	Filed water rights claim (with SOL and DOJ) for ZION, ARCH, and CANY. The NPS claimed the Taylor Creek well as a reserved water right, not a state appropriative one. (Note: the location for the well we submitted on the claim form differs from that on the drillers report and the State application to appropriate water. In the NPS claim, we give the location as "N 3358 feet, E 2858 feet from the SW Corner Section 29, T 38S, R 12W, SLBM" (underline added). On the well drillers report (after a correction) and the application to appropriate water from the State of Utah, the location is given as "N 3351.74 feet and E 2857.73 feet from SW section corner of Section 29, T 38S, R 12W, SLB&M (underline added). There seems to be a difference of about six feet of distance in northing.)
Nov 29, 1989	After two letters from the State of Utah stating that the deadline to submit Proof of Appropriation for the Taylor Creek Well was fast approaching, the WRD filed for an extension of time. The State requires that the proof be prepared by a registered engineer or land surveyor. In our request for an extension of time to the State, we stated that "...proof of beneficial use, prepared by an engineer or land surveyor, has not been completed". We will try to use our own people when/if the time comes.
Dec 20, 1989	The State of Utah extended our deadline from November 30, 1989, to November 30, 1990 for Proof of Appropriation for the Taylor Creek Well.

Jeff Hughes

07-29-1986: memorandum to the chief, water resources division from the acting associate director regarding water rights at the kol

United States Department of the Interior
NATIONAL PARK SERVICE
ROCKY MOUNTAIN REGIONAL OFFICE
655 Parfet Street
P.O. Box 25287
Denver, Colorado 80225

IN REPLY REFER TO:
L54 (RMR-MR)

JUL 29 1986

Memorandum

To: Chief, Water Resources Division, Fort Collins, Colorado

From: Acting Associate Regional Director, Park Operations, Rocky Mountain Region

Subject: Water Rights at the Kolob Visitor Area of Zion National Park, Application Number 81-662 (A36782)

Enclosed are the approved application and related correspondence on the subject water right. This approved application resulted from the excellent assistance provided by your staff, particularly Owen Williams, at the recent hearing of the protest filed by the Carr Land Company. Please convey our thanks.

Your additional assistance is requested to obtain the required proof of appropriation. Please contact Ron Hermance at (303) 236-8645 if you have any questions on this subject.

William H. Sontag

Enclosures

cc:
Superintendent, Zion National Park w/c enc.
Superintendent, Cedar Breaks National Monument w/c enc.
Utah State Director, Salt Lake City, Utah w/c enc.
Regional Solicitor's Office (Zallen), Denver, Colorado w/c enc.

May 16, 1986

L54 (479)
ZION/General

Memorandum

To: Homer Rouse, Associate Regional Director, Operations, RMR

From: Chief, Water Resources Division, FTC

Subject: Taylor Creek Well Water Right Application No. 81-662 (A36782), Zion National Park

Homer, attached are a status report and general information concerning the Taylor Creek Well issue at Zion. If you or your staff have questions, feel free to contact me or Stan Ponce at (303) 221-5341.

Thomas W. Lucke

Thomas W. Lucke

Attachment

cc: H. Grafe, Supt., ZION, w/attach.
RMR-NR - R. Hermance, w/attach.
479 - V. Bertè, WASO w/attach.

FNP:TLucke:scp:5/16/86:221-5341:0516.LUC7.MM3

United States Department of the Interior
NATIONAL PARK SERVICE
WATER RESOURCES DIVISION
301 SOUTH HOWES ST., ROOM 343
FT. COLLINS, COLORADO 80521

IN REPLY REFER TO:

May 13, 1986

L54 (479)
ZION Water Rights

Memorandum

To: Chief, Water Resources Division

From: Chief, Water Rights Branch - WRD

Subject: Taylor Creek well water right application No. 81-662 (A36782); background and overview of administrative hearing regarding the protest to the Utah State Engineer by Carr Land Company

During 1985 Zion National Park was notified by the Office of the State Engineer of Utah that a protest alleging harm to water users from three proposed National Park Service wells at Taylor Creek had been lodged by Carr Land Co. A hearing to address this matter was subsqeuently scheduled for 3:15 p.m., Wednesday, April 16, 1986 (letter of April 2, 1986 from Utah State Engineer's Office). At the request of the Park and Region, the Water Resources Division sent a member of the Water Rights Branch to attend the proceedings.

On the morning of April 16, 1986, Owen Williams participated in a strategy meeting at Zion National Park with Superintendent Gaffe and members of his staff (J. Brady, Assistant Park Superintendent; G. Alderson, Kolob Unit Manager; and L. Hayes, Natural Resources Management Specialist). During this meeting events leading up to the protest were discussed, water rights questions were addressed, and the nature of the Park Service's response to the protest was determined.

Attached is Owens' summary of what transpired during the strategy session and at the hearing itself. We shall await the State's response but Owen's assessment seems reasonable. Hopefully the issue has been clarified and no further action will be necessary.

Stan

Stanley L. Ponce

cc: H. Graffe, Superintendent Zion, w/attachments
R. Hermance, RMRO, w/attachments
M. Zallen, Office of the Solicitor, Denver, w/attachments

Strategy Session and Administrative Hearing (April 16, 1986) Reagarding Taylor Creek Well Water Right Application (No. 81-662(A36782)) - Summary

The meeting began with a discussion of the purpose of the hearing and a summary by Mr. Alderson of events leading up to the protest. Essentially events were as follows. A field review of the existing water system at the Kolob unit was carried out last year and included representatives of Rocky Mountain Regional Office and the Utah State Engineer's Office. The reason for the review was the poor quality of the existing water supply. It was felt that an alternative source of supply would have to be developed to correct the problem. Two sites were identified as holding promise for water development.

The representative of the State Engineer's Office apparently indicated during, or subsequent to, this field review that an application for a right to appropriate water was needed for the two selected sites. An application was also needed for the existing well since the State had no record of an NPS water right at the Taylor Creek site.

Park personnel understood from the RMRO representative that they were to complete the necessary paperwork to comply with the State's requirements. This was later accomplished and included the existing well plus the two potential water development sites. This application resulted in a legal notice being published in a local newspaper. Subsequently Carr Land Company filed a formal protest with the Utah State Engineer's Office.

I discussed with the group the history of the well as found in our dockets. Specifically, it was developed in conjunction with the construction of Taylor road. At the conclusion of the road construction project the well was capped. The well was uncapped some years later for use in the newly constructed administration facilities at the Kolob Unit.

Application had been made to the State for the right to appropriate water when the well was drilled in 1965. However, the development of a water right did not occur because the process was never carried to completion, i.e. there was no advertisement of the application in a local newspaper and proof of beneficial use was not submitted to the state. The reason for this is not apparent but may have related to the well being initially capped.

The other participants in the strategy session indicated the well was placed in service, at essentially the same level of use as now, during the late 70's. Furthermore, the level of current use closely approximates the amount claimed in the original 1965 application.

I briefly discussed with the Zion staff my perception of the magnitude of risk associated with a potential rejection of the application by the State Engineer. The well is located, as best as I can tell, on lands covered by the Federal Reserved Water Rights Doctrine. With this the case the well does not currently need a State appropriative water right. However, it seemed advisable, in view

of ongoing adjudications, to not address the reserved vs. appropriative rights issue at this time.

As a consequence of this discussion, it was decided that a simple response to the protest would be sufficient and appropriate at this time and might help to develop/maintain a good working environment with the State. It was further decided that the two alternate points of diversion were no longer needed since the well's water quality had been improved through other means. Finally, it was also decided that I would serve as the spokesman for the park.

At the scheduled time on April 16, 1986 the protest hearing was begun by Mr. Stanley Green, the Directing Appropriations Engineer. Mr. Green noted that he had earlier contacted the Park Superintendent to inform him that the protestant would not be in attendance but had never-the-less chosen to let his protest stand. Superintendent Graffe introduced himself and noted that he had been so informed and that with him at the proceedings were Mr. Alderson and myself. Along with the introduction, Superintendent Graffe indicated my role as spokesman.

When Mr. Green asked the Park Service to respond to the protest I informed Mr. Green and the woman working with him (name and role unknown) that the well in question had been in operation for approximately seven years with no apparent ill effects to the protestant's water rights. After briefly reviewing the history of the well, I indicated that the application filed in 1965 (and in Green's possession) had not been carried to completion due to inadvertance or other unknown reasons. Further, the well is presently being used for the purposes and in approximately the amount claimed in the original application.

I noted the elimination of the need for the two additional points of diversion due to an improvement in the quality of the well's water. It was also pointed out that the application had been submitted with the intent of completing and correcting the State's records.

Mr. Green observed that the protestant was acting for the record and that the Park Service had one thing in its favor - namely, the 1965 application. He then thanked us for our attendance and cooperation and said he would consider the matter and offer his recommendations to the State Engineer.

In my view the following will be the result of this application and hearing:

> The application for the well will be approved but may not carry a 1965 priority; the condition for approval will be the removal from the application of the two alternate points of diversion; and the amount of allowable diversion will remain as it is.

Owen R. Williams
Hydrologist

August 22, 1985

L54 (479)
ZION Docket #7
x RMR Water Rights

Mr. Robert L. Morgan, P.E.
State of Utah Natural Resources
Water Rights
1636 West North Temple
Suite 220
Salt Lake City, UT 84116-3156

Dear Mr. Morgan:

This letter is in reply to your letter of August 9 to our Regional Office at 655 Parfet Street, Denver, CO. Your letter transmitted a protest by the Carr Land Company to our Water Right Application 81-662 (A 36782).

It is the intent of the National Park Service to work cooperatively with the State of Utah in all matters related to water use and rights. The diversion in question lies within reserved lands and is considered a Federal Reserved water right for purposes set forth in 16 U.S.C. 1, establishing the National Park Service, and Presidential Proclamation No. 2221, establishing Zion National Park. The State was originally notified of our intent to develop this water source February 20, 1965. The quantity to be diverted was 0.0688 cfs for year-round domestic use and watering of lawns in mid-summer. The water has been in beneficial use for 20 years. Upon the advice of the State of Utah Natural Resources, Application 81-662 (A 36782) was revised in the Spring of 1985, maintaining the same number, to reflect the relocation of our Regional Office from Santa Fe, New Mexico, to Denver, Colorado.

We hope this letter will clear up any misunderstanding concerning our reserved water right.

Sincerely,

Stanley L. Ponce

Stanley L. Ponce

FNP:SPonce:pml:8/22/85:221-5341:30822pon.ltr

cc: Homer Rouse, RMR
Ron Hermance, RMR-ME
Superintendent, Zion NP

03-29-1968: memorandum to a hydraulic engineer from the supervisory park ranger regarding the use of water from the taylor cre

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Zion National Park
Springdale, Utah 84767

IN REPLY REFER TO:

March 29, 1968

Memorandum

To: Jim Roberts, Hydraulic Engineer, LWSSC

From: Supervisory Park Ranger, Zion

Subject: Use of water from Taylor Creek Well Docket No. 7

In accordance with your request on the use of water from this well, the following is submitted:

The Strong Company, Springville, Utah, was given permission to use the water from this well during the initial construction of the first phase of the Taylor Creek Road. The Strong Company contract covered the period from August 6, 1965, to May 6, 1966. In checking the construction records, most of the water use occurred from October, 1965, through April, 1966. The records indicate a maximum daily use of 30,000 gallons. Some days there was no water used and others the use ranged from 10,000 gallons to the maximum of 30,000. We do not have records of the total amount of water used over the contract period. After the contract was completed the well was capped and has not been used since, due to delays in programming the area's facilities.

Frederick R. Brueck

Frederick R. Brueck

W O D C
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ACTION TAKEN - DATE

154

Southwest Region
P.O. Box 728
Santa Fe, New Mexico
87501

SEP 14 1965

Memorandum

To: - Director

From: Acting Assistant Regional Director, Operations

Subject: Changes in Docket No. 7, Taylor Creek Entrance Well, Zion

On July 14 we transmitted the subject docket containing the approved Application No. 36782, the Report of Well Driller and the Unit Price Contract. On September 10 we notified the State Engineer of Utah that we encountered water at an alternate site which is north 3351.74' and east 2857.73' of the southwest section corner of Section 29, T. 38 S., R. 12 W., SLM instead of the proposed location. We have changed our application under Item No. 8 by drawing a line through the old description and inserting the new one in red ink.

We have also discovered that the well driller made an error under Item (2), Location of Well, when he filed his report with the State Engineer. He has reversed the figures which should read North 3351.74' and East 2857.73'. We have ruled the old figures out and inserted the new ones in red ink.

By copies of this memorandum we are requesting that Chief, WODC and Superintendent, Zion make these corrections in their dockets.

(SIGNED)

Thomas N. Moran

In duplicate

cc: Superintendent, Zion
Chief, WODC (2)

09-13-1965: letter to the state engineer from acting assistant regional director regarding a change in the point of diversion (a36782

154

Southwest Region
P.O. Box 728
Santa Fe, New Mexico
87501

SEP 13 1965

State Engineer of Utah
403 State Capitol
Salt Lake City, 14, Utah

Dear Sir:

We made the application to your office in February for a well at Taylor Creek Entrance at Zion National Park. This application was acknowledged by your office on March 10, 1965 and numbered 36782.

At that time we gave the tentative location of the well as N.15°18'E., 3084.87' from the south quarter corner of Section 29, T. 38 S., R. 12 W., SLM. We subsequently drilled this well at an alternate location which is 3351.74' north and 2857.73' east of the southwest section corner of Section 29 in the same township and range.

We have changed our application and placed the correct point of diversion on it in red ink. Would you please change yours in the same manner.

We also have received a copy of the Report of Well Driller filed with your office on June 15 by Effinger Drilling Company. Mr. Effinger had the correct location of the well; however, he reversed the figures. We have changed our Report of Well Driller to read north 3351.74' and east 2857.73'. Would you please correct your copy.

Sincerely yours,

(SIGNED)

Thomas H. Moran
Acting Assistant Regional Director
Operations

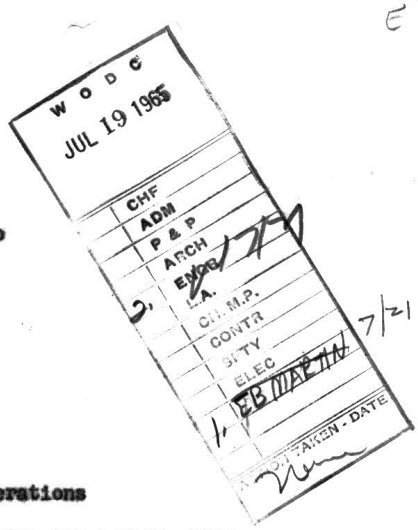
WEFields:dmr
9/13/65

M

07-14-1965: memorandum to the director from the assistant regional director regarding transmittal of docket 7

154

Southwest Region
P.O. Box 728
Santa Fe, New Mexico
87501



JUL 14 1965

Memorandum

To: Director

From: Assistant Regional Director, Operations

Subject: Transmittal of Docket No. 7, Taylor Creek Well, Zion

We have enclosed a copy of the subject docket which includes the following items:

1. Approved Application No. 36782.
2. A Report of Well Driller filed with the State Engineer by Effinger Drilling and Pump Service of Las Vegas, Nevada on June 15, 1965.
3. The Unit Price Contract.

By copies of this memorandum we are sending this docket with enclosures to Chief, WODC and Superintendent, Zion for their files.

(SIGNED)

George W. Miller

In duplicate

Enclosure

cc: Chief, WODC (2), w/enc.
Superintendent, Zion
w/enc.

W O R C
JUN 28 1965
CHF
ADM
P & P
ARCH
ENGR
L.A.
CH. M.P.
CONTR
SFTY
ELEC
ACTION TAKEN - DATE

Southwest Region
P.O. Box 728
Santa Fe, New Mexico
87501

L54

JUN 25 1965

Memorandum

To: Director

From: Assistant Regional Director, Operations

Subject: Well Test, Taylor Creek Well, Zion National Park

During the week of June 8 quality and quantity tests were conducted on the newly drilled Taylor Creek Well at Zion National Park.

The well was drilled by Effinger Drilling and Pumping Service from Las Vegas, Nevada, and it bottomed in boulders and bedrock at 208'. The static water level is 105'. It is cased from the bottom to 2' above the ground surface and the lower 100' of this casing is perforated with 1/8" torch slots. A field chemical analysis was made and the results are as follows:

Specific Conductance	1200 ppm
Hardness	496 ppm
pH	7.5
Iron	0.1 ppm
Chlorides	37 ppm
Alkalinity	188 ppm
Temperature	52° F

The well was developed and pumped for a period of 124 hours and at the end of developing and testing there was still one ml. of sand per liter of water. The pump test itself was of a duration of 48 hours. A 3 HP Berkley submergible pump was used and the well produced 37-1/2 gpm throughout this testing period with a drawdown of only 7.4'.

In order to completely develop and clean this well, it is hoped to sell water from it to the road contractor when

he constructs the entrance road. He can install a 100 to 150 gpm pump and a short period of use at this discharge will adequately develop the well for our use.

By copies of this memorandum we are sending these test results to Chief, WODC for his information and preliminary design.

(SIGNED)

George W. Miller

In duplicate

cc: Chief, WODC (2)

02-18-1965: letter to the state engineer from the assistant regional director regarding an application to appropriate water at the tayl

Superintendent
Secretary
Administration
Opr. & Maint.
Ranger Services
Interpretation
Personnel
Purchasing

Southwest Region
Santa Fe, New Mexico
87501

L54

FEB 18 1965

Office of the State Engineer
State of Utah
403 State Capitol
Salt Lake City, Utah 84111

Dear Sir:

We are enclosing your Form 97 10M 2-62 which is an Application to Appropriate Water at the Taylor Creek Entrance, Zion National Park. Enclosed is a duplicate original, would you please sign and return it for our files after you have received the application fee.

Enclosed is Purchase Order No. SWR-33-358 dated February 16, 1965 in the amount of $10 to cover the cost of the application. If you will mail us an invoice for the cost of the application, we will promptly place it in line for payment. You should receive your check in approximately one week after we receive your invoice for $10.

Sincerely yours,

(SIGNED)

George W. Miller
Assistant Regional Director, Operations

Enclosures

cc: Superintendent, Zion
w/o encs.

RECEIVED
FEB 23 1965
ZION NATIONAL PARK

W O D C
JAN 13 1965
CHF
ADM
PERS
P & P
ARCH
SAFETY
LIBR
SUPT
SFTY
HABS
SECTION FILE/REF. DATE

January 11, 1965

Memorandum

To: Regional Director, Southwest Region

From: Chief, Branch of Water Resources

Subject: U. S. Geological Survey Report, Water Supply for Taylor Creek Entrance, Zion National Park, Utah, by J. E. Eaton, Zion

As requested in Mr. Glenn's memorandum of December 17, 1964, the above report has been reviewed in this Office. We have no particular comment on the report itself except to note an apparent typographical error in Table 1. The figure for hardness should be 1,070 rather than 1,590 for Well 20bcc-1, if our calculations are correct.

BUT THE TOTAL HARDNESS WAS ONLY 40 AS COMPARED TO 1,070 Mg/L

The problem evidently is quality rather than quantity for the Taylor Creek area. The Taylor Creek water exceeds Public Health Service standards only in sulfate and dissolved solids, and is exceedingly hard. However, the sulfate content is not much in excess of that in the water from the recently drilled well at Hovenweep and the total dissolved solids is less. You will recall that the Public Health Service recommended using the water from the Hovenweep well.

Although the report recommends drilling at two sites, it does not recommend an order of priority except as possibly implied by numbering them 1 and 2. However, because site 2 may produce a better quality of water, it is suggested that this site be drilled first, in the hope that quantity as well as quality is adequate.

Although the report is for administrative release only, we know of no reason to object to open file release if the Survey so desires. If the Survey requests open file release, and you have no objections, clearance can be granted.

Funds for test well drilling at the Taylor Creek entrance have been budgeted by the Region for this fiscal year. We hope the contract can be let and a successful well drilled.

(SIGNED)

E. W. Mead

cc:
Superintendent, Zion
Chief, WODC (2)

11-25-1964: memorandum to the assistant regional direrctor from the district geologist regarding water resources investigation at t

U. S. Geological Survey
Ground Water Branch, WRD
8008 Federal Building
125 South State Street
Salt Lake City, Utah 84111

	Superintendent		
	Asst. Supt.		
✓	Secretary		
	Administration		
	Cons. and Visit.		
	Resource Studies		
	Interpretation		
	Personnel		
	Accounting		
	Purchasing		

November 25, 1964

Memorandum

To: Assistant Regional Director, Resource Planning, Southwest Region, National Park Service, Santa Fe, New Mexico

From: District Geologist, Ground Water Branch, Salt Lake City, Utah

Subject: Water Resources investigation at Taylor Creek entrance, Zion National Park

Enclosed are four copies of an administrative report summarizing the results of our investigation at the Taylor Creek entrance, Zion National Park. As noted on the cover, it is an administrative report and is for U.S. Government use only.

Ted Arnow

Enclosures

cc:
Superintendent, Zion National Park
Chief, Publications Section - 4003 0001

RECEIVED
NOV 27 1964

07-10-1964: letter to the superintendent from a geologist regarding the drilling of the taylor creek well

	Superintendent
	Asst. Supt.
	Secretary
	Administration
	Opr. and Maint.
	Ranger Services
	Interpretation
	Personnel
	Accounting
	Purchasing

Ground Water Branch
8008 Federal Building
Salt Lake City, Utah 84111

July 10, 1964

RES

Mr. Frank R. Oberhansley
Superintendent
Zion National Park
Springdale, Utah 84767

Dear Mr. Oberhansley:

Thank you for the information regarding the well south of Taylor Creek. A well in the SW¼NW¼NW¼ sec. 32, T. 38 S., R. 12 W., is listed in the State Engineer's records as applied for but undrilled. However, I called their office and found that the well has been drilled, to a depth of 216 feet, and equipped with a 10 HP pump. I have requested a copy of the well log and will include this information in my report.

Because ground water from the Taylor Creek area probably is moving in the general direction of this well, a chemical analysis of the water would give a better indication of water quality in the Taylor Creek area than would the sample I collected from the Graff well to the northwest. I would want to have the results of an analysis before preparing my report, which might delay the report until August. If you think that the additional information is worth the delay, one of your men could sample the well and send the sample to me for analysis. I will send you a sample bottle under separate cover.

Very truly yours,

Joseph S. Gates
Geologist

Sample of water mailed 7-14-63 RSF

A RETURN MAILING LABEL IS ON THE REVERSE OF THE CARD ON THE SHIPPING CONTAINER.

RECEIVED
JUL 13 1964
ZION NATIONAL PARK

07-08-1964: letter to the usgs, groundwater branch from the superintendent regarding an additional well in the taylor creek area

RSRS

Zion National Park
Springdale, Utah 84767

L54-Taylor Creek July 8, 1964

Mr. Joseph Gates
Ground Water Branch, Geological Survey
8008 Federal Building
Salt Lake City, Utah 84111

Dear Joe:

One of my staff today told me about the existence of a well located one mile south and west of the Taylor Creek Interchange. The well is located adjacent to the "old" abandoned portion of Highway 91, and probably belongs to Emil Graff. The two wells mentioned in your preliminary report were northwest of the Taylor Creek area.

I'm sorry that we do not have any additional details, but due to the location and perhaps significant relationship of this well to your study at the Taylor Creek development, we call it to your attention prior to completion of your final study report. Perhaps your usual sources of information may provide additional data about this specific well.

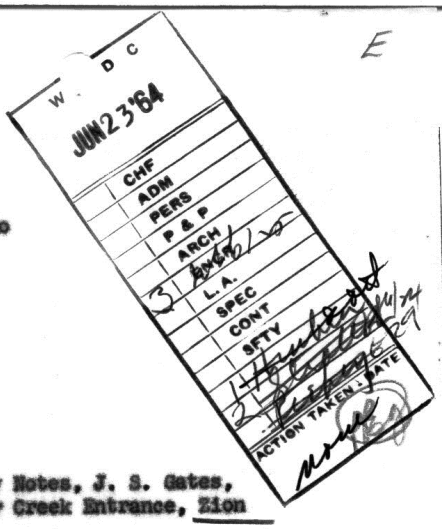
Sincerely yours,

Frank R. Oberhansley
Superintendent

cc:
Regional Director, Southwest

REDickenson:lal

06-18-1964: memorandum to the director from the acting regional director regarding a groundwater study, preliminary notes



E

Southwest Region
Santa Fe, New Mexico

~~LSA~~
ZION

JUN 18 1964

Memorandum

To: Director

From: Acting Regional Director

Subject: Ground Water Study, Preliminary Notes, J. S. Gates, U. S. Geological Survey, Taylor Creek Entrance, Zion

You are aware that we have made arrangements for the U. S. Geological Survey to conduct a ground water study to determine the feasibility of obtaining a water supply near the proposed development at the Taylor Creek Entrance, Zion National Park.

We have enclosed a copy of Superintendent Oberhansley's transmittal memorandum of June 11 together with the "preliminary notes" prepared by Geologist J. S. Gates, June 10. It is anticipated that additional material will be received from Mr. Gates sometime during the middle of July.

This material is transmitted for your advance information and copies have been sent to the Chief, WODC, as possible assistance in their plans.

(SIGNED)

George W. Miller

In duplicate

Enclosure

cc: WODC (2), w/enc.

06-11-1964: memorandum to the regional director from the superintendent regarding a groundwater study, taylor creek

Zion National Park
Springdale, Utah 84767

L54

June 11, 1964

Memorandum

To: Regional Director, Southwest Region

From: Superintendent, Zion

Subject: Ground Water Study, Taylor Creek

The enclosed "preliminary notes" were prepared by J. S. Gates, USGS, following conclusion of his field survey on June 10.

Mr. Gates indicated that his final report on the Taylor Creek Ground Water Study would probably be ready about mid-July, and the "notes" are provided at this time for interim general information purposes only.

SIGNED

Frank R. Oberhansley
Superintendent

Enclosure
In triplicate

Preliminary Notes
Ground Water Study - Taylor Creek

1. Taylor Creek lost about 50 gpm between mouth of canyon and Inter-State 15 (about 30% of flow) on 6-8-64. Therefore it is a source of recharge in the area.

2. The two Graff wells are 1 and 1.5 miles northwest of the Taylor Creek area and yield about 200 - 400 and 500-1,000 gpm, respectively. The wells are 14 inches in diameter and are 212 and 220 feet deep. Farthest well was sampled in August 1960 and has poor quality for domestic use - 811 ppm sulfate (more than 3 times the amount recommended by the PHS) has 1,360 ppm dissolved solids and is very hard. I sampled nearest well and will have it analyzed - it tasted worse than the far well. The State Engineer's office in Cedar City said they know of no other wells between Graff's wells and Pintura.

3. The Graff well analysis indicates a potential water quality problem may exist in general area, including Taylor Creek. High sulfate is probably derived from silty and shaly beds in the Moenkopi, Chinle, Moenave, and Kayenta formations, that outcrop in the Taylor Creek drainage, and alluvium derived from these beds. I sampled Taylor Creek water, which tasted better than well water, and will have it analyzed. It should be typical of recharge water but water produced from a well in the area probably would have more dissolved material because of its slow movement through alluvium.

4. Two sites were selected. Site No. 1 has the best potential yield and drilling conditions. Site No. 2 has poor yield and drilling conditions but is well located for NPS use and might have slightly better water quality.

   Site No. 1 is on the Taylor Creek fan and should penetrate coarse, well-sorted material deposited by the creek. The yield of a well at this site should be adequate. Any well nearer the creek might penetrate zones of large boulders which would make drilling a little difficult.

   Site No. 2 is probably too far up the slope to be on the Taylor Creek fan and a well at this site would probably penetrate a large amount of landslide and soil slump material from the cliffs. This material would have a high proportion of fine material and would be poorly sorted. A well in this area might not have an adequate yield. Another disadvantage would be that the landslide material might contain large blocks which would make drilling difficult. In addition, the water table at Site No. 2 might be below bedrock surface, since the site is so close to the cliffs. In this case, water would flow in a thin stream over the bedrock surface and a well would yield little water. However, water

quality at Site No. 2 might be a little better than at No. 1 because the alluvium in the area would contain a higher proportion of conglomerate and limestone from the Timpoweap Member of the Moenkopi Formation (which forms the base of the cliffs). This member contains little sulfate and water coming through material near the cliffs might be a little better than farther out, where the alluvium contains more shaley material.

5. Pumping a well in the Taylor Creek area should not affect the creek in the area providing the water table is much below the land surface.

6. Both sitea are above the sewage disposal area (No. 1 is 30 ft. above and No. 2 is 25 ft. above) and since ground water is likely moving south-southeast, no pollution problem should arise.

7. A well at Site No. 1 probably would be less than 200 feet deep. A local cable-tool driller should be able to handle the drilling.

8. If test well at Site No. 1 has poor water quality and a test well at Site No. 2 also has poor quality or poor yield, a test well into the Coconino Sandstone (on the order of 1,000 feet deep) might be a possible alternative.

9. I will have samples of Taylor Creek and nearest Graff well analyzed and send the results, along with a more formal memorandum report, in July.

SIGNED

J. S. Gates
U. S. Geological Survey

12-02-1963: memorandum to the director from the acting assistant regional director regarding groundwater study, taylor creek

Fields
Bell

Southwest Region
Santa Fe, New Mexico

L54
Zion

DEC 2 1963

Memorandum

To: Director

From: Acting Assistant Regional Director, Resource Planning

Subject: Ground Water Study, Taylor Creek Area, Zion National Park, Utah

We have enclosed a copy of a memorandum dated November 19, 1963 from the Division Hydrologist of the Rocky Mountain Area, USGS, which confirms the subject study.

We are sending you this to keep you informed of our negotiations with USGS.

(SIGNED)

Norman B. Herkenham

In duplicate

Enc.

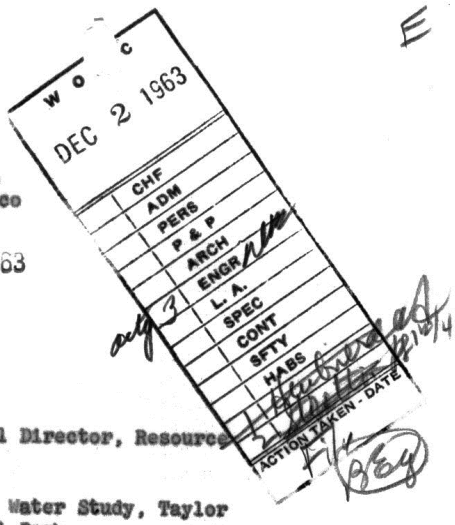
cc: Robert Giles, w/c inc.

WEFields:jfr 12/2/63

L54 Zion

11-29-1963: memorandum to the director from the acting assistant regional director regarding usgs groundwater study

E



Southwest Region
Santa Fe, New Mexico

L54-RLW

NOV 29 1963

Memorandum

To: Director

From: Acting Assistant Regional Director, Resource Planning

Subject: Geological Survey Ground Water Study, Taylor Creek Area, Zion National Park

In accordance with Mr. Reed's request of November 21st we have enclosed a copy of District Geologist Arnow's memorandum of October 30th.

By copy of this memorandum we are also transmitting copies to WODC and the Superintendent, Zion for their information.

John J. Moseley

Enclosure

In duplicate

cc: WODC, (2) w/c
Superintendent, Zion, w/c

KN

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

November 21, 1963

IN REPLY REFER TO:
L54-RLW

RECEIVED
NPS SOUTHWEST REGIONAL OFFICE
NOV 26 1963

	Surname	Date
Regional Director		
Cons., Interp & Use		
Administration		
Resource Mgmt.		
Public Affairs		
Program Coord.		
Operations		
Concessions		
Natural History		
Hist & Archaeology		
Ranger Services		

11/27

Memorandum

To: Regional Director, Southwest Region

From: Chief, Branch of Water Resources

Subject: Geological Survey Ground Water Study, Taylor Creek Area, Zion National Park

11/29

For our information and files, we would like a copy of the Geological Survey's October 30 memorandum, on the above subject, mentioned in Mr. Arnberger's November 13 memorandum to the District Geologist in Utah.

E. W. Reed

E. W. Reed

L54 Zion

11-19-1963: memorandum to the assistant regional director from a division hydrologist regarding the groundwater study, taylor cre

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
FEDERAL CENTER, DENVER 25, COLORADO
Water Resources Division

November 19, 1963

Your reference:
L54 - ZION

Memorandum

To: Assistant Regional Director, Resources Planning, Southwest Region, National Park Service, Santa Fe, New Mexico

From: Division Hydrologist, Rocky Mountain Area

Subject: Ground-water study, Taylor Creek Area, Zion National Park

Your memorandum of November 13, 1963, authorizes the Geological Survey to continue the reconnaissance study of ground-water conditions in the Taylor Creek area of Zion National Park.

Our Salt Lake City office will continue the work as authorized and will bill you on a reimbursable basis in an amount not to exceed $1,500 during the 1964 fiscal year.

S. K. Jackson

RECEIVED
NPS SOUTHWEST REGIONAL OFFICE
NOV 21 1963

	Surname	Date
Regional Director		
Cons., Interp & Use		
Administration		
Resource Pl.		
Public Affairs		
Program Coord.		
Operations		
Concessions		
Natural History		
Hist & Archaeology		
Ranger Services		

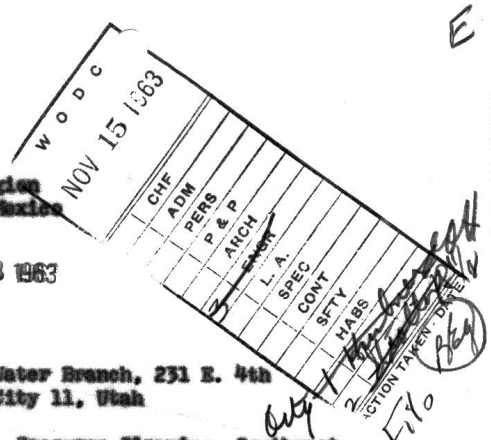
Kell

~~Fields~~
WOH 12/2

L54 Zion

11-13-1963: memorandum to the district geologist from the assistant regional director regarding groundwater study

E



Southwest Region
Santa Fe, New Mexico

16A
ZION

NOV 13 1963

Memorandum

To: District Geologist, Ground Water Branch, 231 E. 4th South, Room 125, Salt Lake City 11, Utah

From: Assistant Regional Director, Resource Planning, Southwest Region, National Park Service, P. O. Box 1728, Santa Fe, New Mexico

Subject: Ground Water Study, Taylor Creek Area, Zion National Park

We are in receipt of your memorandum dated October 30 concerning the above subject.

We would like you to proceed with the study as you have outlined in your memorandum with the understanding that the field work would be done late in FY 1964, that the report would be transmitted early in FY 1965 and that the cost of the study would not exceed $1,500.

We have $1,500 available for the work under Account 143.2. This money will be transferred to your Service during FY 1964 upon receipt of Standard Form 1081. After approval by our Washington Office and this office of the preliminary report, we have no objection to its release to the open file.

Leslie P. Arnberger (SIGNED)

cc: Director (2)
WCDC (2)
Superintendent, Zion

KW

10-30-1963: memorandum to the assistant regional director from a district geologist regarding the groundwater study, taylor creek

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
GROUND WATER BRANCH
231 E. 4TH SO., RM. 125
SALT LAKE CITY 11, UTAH

IN REPLY REFER TO:

October 30, 1963

RECEIVED
NOV 1 - 19
Regional Director
Cons., Interp. & Info.
Administration
Public Affairs
Program Coord.
Operations
Concessions
Natural History
Hist. & Archaeology
Ranger Services

Memorandum

To: Assistant Regional Director, Resource Planning, Southwest Region, National Park Service, Santa Fe, New Mexico

From: District Geologist, Ground Water Branch, Salt Lake City, Utah

Subject: Ground-water study, Taylor Creek area, Zion National Park

This is in reply to your memorandum of September 26, 1963, in which you inquire whether our office would be able to make a ground-water study in the Taylor Creek area at Zion National Park.

At this stage of the fiscal year all of our personnel are committed to full-time projects, and we would be unable to do any fieldwork in the Zion Park area until late in the fiscal year. Fieldwork could be done in May or June of 1964, however, and a verbal report given to the Superintendent of Zion National Park at that time. We probably would not be able to prepare the written report until early in fiscal year 1965.

The study will cost $1,500, as previously stated, and the total funds could be transferred from the Park Service to the Geological Survey in fiscal year 1963 or part of the funds, $1,000, could be transferred in fiscal year 1963 and the remaining $500 in fiscal year 1964. If you are agreeable to this timing, please indicate which form of financing you prefer.

In order for me to obtain approval from our Division Hydrologist to proceed with the investigation, I will need a letter from you stating (1) that the funds are available for the work, and giving (2) an appropriation to be charged for transfer of funds, and stating (3) that the National Park Service does not object to release to the public by the Geological Survey of data or reports obtained or prepared as a result of the investigation within Zion National Park.

Ted Arnow

Ted Arnow

cc:
Superintendent, Zion National Park

L 54 Zion

10-02-1963: memorandum to the regional director from the chief, division of lands regarding state highway and e.j. graff properties

1- Edwards
2- [illegible] 10/2
3- Read 10/3
H. C Smith

Draft
10/2/63
[redacted]:lt

LLA25-RLR

Memorandum

To: Regional Director, Southwest Region

From: [redacted] Chief, Division of Lands

Subject: State Highway and E. J. Graff properties, Zion

The authority requested in Acting Regional Director Kell's memorandum of September 19 to have Mr. C. Francis Solomon appraise the Graff property, Tract 43, comprising 27 acres, at the time he appraises the Lee and Hoplin properties is hereby granted.

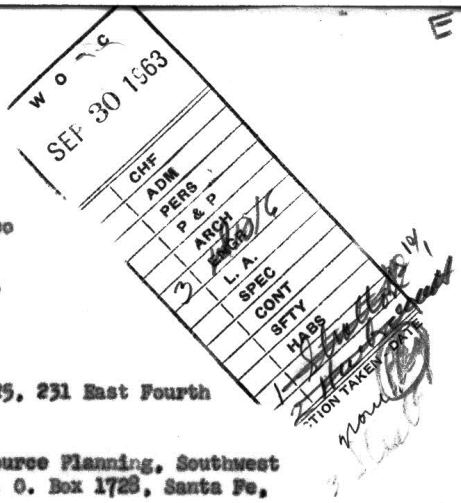
We agree that the Graff property should be acquired in fee and, if necessary, with provision for severance of under a 20-year special use permit for the continued use of the settling basin, apparently essential to Mr. Graff's water rights in the Taylor Creek and diversion of flood waters therefrom. This is preferable to acquiring the land subject to the settling basin.

There are sufficient land funds available for purchasing Tract 43 if the appraisal supports a value of between $3,000 and $4,000.

[redacted]

cc:
Mr. Emirie
Lands

09-26-1963: memorandum to the district geologist from the assistant regional director regarding groundwater study



Southwest Region
Santa Fe, New Mexico

L54
ZION

SEP 26 1963

Memorandum

To: District Geologist, USGS, Room 125, 231 East Fourth Street, Salt Lake City 11, Utah

From: Assistant Regional Director, Resource Planning, Southwest Region, National Park Service, P. O. Box 1728, Santa Fe, New Mexico 87501

Subject: Ground Water Study, Taylor Creek Area, Zion National Park

On May 31st, in reply to your request of May 5, we sent a memorandum informing you that we anticipated a need for certain services from your office during F.Y. 1964. Among these was a ground water study in the Taylor Creek Area at Zion National Park. Your estimate of February 27, 1962, stated that the cost would not exceed $1,500. This was later confirmed by your Denver office.

Would it be possible for your office to do the field work this fall so that we would be in a position to drill the test well early in the spring of 1964?

This is your authority to proceed with the study. When complete we would like the final report in quadruplicate.

Final billing can be made on SF 1081 and charged to Management and Protection Account Number 143.2.

(SIGNED)

Leslie P. Arnberger

cc: Director (2)
WODC (2)
Superintendent, Zion

03-11-1963: memorandum to the acting regional director from the district geologist regarding water resources investigation

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
GROUND WATER BRANCH
231 E. 4TH SO., RM. 125
SALT LAKE CITY 11, UTAH

RECEIVED
NPS SOUTHWEST
MAR 13 1963
Regional Director
Cons., Interp. & Use
Administration
Resource Mgt. 3/18
Program Coord.
Operations
Concessions
Natural History
Hist. & Archaeology
Ranger Services
Files
Surname

March 11, 1963

Memorandum

To: Acting Regional Director, National Park Service, Southwest Region, Santa Fe, New Mexico

From: District Geologist, Ground Water Branch, Salt Lake City, Utah

Subject: Water-resources investigation, Kolob area (Taylor Creek) and B & E Securities property, tract No. 4, Zion National Park

In reply to your memorandum of March 8, on the above subject (file L54), I must inform you that you have a misunderstanding about our proposed studies in the Zion Park area. At no time did we tell anyone that we could reschedule the studies to fiscal year 1963, nor did we state that the Kolob Canyon and B & E Securities property studies could be made for the cost of the Kolob Canyon study alone. We would be willing to combine the two studies. The fieldwork for both, however, could not be started until July. If the studies are combined, the cost for the Kolob Canyon study will be $1,500, as stated in my memorandum to you of October 12, 1962, and the additional cost for the study in the area of the B & E Securities property would be $500, for a total cost of $2,000.

If you are agreeable to having both studies started in July 1963, in order for me to obtain approval to proceed from our Division Hydrologist I will need a letter from you stating (1) that the funds are available for the work, and giving (2) an appropriation to be charged for transfer of funds, and stating (3) that the National Park Service does not object to release to the public by the Geological Survey of data or reports obtained or prepared as a result of the investigation within Zion National Park.

Ted Arnow
Ted Arnow

cc:
Craig T. Vincent
Frank R. Oberhansley, Zion National Park

L54 Zion

03-11-1963: letter to a us attorney from a district geologist regarding the water resources investigation, taylor creek

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
GROUND WATER BRANCH
231 E. 4TH SO., RM. 125
SALT LAKE CITY 11, UTAH

March 11, 1963

William T. Thurman, United States Attorney
United States Department of Justice
District of Utah
Salt Lake City 1, Utah

Attention: Craig T. Vincent, Assistant United States Attorney

Dear Sir:

I tentatively agree, subject to confirmation by our Division Hydrologist in Denver, to make the water-resources investigation of the 80 acres adjoining Zion National Park as requested in your letter of March 7, 1963.

Mr. Gates can make the study in July 1963 and a memorandum covering the pertinent conclusions of the study can be sent to you by about August 1, 1963. Mr. Gates will contact the Park Service to make any further arrangements necessary to make the study.

If this study is combined with an investigation in the Kolob Canyon area previously requested by the Park Service at Zion, the additional cost to the Park Service for the study of the 80-acre area would be $500. If for any reason it is necessary to do this study for your office separately, it would cost appreciably more.

In order to save the Park Service money and ourselves time, we would prefer to combine the two studies. Enclosed is a copy of a letter to the Park Service suggesting that this be done. If such arrangements can be worked out, I will need a letter from you or the Park Service which states that the funds are available for the work and gives the appropriation to be charged for transfer of the funds.

Ted Arnow
District Geologist

Enclosure

cc:
Frank R. Oberhansley, Zion National Park
Regional Director, NPS, Santa Fe, New Mex.

03-08-1963: memorandum to the district geologist from the acting regional director regarding a water resources investigation

Kelly
Feeds

Southwest Region
Santa Fe, New Mexico

154

MAR 8 1963

Memorandum

To: District Geologist, Ground Water Branch, 231 E. 4th South, Room 125, Salt Lake City 11, Utah

From: Acting Regional Director, National Park Service, Southwest Region, P. O. Box 1728, Santa Fe, New Mexico

Subject: Water Resources Investigation, Kolob Area (Taylor Creek) and B & E Securities Property, Tract No. 4, Zion National Park

Assistant U. S. Attorney Craig T. Vincent has advised this office by telephone that you are willing to re-schedule your work in order to make a ground water study for this Service covering the B & E Securities property, formerly owned by Mary H. Thorley, NPS Tract No. 4, consisting of the W½NE¼ of Section 24, T. 39 S., R. 11 W., near Lava Point fire lookout station, Zion National Park.

Mr. Vincent has also reported you believe it may be possible to combine the two studies (Kolob Canyon and B & E Securities) and make them at the same time for the approximate cost of $1500 including the preparation of the report and the chemical analysis of the water. This is in accordance with your estimate of October 12, 1962.

This is your authority to proceed with the work with the understanding that the reimbursement for funds will be paid for by this office.

It is requested when you submit the Standard Form 1081 for repayment, that you include a break down showing cost of salaries, stenographic services, transportation and any other costs incident to the study. If the work cannot all be accomplished prior to June 30, it is requested that you bill us using Standard Form 1081 for the portion of the work accomplished this fiscal year.

We hope it will be possible for you to complete all the work scheduled by June 30 so that we will not have to reprogram funds for completion of the study after July 1.

L54 Zion

We are sending a copy of this memorandum to Assistant U. S. Attorney Vincent so that he will understand that you have authority to proceed.

George W. Miller

(SIGNED)

cc:
Craig T. Vincent
Director (2)
Superintendent, Zion
Giles

JEKell:dv 3/8/63

Kell & Fields

Southwest Region
Santa Fe, New Mexico

MAR 8 1963

Mr. Craig T. Vincent
Assistant U. S. Attorney
Room 200, Federal Building
Salt Lake City, Utah

Dear Mr. Vincent:

This will confirm your telephone conversation of Thursday, March 7 to Regional Chief of Lands Kell regarding the desirability of a ground water study for the ~~B & E Securities property,~~ 80 acres of land, in connection with C-145-62, Zion National Park.

You have advised us that Mr. Arnow believes it will be possible to make the study, or at least the major portion of the study, prior to June 30, 1963. It is our understanding that Mr. Arnow thinks he will be able to combine the Kolob Canyon area study (Taylor Creek) with the B & E Securities study at no increase in cost over his quotation to us dated October 12, 1962, which was $1500.

This is your authority to have Mr. Arnow to proceed with the study in a priority most convenient to your needs. This authority is with the understanding that the National Park Service will pay for the cost of the study and Mr. Arnow will bill this office for the costs of work actually accomplished up to June 30.

RETURNED

George W. Miller

cc:
Director (2)
Superintendent, Zion

JEKell:dv 3/8/63

L 54 Arnow

Docket Information

Number of Documents in Docket 117

Documents Dated from 7/31/1909 to 4/20/1993

Docket Compiled: 6/13/2016