WATER-RIGHT DOCKET

Death Valley National Park

Docket No: 37

BURNS SPRING

Preliminary Docket Information

01-28-1980: narrative:burns spring. ; january 28, 1980

Date: September 14, 197

...TER RIGHT/SOURCE DOCKET INFOR...TION

REGION Western AREA Death Valley National Monument

SITE Burns, Covered, Wee, and Chucker Springs, Ed Spring

STATE California COUNTY Inyo DOCKET NO WR #22, 22-A

LOCATION NW¼ of SW¼ of Sec.2, and SE¼ of SE¼ of Sec.3, T18S, R44E, MDB&M

NOTE: UNSURVEYED PROJECTIONS ON TOPOS: MAY BE OFF AS MUCH AS TWO (2) SECTIONS EITHER WAY

REGIONAL BASIN LOCAL BASIN

ACQUIRED BY Appropriation

APPLICATION 13852/15539/15557/16138 PERMIT 8536/11424/-/11422 CERTIFICATE 6559-A/10781/-/-

ACTION DUE PRIORITY 7/17/50 & 9/14/53 RESERVATION 1933

QUANTITY 100 gpd/100 gpd USE domestic/wildlife propagation

STATUS Active SOURCE Surface Water

REMARKS DEVA WR #22 and 22-A both concern the rights of Thad and Jo Greene, now belonging to the U.S. Note: Located on unsurveyed projections on topos...may be off as much as two (2) sections either way.

NARRATIVE:

In 1950 James Bennett and Max Barginski filed Application 13852 to appropriate 11,000 gpd from four springs near Emigrant Canyon in Death Valley N.M. - Burro Spring, Green Spring, Willow Spring, and Burns Spring. Bennett and Barginski planned to use the water at two mining claims close to the springs. In October of 1953 the two assigned their rights under the application to Art Detloff, who assigned them to Thad and Jo Greene a month later. Detloff assigned the rights to the other three springs in the application to Roy C. Troeger (see DEVA AWR #34).

In September of 1953 the Greenes filed Application 15539 for 30,000 gpd from Wee and Covered Springs, and Application 15557 for 30,000 gpd from Ed Spring. The Greenes intended to use the water in all three applications at their mining operation in the Monument. The Monument protested the above two applications on the grounds that they would interfere with a valid prior appropriation (Application 15381, Emigrant Spring, filed by the General Hotel Company and used by the Monument) as well as not being in the best interest of the Monument. The Greenes cancelled Application 15557 and assigned Applications 15539 and 13852 to the Monument in return for Special Use Permit No. DEVA-3-56. To supplment the water in the permit the Monument filed Application 16138 to appropriate 7200 gpd from Chucker Spring. In 1959 the Greenes assigned their rights under the permit to Erwin Denner, who in turn assigned it to John and Virginia Drake two years later.

In 1962 the Monument recieved License 6559-A for the use of 100 gpd from Burns Spring (Application 13852) for domestic purposes. By 1964 mining activity in the area had ceased and the water from all the sources was commingled and used for domestic purposes by about 5 people. A field check of the area in 1975 revealed that the millsites and pipelines were in great disrepair, with the springs flowing at about ¼ gpm. The State of California issued License 10781 for Covered and Wee Springs in 1978 (Application 15539), allowing 100 gpd for wildlife propagation uses only. Permit 11422 (Application 16138) for Chucker Spring was cancelled due to lack of diligence in applying the water to a beneficial use.

Re: Application 13852A (license 6559-A)
In January 1980 Bill Werrell called the Park to check on the status of water use per this permit. At present there is no domestic use on site nor is there any foreseeable probability of use of this water for domestic use. However, due to the nature of the individual mining claims and possible challenges to the Act banning mining in Death Valley National Monument, the Licensee Report should continue to be maintained in its old form until all possible mining claims covered by this permit are terminated. J.H.Hershey 1/28/80

Filed by T. Kern

Approved by W. Werrell Page of

* For more info on Troeger claims see DEVA AWRs 34+37 RD

License #6559B (Application #13852B) has been REVOKED by the State Water Resources Control Board, effective July 17, 1984.
This revocation was issued as a result of non-use, for benefical use, and as a result of Troeger, et al vs. United States of America.

By:
May Lau Feb. 8, 1985

[FINAL SUBMITTED VERSION]

REPORT OF LICENSEE FOR 2011

Primary Owner: U S NATIONAL PARK SERVICE
Application Number: A013852A
License Number: 006559A
Date Submitted: 2012-07-03

1. Project Abandoned	
The project has been abandoned and I request revocation of my water right license	No

2. Compliance with License Terms and Conditions	
I have currently reviewed my water right license and I am complying with all terms and conditions	No
Description of noncompliance with terms and conditions	Please see remarks.

3. Changes to the Project	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	Yes
Description of type of use changes	Please see remarks.
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4. Purpose of Use	
Fish and Wildlife Protection and/or Enhancement	Amounts are estimates.

5. Amount of Water Diverted and Used		
Month	Amount directly diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0.1	0.1
February	0.1	0.1
March	0.1	0.1
April	0.1	0.1
May	0.1	0.1
June	0.1	0.1
July	0.1	0.1
August	0.1	0.1
September	0.1	0.1
October	0.1	0.1
November	0.1	0.1
December	0.1	0.1

Total	1.2	1.2

6. Maximum Rate of Diversion for each Month	
Month	**Maximum Rate of Diversion (GPD)**
January	0.0
February	0.0
March	0.0
April	0.0
May	0.0
June	0.0
July	0.0
August	0.0
September	0.0
October	0.0
November	0.0
December	0.0

7. Storage					
Reservoir name	**Spilled this year**	**Feet below spillway at maximum storage**	**Completely emptied**	**Feet below spillway at minimum storage**	**Method used to measure water level**

Conservation of Water	
8. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
9. Amount of water conserved	

Water Quality and Wastewater Reclamation	
10. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
11. Amount of reclaimed, desalinated, or polluted water used	

Conjuctive Use of Groundwater and Surface Water	
12. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license?	No
13. Amounts of groundwater used	

Additional Remarks
This right is no longer used in support of livestock, but is presently used by wildlife. The NPS considers state appropriative licenses to be federal property, and this change of type of use does not indicate an intent to abandon this license. NPS intends to determine whether a formal change in use is appropriate in the future. The exact amount of use is not known. The United States gives this information in the interest of comity, and does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments

File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Eric
Last Name	Lord
Relation to Water Right	Other
I read the above and agree	Yes

DEVA

CALIFORNIA Water Boards

EDMUND G. BROWN JR. GOVERNOR

MATTHEW RODRIQUEZ SECRETARY FOR ENVIRONMENTAL PROTECTION

State Water Resources Control Board

NOTICE TO WATER RIGHT LICENSEE

March 5, 2012

Designated Contact or Agent:
U S NATIONAL PARK SERVICE
1201 OAK RIDGE DR STE 250
FORT COLLINS, CO 80525

Contact Phone Number: (970) 225-3500

Primary Owner: U S NATIONAL PARK SERVICE

Application ID: A013852A **License No.** 006559A

First three Sources listed:	Counties:
BURNS SPRING	Inyo

Direct Diversion Rate: 100.000 Gallons per Day **Collection to Storage Amount:** 0.000 AC-FT

LICENSEE REPORTING FOR 2011

As indicated in the California Code of Regulations title 23, section 847, the State Water Resources Control Board (State Water Board) requires annual reporting of water diversion and use under licenses. The State Water Board has historically required these reports to be filed once every three years in paper form. California Water Code chapter 2.7 section 348 authorizes the State Water Board to require online reporting of water diversions. Consistent with these requirements, the State Water Board, Division of Water Rights (Division) developed a new online Report Management System (RMS) as a component of the enhanced Water Right Information Management System (eWRIMS). RMS allows electronic submittal of water diversion and use reports, saving both paper and resources. **All reports must be completed online through RMS; paper copies are not available.** To report online, go to **www.waterboards.ca.gov/rms** and login with your User ID and Password. The information required to login and access your online Report of Licensee is:

User ID (Water Right ID): **A013852A**
Password (Reporting Identifier): **504506**

You are required to complete the online report for 2011 no later than **June 30, 2012.** If you do not have a computer or internet access, you should use a friend's computer, a computer in a public library, or a Division computer to fill out the form. Unfortunately, Division staff cannot fill the form out on your behalf. However, if you wish to seek assistance with the form, you may contact the Division to request a listing of attorneys and consulting firms with water rights experience. You can also review the listing on the Division's Business Information Contacts webpage at: http://www.waterboards.ca.gov/waterrights/board_info/contacts.shtml.

If you have multiple water rights, please be aware you must report water use separately for

each right. Do not list total combined diversions under multiple rights on the form. To document compliance with the conditions of your water right(s), you may use RMS to submit photos (such as staff gages, measuring devices, etc.), documents (Department of Fish and Game agreements, other agency approvals, etc.), graphs, and spreadsheets.

CHANGES FOR 2011 REPORTING:

- It is possible to create one account on the RMS site to report all of your water rights. It is not necessary to create an account if you would like to report your water rights individually. Please see the RMS login page for more information and instructions.
- RMS includes the capability to amend current and past reports. Amendments to credits previously claimed pursuant to Water Code sections 1010, 1011, and 1011.5 are subject to review and may not be accepted.
- Licensees can list all of their reservoirs associated with this license in their report.
- RMS includes new on screen help tools and instructions.

REQUIRED NOTIFICATION OF CHANGE IN OWNERSHIP

You are required to notify the Division directly of any water right ownership change. Your county assessor's office or title company does not notify the Division of ownership changes. Failure to notify the Division of an ownership change prior to assessment of annual water right fees will result in your liability to pay the annual water right fee even if you transferred the property associated with the water right. Notification to the Division should be made using the Change of Name/Address or Ownership form by clicking on the Water Rights Forms link located at www.waterboards.ca.gov/waterrights/board_info.

CONTACT INFORMATION

Frequently asked questions pertaining to filling out online reports are posted at the RMS website and we encourage you to read these first. However, if you still have any questions or need assistance completing the report, please contact the Division of Water Rights at (916) 323-9393 or send an email to: ewrims@waterboards.ca.gov.

Sincerely,

Phillip Crader, Manager
Permitting and Licensing Section
Division of Water Rights

[FINAL SUBMITTED VERSION]

REPORT OF LICENSEE FOR 2010

Primary Owner: U S NATIONAL PARK SERVICE
Application Number: A013852A
License Number: 006559A

Compliance with License Terms and Conditions	
The project has been abandoned and I request revocation of my water right license	No
I have reviewed my water right license	Yes
I am complying with all terms and conditions	No
Description of noncompliance with terms and conditions	Please see remarks.
Intake location has been changed	
Description of intake location changes	
Type of use has changed	Yes
Description of type of use changes	Please see remarks.
Place of use has changed	
Description of place of use changes	

Purpose of Use	
Fish and Wildlife Protection and/or Enhancement	Please see remarks.

Month	Amount directly diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0.0	0.0
February	0.0	0.0
March	0.0	0.0
April	0.0	0.0
May	0.0	0.0
June	0.0	0.0
July	0.0	0.0
August	0.0	0.0
September	0.0	0.0
October	0.0	0.0
November	0.0	0.0
December	0.0	0.0
Total	0	0

Month	Maximum Rate of Diversion (CFS)
January	0.0
February	0.0
March	0.0
April	0.0
May	0.0
June	0.0

July	0.0
August	0.0
September	0.0
October	0.0
November	0.0
December	0.0

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water	
Are you now employing water conservation efforts?	
Description of water conservation efforts	
Amount of water conserved	

Water Quality and Wastewater Reclamation	
During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	
Amount of reclaimed, desalinated, or polluted water used	

Conjuctive Use of Groundwater and Surface Water	
During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license?	
Amounts of groundwater used	

Additional Remarks
This right is no longer used in support of livestock, but is presently used by wildlife. The NPS considers state appropriative licenses to be federal property, and this change of type of use does not indicate an intent to abandon this license. NPS intends to determine whether a formal change in use is appropriate in the future. The exact amount of use is not known. The United States gives this information in the interest of comity, and does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments	
File Name	Size
No Attachments	

Contact Information of the Person Submitting the Form	
First Name	Eric
Last Name	Lord
Relation to Water Right	Other
I read the above and agree	Yes

Linda S. Adams
Acting Secretary for Environmental Protection

State Water Resources Control Board

Division of Water Rights
1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ (916) 341-5300
Mailing Address: P.O. Box 2000 ♦ Sacramento, California ♦ 95812-2000
FAX (916) 341-5400 ♦ Web Site Address: http://www.waterboards.ca.gov

Edmund G. Brown Jr.
Governor

NOTICE TO WATER RIGHT LICENSEE

Application ID: A013852A **License No.** 6559A **Reporting Cycle:** 3

Owner(s) of Record: U S NATIONAL PARK SERVICE

Primary Contact or Agent:
U S NATIONAL PARK SERVICE
1201 OAK RIDGE DR STE 250
FORT COLLINS, CO 80525

Contact Phone: (970) 225-3500

Source(s): BURNS SPRING in Inyo County

Direct Diversion Rate: 100 Gallons per Day **Collection To Storage Amount:** 0 AC-FT

ANNUAL LICENSEE REPORTING FOR 2010

The State Water Resources Control Board (State Water Board) has historically required Reports of Licensee to be filed once every three years in paper form. Senate Bill 8, which was signed into law in 2009, authorized the State Water Board to adopt regulations requiring online reporting of water diversions. Consistent with the Senate Bill, the State Water Board has adopted regulations requiring annual reporting of water diversion and use under licenses, and developed a new online Report Management System (RMS) as a component of the enhanced Water Right Information Management System (eWRIMS). The online RMS allows you to electronically submit your water diversion and use report, saving both paper and resources. To report on-line, go to **www.waterboards.ca.gov/rms** and log in with your water right ID and password. The information required to log in and access your online Report of Licensee is:

Water Right ID: **A013852A**
Password: **2W3T5Y**

You are required to complete the online report for 2010 no later than **July 1, 2011.** You may also submit your record of diversion and use for previous years using the RMS. To maintain a continuous record of water use under your license, Licensees with **Reporting Cycle 1** should report their monthly diversion and use for 2008, 2009, and 2010. Licensees with **Reporting Cycle 2** should report their monthly diversion and use for 2009 and 2010; and Licensees with **Reporting Cycle 3** only need to report monthly diversion and use for 2010. Please note that it is not possible at this time to amend a report submitted through the RMS.

CHANGES FOR 2010 REPORTING:

Question 4 on the previous Report of Licensee form ("Amount of Water Used") has changed. New Question 5c requires you to report both the "*Amount directly diverted and/or collected to storage*" and the corresponding "*Amount used*" for each month. For many direct diversion-only projects, these amounts will be the same and the online form provides a check box for that purpose (Question 5b).

New Questions 6a and 6b on the RMS Report of Licensee requires you to report the maximum instantaneous *rate* of diversion that has occurred in each month under the license, if available.

If your water project is covered by two or more water rights, you should only report your diversion and use of water for the project covered by the license number printed above. The total amount diverted and used under multiple water rights should not be combined and reported on a single

form. In such cases, you should quantify your diversion under each water right, assigning water to the senior-most right first, to the extent allowed under the permit or license.

REQUIRED NOTIFICATION OF CHANGE IN OWNERSHIP

You are required to notify the State Water Board directly of any water right ownership change. Your county assessor's office or title company does not notify us of any ownership updates. Failure to notify the State Water Board of an ownership change prior to assessment of annual water right fees will result in your liability to pay the annual water right fee even if you transferred the property associated with the water right. Notification to the State Water Board should be made using the Change of Name/Address or Ownership form by clicking on the Water Rights Forms link located at www.waterboards.ca.gov/waterrights/bo... ...info

CONTACT INFORMATION

Frequently asked questions pertaining to filling out online reports are posted at the RMS website and we encourage you to read these first. However, if you still have any questions or need assistance completing the report, please contact the Division of Water Rights at (916) 341-5431 or send an email to: ewrims@waterboards.ca.gov

Sincerely,

Phillip Crader, Manager
Permitting and Licensing Section
Division of Water Rights

[FINAL SUBMITTED VERSION]

REPORT OF LICENSEE FOR 2009

Application Number: A013852A
License Number: 006559A

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit	Yes
I am complying with all terms and conditions	No
Description of noncompliance with terms and conditions	Please see remarks.
Intake location has been changed	
Description of intake location changes	
Type of use has changed	Yes
Description of type of use changes	Please see remarks.
Place of use has changed	
Description of place of use changes	

Purpose of Use	
Fish and Wildlife Protection and/or Enhancement	Please see remarks.

Month	Amount directly diverted or collected to storage (Acre-Feet)	Amount beneficially used (Acre-Feet)
January	0.0	0.0
February	0.0	0.0
March	0.0	0.0
April	0.0	0.0
May	0.0	0.0
June	0.0	0.0
July	0.0	0.0
August	0.0	0.0
September	0.0	0.0
October	0.0	0.0
November	0.0	0.0
December	0.0	0.0
Total	0	0

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water	
Are you now employing water conservation efforts?	
Description of water conservation efforts	
Amount of water conserved	

Water Quality and Wastewater Reclamation

During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	
Amount of reclaimed, desalinated, or polluted water used	

Conjuctive Use of Groundwater and Surface Water	
During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	
Amounts of groundwater used	

Additional Remarks
This right is no longer used in support of livestock, but is presently used by wildlife. The NPS considers state appropriative licenses to be federal property, and this change of type of use does not indicate an intent to abandon this license. NPS intends to determine whether a formal change in use is appropriate in the future. The exact amount of wildlife use is not known. The United States gives this information in the interest of comity, and does not concede that the State has the power to regulate the rights of the United States to the use of water.

Contact Information of the Person Submitting the Form	
First Name	Eric
Last Name	Lord
Relation to Water Right	Other
I read the above and agree	Yes

[FINAL SUBMITTED VERSION]

REPORT OF LICENSEE FOR 2008

Application Number: A013852A
License Number: 006559A

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit	Yes
I am complying with all terms and conditions	No
Description of noncompliance with terms and conditions	Please see remarks.
Intake location has been changed	
Description of intake location changes	
Type of use has changed	Yes
Description of type of use changes	Please see remarks.
Place of use has changed	
Description of place of use changes	

Purpose of Use	
Fish and Wildlife Protection and/or Enhancement	Please see remarks.

Month	Amount directly diverted or collected to storage (Acre-Feet)	Amount beneficially used (Acre-Feet)
January	0.0	0.0
February	0.0	0.0
March	0.0	0.0
April	0.0	0.0
May	0.0	0.0
June	0.0	0.0
July	0.0	0.0
August	0.0	0.0
September	0.0	0.0
October	0.0	0.0
November	0.0	0.0
December	0.0	0.0
Total	0	0

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water	
Are you now employing water conservation efforts?	
Description of water conservation efforts	
Amount of water conserved	

Water Quality and Wastewater Reclamation

During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	
Amount of reclaimed, desalinated, or polluted water used	

Conjuctive Use of Groundwater and Surface Water	
During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	
Amounts of groundwater used	

Additional Remarks

This right is no longer used in support of livestock, but is presently used by wildlife. The NPS considers state appropriative licenses to be federal property, and this change of type of use does not indicate an intent to abandon this license. NPS intends to determine whether a formal change in use is appropriate in the future. The exact amount of wildlife use is not known. The United States gives this information in the interest of comity, and does not concede that the State has the power to regulate the rights of the United States to the use of water.

Contact Information of the Person Submitting the Form	
First Name	Eric
Last Name	Lord
Relation to Water Right	Other
I read the above and agree	Yes

[FINAL SUBMITTED VERSION]

REPORT OF LICENSEE FOR 2007

Application Number: A013852A
License Number: 006559A

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit	Yes
I am complying with all terms and conditions	No
Description of noncompliance with terms and conditions	Please see remarks.
Intake location has been changed	
Description of intake location changes	
Type of use has changed	Yes
Description of type of use changes	Please see remarks.
Place of use has changed	
Description of place of use changes	

Purpose of Use	
Fish and Wildlife Protection and/or Enhancement	Please see remarks.

Month	Amount directly diverted or collected to storage (Acre-Feet)	Amount beneficially used (Acre-Feet)
January	0.0	0.0
February	0.0	0.0
March	0.0	0.0
April	0.0	0.0
May	0.0	0.0
June	0.0	0.0
July	0.0	0.0
August	0.0	0.0
September	0.0	0.0
October	0.0	0.0
November	0.0	0.0
December	0.0	0.0
Total	0	0

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water	
Are you now employing water conservation efforts?	
Description of water conservation efforts	
Amount of water conserved	

Water Quality and Wastewater Reclamation

During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	
Amount of reclaimed, desalinated, or polluted water used	

Conjuctive Use of Groundwater and Surface Water	
During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	
Amounts of groundwater used	

Additional Remarks
This right is no longer used in support of livestock, but is presently used by wildlife. The NPS considers state appropriative licenses to be federal property, and this change of type of use does not indicate an intent to abandon this license. NPS intends to determine whether a formal change in use is appropriate in the future. The exact amount of wildlife use is not known. The United States gives this information in the interest of comity, and does not concede that the State has the power to regulate the rights of the United States to the use of water.

Contact Information of the Person Submitting the Form	
First Name	Eric
Last Name	Lord
Relation to Water Right	Other
I read the above and agree	Yes

Return completed Report to:

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000
SACRAMENTO, CA 95812-2000

A013852A%L%2009

Or file Report online at: http://ciwqs.waterboards.ca.gov/ewrims/ewrims_online_reporting/login.jsp
For assistence completing this Report, call: (916) 341-5300 FAX (916) 341-5400

REPORT OF LICENSEE FOR 2007, 2008, 2009

OWNER(S) OF RECORD: If the owner information below is wrong or missing, please correct.
U S NATIONAL PARK SERVICE

APPLICATION NO: A013852A

LICENSE NO: 006559A
CONTACT PHONE NO: 970-225-3500

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING
U S NATIONAL PARK SERVICE
1201 OAK RIDGE DR STE 250
FORT COLLINS, CO 80525

LICENSE SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)	POD PARCEL NO	COUNTY LOCATION
BURNS SPRING		Inyo

MAX DIRECT DIVERSION RATE: 100 Gallons per Day
MAX COLLECTION TO STORAGE AMOUNT: 0 AC-FT
WATER RIGHT FACE VALUE: 0.1 AC-FT

LICENSED USE(S) OF WATER (First 4 uses displayed below)	ACRES (AC)	DIRECT DIVERSION SEASON (month/day to month/day)	COLLECTION TO STORAGE SEASON (month/day to month/day)
Domestic	0.0	1/1 to 12/31	

[ ] YES [ ] NO The project has been abandoned and I request revocation of my water right license.

COMPLIANCE WITH LICENSE TERMS AND CONDITIONS: This Report is important since it provides a record of your actual water use as well as your compliance with the terms and conditions of your water right license. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.

1. [ ] YES [ ] NO I have currently reviewed my water right license.
2. [ ] YES [ ] NO I am complying with all terms and conditions listed in the license. Identify any noncompliance under "Remarks" on the reverse side.
3. [ ] YES [ ] NO I have changed the intake location, type(s) of use, and/or place of use authorized by the license. If **Yes**, explain under "Remarks" on reverse side. ***Note:*** *A Change Petition and associated fees may be required for any significant changes to the licensed project.*

BENEFICIAL USE(S) OF WATER: Under the appropriate boxes below, briefly explain how the water was used each year.

4. Current Use(s) of Water	2007	2008	2009
4.a. Irrigation – specify no. of acres irrigated			
4.b. Frost Protection – specify no. of acres protected			
4.c. Heat Control – specify no. of acres protected			
4.d. Industrial – specify type			
4.e. Stockwatering – specify no. & type of animals			
4.f. Municipal – approx. population served			
4.g Domestic – specify no. of persons, lawn/garden area			
4.h. Power Generation – installed capacity in kW, MW, or hp			
4.i Recreational – specify (boating, fishing, water contact sports, etc.)			
4.j. Other – specify (Examples: fire protection, snowmaking, mining, etc.)			

AMOUNT OF WATER TAKEN FROM THE SOURCE: Please report only the amounts diverted and/or stored under this license.
5.a. Amount of water taken each month under this license in [ ] gallons or [ ] acre-feet or [ ] million gallons

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2007													
2008													
2009													

AMOUNT OF WATER BENEFICIALY USED: Please report only the amounts beneficially used under this license.
5.b. Amount actually used by direct diversion and/or withdrawal from storage in acre-feet [ ] Check if amounts are same as 5.a.

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2007													
2008													
2009													

Please Detach This Portion

To file this report electronically, please go to http://ciwqs.waterboards.ca.gov/ewrims/ewrims_online_reporting/login.jsp and log-in using the Water Right ID and Password provided below:

Water Right ID: A013852A

Password: 2W3T5Y

After logging-in, you will be able to change your password by selecting the "Change E-mail or Password" link at the top of the screen. To complete your report for the current year, select the link to the year 2009. You can also complete reports for previous years by selecting "Submit a Report for a Year not Shown Above".

If you have any questions or need further assistance you may contact the eWRIMS Help Desk at 866-792-4977, Monday through Friday, 8:00 a.m. through 5:00 p.m., or by email at ewrims@waterboards.ca.gov.

Please Detach This Portion

App ID No. A013852A

6. For Storage Projects only:	2007	2008	2009
6.a. Did your reservoir(s) spill?			
6.b. If **No**, how many feet vertically below the spillway was the water level at maximum storage?			
6.c. Have you emptied the reservoir(s)?			
6.d. If **No**, how many feet vertically below the spillway was the water level(s) at minimum storage?			

PLEASE ANSWER ONLY THOSE QUESTIONS BELOW THAT ARE APPLICABLE TO YOUR WATER RIGHT PROJECT
(Please note that future amendments to the claims below will not be accepted.)

An appropriative water right can be reduced or revoked through five continuous years of nonuse. However, the California Water Code specifies that under certain conditions no reduction or loss of the appropriative water right shall occur due to: (a) water conservation efforts; (b) use of recycled, desalinated, or polluted water; and/or (c) conjunctive use of groundwater and surface water. You must report the extent and amount of water claimed for credit below. Failure to report the amounts will deprive you of the benefits allowed under the Water Code sections.

CONSERVATION OF WATER: (Water Code section 1011)

7. **[ ] YES [ ] NO** During the period covered by this Report, were you implementing any water conservation efforts? If **YES**, please describe:

_____

8. If **YES** and you want to claim credit for the amount of water conserved towards the water use authorized under your license as allowed under Water Code section 1011, please show the amount of water conserved below:

Future amendments to this claim will not be accepted.	2007	2008	2009
Amount of water conserved. *Specify in acre-feet (AF) or million gallons (MG)*			

WATER QUALITY AND WASTEWATER RECLAMATION: (Water Code section 1010)

9. **[ ] YES [ ] NO** During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?

10. If **YES** and you want to claim credit for the substitution of this reclaimed, desalinated, or polluted water in lieu of the surface water authorized under your license as allowed by Water Code section 1010, please show the amount of reclaimed, desalinated, or polluted water used below:

Future amendments to this claim will not be accepted.	2007	2008	2009
Amount of reclaimed, desalinated, or polluted water used. *Specify in acre-feet (AF) or million gallons (MG)*			

CONJUNCTIVE USE OF GROUNDWATER AND SURFACE WATER: (Water Code section 1011.5)

11. **[ ] YES [ ] NO** During the period covered by this Report, were you using groundwater in lieu of the surface water authorized under your license?

12. If **YES** and you want to claim credit for the groundwater used in lieu of the surface water authorized under your permit as allowed under Water Code section 1011.5, please show the amount of groundwater used below:

Future amendments to this claim will not be accepted.	2007	2008	2009
Amount of groundwater used in lieu of surface water. *Specify in acre-feet (AF) or million gallons (MG)*			

REMARKS: (Identify the item you are explaining; additional pages may be attached.)

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

Signature:_____ Date: _____ Phone No.: ( )_____
LICENSEE (OR AGENT / DESIGNEE)

Cal/EPA

State Water Resources Control Board

Division of Water Rights

Mailing Address:
P.O. Box 2000
Sacramento, CA
95812-2000

901 P Street
Sacramento, CA
95814
(916) 657-1359
FAX (916) 657-1485

Pete Wilson
Governor

In Reply Refer
to:332:KDL:13852A

JUNE 16 1997

U.S. Death Valley National Monument
c/o Mr. Owen R. Williams, Chief
Water Rights Branch
United States National Park Service
1201 Oakridge Drive, Suite 250
Fort Collins, CO 80525

Dear Mr. Williams:

LICENSE 6559A (APPLICATION 13852A) BURNS SPRING DIVERSION IN INYO COUNTY

Enclosed is an Order amending the above referenced water right. The amendment is necessary to correct an oversight that occurred when the License was issued and thereby comply with California Fish and Game Code Sections 5937 and 5946 (copy enclosed). This Order should be filed with your copy of License 6559A.

If you have any questions, please contact Kevin Long of my staff at (916) 657-1927.

Sincerely,

Edward C. Anton, Chief
Division of Water Rights

Enclosures: Order amending License
Fish and Game Code Sections 5937 and 5946

cc: County Recorder (Order only)
County of Inyo
P.O. Drawer F
Independence, CA 93526

§5935. Owner responsibility toward repair, etc.
The owner of any dam upon which a fishway has been provided shall keep the fishway in repair and open and free from obstructions to the passage of fish at all times.

§5936. Destruction of fishway—unlawful.
It is unlawful to wilfully destroy, injure, or obstruct any fishway.

§5937. Passage of water for fish below dam.
The owner of any dam shall allow sufficient water at all time to pass through a fishway, or in the absence of a fishway, allow sufficient water to pass over, around or through the dam, to keep in good condition any fish that may be planted or exist below the dam. During the minimum flow of water in any river or stream, permission may be granted by the department to the owner of any dam to allow sufficient water to pass through a culvert, waste gate, or over or around the dam, to keep in good condition any fish that may be planted or exist below the dam, when, in the judgment of the department, it is impracticable or detrimental to the owner to pass the water through the fishway.

§5938. Hatchery; operation of.
Whenever in the opinion of the commission it is impracticable, because of the height of any dam, or other conditions, to construct a fishway over or around the dam, the commission may, in lieu of the fishway, order the owner of the dam completely to equip, within a specified time, on a site to be selected by the department, a hatchery, together with dwellings for help, traps for the taking of fish, and all other equipment necessary to operate a hatchery station, according to plans and specifications furnished by the department. After such hatchery has been constructed, the department shall operate it without further expense to the owner of the dam except as provided in Sections 5940 and 5941.

§5939. Equipment—size, etc.
The hatchery, traps, and other equipment necessary to operate a hatchery station shall not be of a size greater than necessary to supply the stream or river with a reasonable number of fish. The owner of the dam shall permit the department to locate the hatchery, dwellings, traps, and other equipment upon any of the land of the owner of the dam upon a site or sites to be mutually agreed upon by the department and the owner of the dam.

§5940. Electricity generation—use.
If the owner of the dam generates electricity at the place of the dam, he shall furnish sufficient light, without charge, for the use of the hatchery.

§5941. Use of water for hatchery.
The owner shall permit the use of water, without charge, to operate the hatchery.

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§5942. Planting of fish in lieu of fishway, hatchery, etc.
The commission may, in lieu of a fishway, hatchery, dwelling, traps or other equipment necessary to operate a hatchery station, order the owner of the dam to plant, under the supervision of the department, the young of such fish as naturally frequent the waters of the stream or river, at such times, in such places, and in such numbers as the commission may order.

§5943. Public access to impounded waters.
The owner of a dam shall accord to the public for the purpose of fishing, the right of access to the waters impounded by the dam during the open season for the taking of fish in such stream or river, subject to the regulations of the commission.

§5944. Dam owner-liability for damages.
The owner of a dam is not liable in damages to any person exercising the right to fish, who suffers any injury through coming in contact with, or tampering with, any of the property of the owner of the dam.

§5945. Selling of fish at cost.
The department may sell, at cost, to the owner of a dam, young fish ordered to be planted.

§5946. Inapplicability to dams constructed in District 4½.
The provisions of Section 5938 shall not be applicable to dams constructed in District 4½ after September 9, 1953.
No permit or license to appropriate water in District 4½ shall be issued by the State Water Rights Board after September 9, 1953, unless conditioned upon full compliance with Section 5937. Plans and specifications for any such dam shall not be approved by the Department of Water Resources unless adequate provision is made for full compliance with Section 5937.

§5947. Hydroelectric energy generation unlawful by owner of dam in District 4½.
It is unlawful for the owner of a dam in District 4½ to release water from the dam, or any facilities for the generation of hydroelectric energy operated in connection therewith, in varying flows in such a manner as to destroy fish life below such release.

§5948. Log jams, artificial barriers—unlawful.
No person shall cause or having caused, permit to exist any log jam or debris accumulation or any other artificial barrier, except a dam for the storage or diversion of water, public bridges and approaches thereto, groins, jetties, seawalls, breakwaters, bulkheads, wharves and piers permitted by law, and debris from mining operations, in any stream in this State, which will prevent the passing of fish up and down stream or which is deleterious to fish as determined by the commission, subject to review by the courts.

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A copy of this document is
being recorded at your
County Recorder.

Please retain this copy
for your file.

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

Application 13852A Permit 8536 License 6559A

ORDER AMENDING LICENSE

WHEREAS:

1. License 6559A was issued to the United States, Death Valley National Monument, and recorded at the office of the Inyo County Recorder on April 17, 1962.

2. License 6559A confers upon the United States, Death Valley National Monument, an appropriative right to use water from Burns Spring in Inyo County.

3. Fish and Game Code Section 5946 requires that the State Water Resources Control Board condition Licenses that authorize diversion of water in Department of Fish and Game District 4 ½ (Inyo and Mono Counties) to specify compliance with Section 5937 of the Fish and Game Code.

4. The License was issued without referencing compliance with Section 5937.

5. Since amendment of License 6559A to require compliance with Fish and Game Code Section 5937 is a ministerial action, this Order is exempt from the provisions of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines in accordance with Section 21080 of the Public Resources Code.

NOW, THEREFORE, IT IS ORDERED THAT:

The following condition is added to this License:

In accordance with the requirements of Fish and Game Code Section 5946, this License is conditioned upon full compliance with Section 5937 of the Fish and Game Code.

Dated: - JUNE 16 1997

ORIGINAL SIGNED BY:

Walt Pettit
Executive Director

File

United States Department of the Interior

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

December 12, 1995

IN REPLY REFER TO:
L54(2380)
DEVA/Water Rights

Mr. John Wright
Associate WRC Engineer
Permit and License Unit
State of California
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

Re:	License 002430	(Application A005073) Lower Spring
	License 004621	(Application A009510) Main Cow Creek
	License 006110	(Application A015381) Lower Emigrant Spring
	License 006343	(Application A008183) Saratoga Springs
	License 006559A	(Application A013852A) Burns Spring
	License 006740	(Application A018433) Goldbelt Spring
	License 007578	(Application A019538) Mesquite Spring
	License 010580	(Application A008423) UNSP
	License 010781	(Application A015539) Covered Spring
	License 010845	(Application A016096) Tarantula Springs

Dear Mr. Wright:

Enclosed please find the completed Report of Licensee forms for the above captioned water rights at Death Valley National Park.

Should you have any questions regarding these Report of Licensee, please contact Denise Newberry of my staff at (970) 225-3525.

Sincerely,

Owen R. Williams
Chief, Water Rights Branch
Enclosures

cc: DEVA - Superintendent (w/ enclosure)
PGSO - Kolipinski (w/o enclosures)
2380 - Pettee (w/o enclosures)
bcc: Dockets (w/ enclosures)
FNP:DNewberry:mf:12/12/95:S:\WRB\DENISE\1995ROL.DOC

State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000 SACRAMENTO, CA 95812-2000
901 P STREET, SACRAMENTO, CA
(916) 657-1364 FAX: (916) 657-1485

REPORT OF LICENSEE FOR 1992, 1993, 1994

OWNER OF RECORD: U S DEATH VALLEY NATL MONUMENT

c/o U S DEATH VALLEY NATL MONUMENT
1201 OAKRIDGE DR STE 250
FORT COLLINS, CO 80525

APPLICATION: A013852A

LICENSE: 006559A

TELEPHONE NUMBER: (970) 225 -3500

IF OWNER'S NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE:		COUNTY:
BURNS SPRING		INYO
PURPOSE:	**DIVERSION/STORAGE SEASON:**	**ACRES/HP:**
DOMESTIC	JAN 01 TO DEC 31 /	0 AC

AMOUNT: 100 GPD 0 AC-FT

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR LICENSE

IMPORTANT! EVERY license is subject to the conditions therein. I have currently reviewed my license: YES [x] NO [ ]. I am complying with the conditions of my license: YES [x] NO [ ]. Identify any noncompliance by license term number under "Remarks" on reverse side. This report is important in providing the record of use needed in maintaining your water right. It should be filled out carefully and returned promptly to the above-listed address.

THE PROJECT HAS BEEN ABANDONED, AND I REQUEST REVOCATION OF THE LICENSE: YES [ ].

COMPLETE FOR DIRECT DIVERSION PROJECTS

1. Have you used the full licensed amount of water each year? YES [x] NO [ ].
2. State the quantity of water used each month in gallons or acre-feet (if not known, check months water was used).

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1992	x	x	x	x	x	x	x	x	x	x	x	x	
1993	x	x	x	x	x	x	x	x	x	x	x	x	
1994	x	x	x	x	x	x	x	x	x	x	x	x	

COMPLETE FOR STORAGE PROJECTS

	1992	1993	1994
3. Did your reservoir spill this year?			
4. If not, how many feet below spillway vertically was the water level at maximum storage?			
5. Have you emptied the reservoir?			
6. How many feet below spillway vertically was it drawn down at end of season?			

3/94

(Continues on reverse side)
FOR0135R1

1994

USE (COMPLETE FOR ALL PROJECTS) (see page 1 for year of use)

7. Acreage irrigated				
8. Stockwatering - number of stock				
9. Domestic - number of persons				
garden area, etc.				
10. Recreational - nature of use				
11. Industrial - nature of use				
12. Municipal - approximate population				
13. Power generation - K.W.				
14. Other Wildlife Preservation	x	x	x	

15. If no water was used in one or more years, briefly state the reason under "Remarks".

16. If the location of the point of diversion or place of use or type of use(s) has been changed and the permission of this Board has not yet been obtained, please describe nature of changes under "Remarks". _____

PLEASE ANSWER ONLY THOSE QUESTIONS BELOW WHICH ARE APPLICABLE TO YOUR PROJECT.

CONSERVATION OF WATER

17. Describe any water conservation efforts you may have started: _____

18. If credit toward beneficial use of water under this license for water not used due to a conservation effort is claimed under Water Code Section 1011, please show the amounts of water conserved (acre-feet or mg.):
19___ _____(af/mg) 19___ _____(af/mg) 19___ _____(af/mg)

WATER QUALITY AND WASTEWATER RECLAMATION

19. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES [ ] NO [ ].

If credit toward use under this water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under Section 1010 of the Water Code, please show amounts of reduced diversion and amounts of reclaimed water used: 19___ _____(af/mg) 19___ _____(af/mg) 19___ _____(af/mg)

REMARKS: (Identify the item you are explaining. Additional pages may be attached.)

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief:

Date: 14 Dec 95 Sign Here: Owen R. Williams Chief, Water Rights Branch
LICENSEE (OR AGENT OR DESIGNEE)

United States Department of the Interior

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

TAKE PRIDE IN AMERICA

IN REPLY REFER TO

February 3, 1993

L54(479)
PINN/Water Rights
DEVA/Water Rights

DEVA 37

Mr. John Wright
Associate WRC Engineer
Permit and License Unit
State of California
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

Re: License 9374 (Application A008969) Chalone Creek
License 6559A (Application A013852A) Burns Creek
License 6110 (Application A015381) Lower Emigrant
License 7854 (Application A010119) Unnamed Source
License 2430 (Application A005073) Lower Spring
License 4621 (Application A009510) Main Cow Creek
License 4897 (Application A012076) Wildrose Spring
License 7578 (Application A019538) Mesquite Spring
License 7577 (Application A019482) Ranger Spring
License 6740 (Application A018433) Goldbelt Spring
License 10580 (Application A008423) Unnamed Spring
License 10845 (Application A016096) Tarantula Springs
License 6343 (Application A008183) Saratoga Spring
License 10780 (Application A021646) Unnamed Stream
License 10781 (Application A015539) Covered Spring

Dear Mr. Wright:

Enclosed are completed Reports of Licensee forms for water right licenses in Pinnacles National Monument and Death Valley National Monument.

As Denise Newberry of my staff discussed with you earlier this year, the National Park Service (NPS) is updating its files and the State's records of its water rights in California park units. The NPS requests orders correcting the purpose of use for the following water licenses, as indicated below:

License 4621 (Application A009510) Main Cow Creek - add wildlife preservation

License 10580 (Application A008423) Unnamed Spring - add wildlife preservation

License 6110 (Application A015381) Lower Emigrant - add wildlife preservation

License 7854 (Application A010119) Unnamed Source - add wildlife preservation

License 2430 (Application A005073) Lower Spring - add wildlife preservation, delete domestic

License 6559A (Application A013852A) Burns Creek - add wildlife preservation, delete domestic

If you have questions regarding these Reports of Licensee, please contact Denise at (303) 225-3525.

Sincerely,

Owen R. Williams
Chief, Water Rights Branch

Enclosures

cc: WR - Kolipinski (w/o enclosures)
DEVA - Superintendent
PINN - Superintendent
479 - Johns (w/o enclosures), Water Rights Dockets

08-25-1992: letter to department of the interior accompanying blank copies of licensee reports. ; august 25, 1992

STATE OF CALIFORNIA

PETE WILSON, *Governor*

STATE WATER RESOURCES CONTROL BOARD
THE PAUL R. BONDERSON BUILDING
901 P STREET
SACRAMENTO, CA 95814

916/657-2046

FAX: 916/657-2388

Mailing Address
DIVISION OF WATER RIGHTS
P.O. BOX 2000, Sacramento, CA 95812-2000

In Reply Refer
To:341:JHW:5073

AUGUST 25 1992

Denise Newberry
United States Department of the Interior
National Park Service
Water Resources Division
301 South Howes Street, Room 353
Ft. Collins, CO 80521

Dear Ms. Newberry:

LICENSES 2430, 4621, 4897, 6110, 6343, 6559A, 6740, 7577, 7578, 7854, 10580, 10780, 10781, AND 10845 (APPLICATIONS 5073, 9510, 10276, 15381, 8183, 13852A, 18433, 19842, 19538, 10119, 8423, 21646, 15539, AND 16096) VARIOUS SOURCES IN INYO AND SAN BERNADINO COUNTIES

In regard to your letter dated June 30, 1992, please find enclosed blank copies of the Licensee Reports for the above licenses.

Please note that addresses on several of the Reports of Licensee are different. Please indicate how the addresses for the above licenses should be shown when you return the completed Reports of Licensee.

If you require further assistance in this matter, please write or telephone me at the above number.

Sincerely,

Jon H. Wright

Jon H. Wright
Associate WRC Engineer
Permit and License Unit

Enclosures

08-25-1992: report of licensee for 1986,1987,1988. ; august 25, 1992

State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA
(916) 324-5629

REPORT OF LICENSEE FOR 1986, 1987, 1988

OWNER OF RECORD:

U S DEATH VALLEY NATIONAL MONUMENT
c/o National Park Service
Water Resources Division
1201 Oakridge Dr., Suite 250
Fort Collins, CO 80525

APPLICATION: A013852A

LICENSE: 006559A

TELEPHONE NUMBER:
( ) -

NG OR MISSING, PLEASE CORRECT.

SOURCE:
BURNS CREEK

COUNTY:
INYO
37

PURPOSE:
~~DOMESTIC~~

DIVERSION/STORAGE SEASON:
JAN 01 TO DEC 31

ACRES/HP:
.0 AC

AMOUNT: 100.000 GPD 0.0 AC-FT

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR LICENSE

MPORTANT! EVERY license is subject to the conditions therein. I have currently reviewed my license: YES [xx]
IO [ ]. I am complying with the conditions of my license: YES [xx] NO [ ]. Identify any noncompliance by license
erm number under "Remarks" on reverse side. This report is important in providing the record of use needed in
aintaining your water right. It should be filled out carefully and returned promptly to the above-listed address.

HE PROJECT HAS been ABANDONED, AND I REQUEST REVOCATION OF THE LICENSE: YES [ ] NO [xx]

OMPLETE FOR DIRECT DIVERSION PROJECTS

1. Have you used the full licensed amount of water each year? YES [xx] NO [ ].
2. State the quantity of water used each month in gallons or acre-feet (if not known, check months water was used).

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1986	x	x	x	x	x	x	x	x	x	x	x	x	
1987	x	x	x	x	x	x	x	x	x	x	x	x	
1988	x	x	x	x	x	x	x	x	x	x	x	x	

OMPLETE FOR STORAGE PROJECTS	1986	1987	1988
3. Did your reservoir spill this year?			
4. If not, how many feet below spillway vertically was the water level at maximum storage?			
5. Have you emptied the reservoir?			
6. How many feet below spillway vertically was it drawn down at end of season?			
SE (COMPLETE FOR ALL PROJECTS)			
7. Acreage irrigated			
Crops grown			
8. Stockwatering – number of stock			
kind of stock			
9. Domestic – number of persons			
garden area, etc.			
0. Recreational – nature of use			
. Industrial – nature of use			
2. Municipal – approximate population			
3. Power generation – K.W.			
4. Other wildlife preservation	x	x	x

5. If no water was used in one or more years, briefly state the reason on the reverse side under "Remarks".
6. If either the location of the point of diversion or place of use has been changed and the permission of this Board has not yet been obtained, please describe nature of change on the reverse side under "Remarks".

R-17 (6/90)

(REPORT CONTINUES ON REVERSE SIDE)

REPORT OF LICENSEE FOR — PAGE 2

NOTE: The following questions relate to the Board's continuing responsibility to insure that appropriated water is best developed, conserved, and utilized in the public interest as required by the Water Code. Please answer those questions which are applicable to your project.

CONSERVATION OF WATER (WATER PURVEYORS) n/a

17. What measures are you using or planning to reduce water losses in conveyance systems? (1) Seepage or leak detection program [ ]; (2) Lining canals [ ]; (3) Phreatophyte and aquatic vegetation control [ ]; (4) Other (describe in "Remarks") [ ].

18. What measures are used to encourage consumers to conserve water in agricultural use? (1) Program to encourage more efficient irrigation systems (sprinkler, drip, etc.) where applicable [ ]; (2) Return flow systems on individual farms [ ]; (3) Return flow system areawide [ ]; (4) Water pricing to encourage reduced use [ ]; (5) Charges for drainage of irrigated lands [ ]; (6) Other (describe in "Remarks") [ ].

19. What measures are used to encourage municipal and industrial consumers to conserve water? (1) Regulations to control wasteful use [ ]; (2) Public education program on water conservation [ ]; (3) Pricing to encourage reduced use [ ]; (4) Assistance to industry in design of recycle systems [ ]; (5) Other (describe in "Remarks" [ ].

20. What records are maintained on water use and conservation? (1) Loss rate from conveyance system [ ]; (2) Water use for major crops by each farm [ ]; (3) Other (describe in "Remarks") [ ].

CONSERVATION OF WATER (WATER USERS)

21. Describe any water conservation efforts you may have started: n/a

22. If credit toward beneficial use of water under this license for water not used due to a conservation effort is claimed under Water Code Section 1011, please show the amounts of water conserved (acre feet or mg.):
19__ _____ 19__ _____ 19__ _____

WATER QUALITY AND WASTEWATER RECLAMATION

23. Describe methods you are using to minimize erosion and to prevent the entry of silt into surface waters:

control of wild burro population and restricted camping near water source

24. After use, the water is (1) retained in reservoir [ ]; (2) discharged into a stream or lake [ ]; (3) discharged into settling ponds [ ]; (4) Other [ ]. Describe: _____

25. Does or will water being discharged contain waste materials? YES [ ] NO [ ].
(1) Domestic [ ]; (2) Municipal [ ]; (3) Industrial [ ]; (4) Agricultural [ ]; (5) Other [ ]. Describe: _____

26. Does or will water being discharged contain any specific material which is deleterious to fish and wildlife or which would impair the water for beneficial uses? YES [ ] NO [ ]. Describe: _____

TO THE EXTENT THE FOLLOWING QUESTIONS APPLY TO YOUR LICENSE, PLEASE ANSWER IN REMARKS SECTION BELOW. n/a

27. Are you now or have you been using reclaimed water from a wastewater treatment facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES [ ] NO [ ].

If credit toward use under this water right through substitution of reclaimed or polluted water in lieu of appropriated water is claimed under Section 1010 of the Water Code, please show amounts of reduced diversion and amounts of reclaimed water used.

28. Are you now or have you been reclaiming or reusing any of the water appropriated under this right? YES [ ] NO [ ].
If yes, please describe. _____

29. What is present availability or current potential for using reclaimed water from a wastewater treatment plant or polluted water in place of the appropriated water to satisfy all or part of your water needs?

30. What is the current potential for reusing the appropriated water to satisfy part of your water needs?

31. If you produce reclaimed water, or polluted water, is there a potential for others to use it?

REMARKS: (Identify the item you are explaining. Additional pages may be attached.)

declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

Date: 2/4/93 Sign Here: Chief, Water Rights Branch
LICENSEE OR AGENT OR DESIGNEE

State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. BOX 2000 SACRAMENTO, CA 95810
901 P STREET SACRAMENTO, CA
(916) 324-5626

REPORT OF LICENSEE FOR 1983, 1984, 1985

OWNER OF RECORD:

DEATH VALLEY NATL MONUMENT
C/O U S NATIONAL PARK SERVICE, WESTERN R
DIVISION OF WATER RESOURCES
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIF 94102

APPLICATION: A013852A

LICENSE: 006559A

TELEPHONE NUMBER:
(415) 556 - 8660

IF OWNER'S NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE:	COUNTY:
BURNS SPRING	INYO

PURPOSE:	DIVERSION/STORAGE SEASON:	ACRES/HP:
DOMESTIC	JAN 01 TO DEC 31	.0 AC

AMOUNT: 100.000 GPD 0.0 AC-FT

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR LICENSE

IMPORTANT! EVERY license is subject to the conditions therein. I have currently reviewed my license: YES [X]. NO [ ]. I am complying with the conditions of my license: YES [X] NO [ ]. Identify any noncompliance by license term number under "Remarks" on reverse side. This report is important in providing the record of use needed in maintaining your water right. It should be filled out carefully and returned promptly to the above-listed address.

THE PROJECT HAS BEEN ABANDONED, AND I REQUEST REVOCATION OF THE LICENSE: YES [ ] NO [X]

COMPLETE FOR DIRECT DIVERSION PROJECTS

1. Have you used the full licensed amount of water each year? YES [ ] NO [ ].
2. State the quantity of water used each month in gallons or acre-feet (if not known, check months water was used).

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1983	x	x	x	x	x	x	x	x	x	x	x	x	
1984	x	x	x	x	x	x	x	x	x	x	x	x	
1985	x	x	x	x	x	x	x	x	x	x	x	x	

COMPLETE FOR STORAGE PROJECTS	1983	1984	1985
3. Did your reservoir spill this year?			
4. If not, how many feet below spillway vertically was the water level at maximum storage?			
5. Have you emptied the reservoir?			
6. How many feet below spillway vertically was it drawn down at end of season?			
USE (COMPLETE FOR ALL PROJECTS)			
7. Acreage irrigated			
Crops grown			
8. Stockwatering – number of stock			
kind of stock			
9. Domestic – number of persons	x	x	x
garden area, etc.			
10. Recreational – nature of use			
11. Industrial – nature of use			
12. Municipal – approximate population			
13. Power generation – K.W.			
14. Other Wildlife Preservation	x	x	x

15. If no water was used in one or more years, briefly state the reason on the reverse side under "Remarks".
16. If either the location of the point of diversion or place of use has been changed and the permission of this Board has not yet been obtained, please describe nature of change on the reverse side under "Remarks".

REPORT OF LICENSEE FOR — PAGE 2

NOTE: The following questions relate to the Board's continuing responsibility to insure that appropriated water is best developed, conserved, and utilized in the public interest as required by the Water Code. Please answer those questions which are applicable to your project.

CONSERVATION OF WATER (WATER PURVEYORS)

17. What measures are you using or planning to reduce water losses in conveyance systems? (1) Seepage or leak detection program [ ]; (2) Lining canals [ ]; (3) Phreatophyte and aquatic vegetation control [ ]; (4) Other (describe in "Remarks") [ ].

18. What measures are used to encourage consumers to conserve water in agricultural use? (1) Program to encourage more efficient irrigation systems (sprinkler, drip, etc.) where applicable [ ]; (2) Return flow systems on individual farms [ ]; (3) Return flow system areawide [ ]; (4) Water pricing to encourage reduced use [ ]; (5) Charges for drainage of irrigated lands [ ]; (6) Other (describe in "Remarks") [ ].

19. What measures are used to encourage municipal and industrial consumers to conserve water? (1) Regulations to control wasteful use [ ]; (2) Public education program on water conservation [ ]; (3) Pricing to encourage reduced use [ ]; (4) Assistance to industry in design of recycle systems [ ]; (5) Other (describe in "Remarks" [ ].

20. What records are maintained on water use and conservation? (1) Loss rate from conveyance system [ ]; (2) Water use for major crops by each farm [ ]; (3) Other (describe in "Remarks") [ ].

CONSERVATION OF WATER (WATER USERS)

21. Describe any water conservation efforts you may have started: _____

22. If credit toward beneficial use of water under this license for water not used due to a conservation effort is claimed under Water Code Section 1011, please show the amounts of water conserved (acre feet or mg.):
1978 _____ 1979 _____ 1980 _____

WATER QUALITY AND WASTEWATER RECLAMATION

23. Describe methods you are using to minimize erosion and to prevent the entry of silt into surface waters: _____

24. After use, the water is (1) retained in reservoir [ ]; (2) discharged into a stream or lake [ ]; (3) discharged into settling ponds [ ]; (4) Other [ ]. Describe: _____

25. Does or will water being discharged contain waste materials? YES [ ] NO [ ].
(1) Domestic [ ]; (2) Municipal [ ]; (3) Industrial [ ]; (4) Agricultural [ ]; (5) Other [ ]. Describe: _____

26. Does or will water being discharged contain any specific material which is deleterious to fish and wildlife or which would impair the water for beneficial uses? YES [ ] NO [ ]. Describe: _____

TO THE EXTENT THE FOLLOWING QUESTIONS APPLY TO YOUR LICENSE, PLEASE ANSWER IN REMARKS SECTION BELOW.

27. Are you now or have you been using reclaimed water from a wastewater treatment facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES [ ] NO [ ].

If credit toward use under this water right through substitution of reclaimed or polluted water in lieu of appropriated water is claimed under Section 1010 of the Water Code, please show amounts of reduced diversion and amounts of reclaimed water used.

28. Are you now or have you been reclaiming or reusing any of the water appropriated under this right? YES [ ] NO [ ]. If yes, please describe. _____

29. What is present availability or current potential for using reclaimed water from a wastewater treatment plant or polluted water in place of the appropriated water to satisfy all or part of your water needs?

30. What is the current potential for reusing the appropriated water to satisfy part of your water needs?

31. If you produce reclaimed water, or polluted water, is there a potential for others to use it?

REMARKS: (Identify the item you are explaining. Additional pages may be attached.)

_____

_____

_____

_____

_____

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

Date: 1/10/86 Sign Here: (Sgd) Gerard S Wituckl
LICENSEE (OR AGENT OR DESIGNEE)

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
901 P Street, Sacramento, CA 95814
P. O. Box 2000, Sacramento, CA 95810
(916) 324-5685

GEORGE DEUKMEJIAN, Governor



In Reply Refer to:342:ANW:13852B

OCT 26 1983

Thomas A. Illmensee
Pascarella, Dehler, Illmensee and Carra
Attorneys & Counselors at Law
1301 Franklin Avenue
Garden City, NY 11530

Dear Mr. Illmensee:

LICENSE 6559B (APPLICATION 13852B), TROEGER, BURRO SPRING IN INYO COUNTY

We have received your letter of October 11, 1983 requesting that revocation of License 6559B not be initiated since mining operations will commence in the "relatively near future".

The last use made under License 6559B was in 1970, 13 years ago. We cannot continue this license indefinitely when water is not being used. We will withhold further action for six months, until May 1, 1984. By that time, if we have not received specific detailed information regarding the status of the litigation and a realistic projection as to when the matter will be solved, we will initiate revocation proceedings.

Sincerely,

Arthur N. Webb, Chief
Extension, Change and
Compliance Unit

cc: Mrs. Roy C. Troeger
4501 Firmament Avenue
Encino, CA 91436

National Park Service ✓
450 Golden Gate Avenue
San Francisco, CA 94118

RN

STATE OF CALIFORNIA
GEORGE DEUKMEJIAN, Governor

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P. O. BOX 2000, Sacramento, CA 95810
901 P Street, Sacramento, CA 95814
(916) 324-5685

N16

SEP 16 1983

In Reply Refer
to: 342:ANW:13852B

Mrs. Roy C. Troeger
4501 Firmament Avenue
Encino, CA 91436

Dear Mrs. Troeger:

LICENSE 6559B (APPLICATION 13852B), BURRO SPRING IN INYO COUNTY

In your letter of June 29, 1983 you stated that your attorneys would inform us as to the status of the litigation.

It has been over two months and we have had no response from your attorneys. It is very important that we receive this information or it will be necessary to initiate revocation proceedings.

Please respond within 30 days.

Sincerely,

Original Signed By:

Arthur N. Webb, Chief
Extension, Change and
Compliance Unit

cc: National Park Service
450 Golden Gate Service
San Francisco, CA 94118

RECEIVED
SEP 19 '83
WESTERN REGIONAL OFFICE

	ACTION	INFO	INITIAL	DATE
D				
DOE				
A				
C				
R				
EC				
DPA				

00-00-0000: report of licensee for 1980,1981,1982.

State Water Resources Control Board
DIVISION OF WATER RIGHTS
77 Cadillac Drive, Sacramento, CA 95825
(916) 920-6151

REPORT OF LICENSEE FOR 1980, 1981, 1982

OWNER OF RECORD:

DEATH VALLEY NATL MONUMENT
C/O U S NATIONAL PARK SERVICE, WESTERN R
DIVISION OF WATER RESOURCES
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIF 94102

APPLICATION: A013852A

LICENSE: 006559A

TELEPHONE NUMBER:
( ) -

IF OWNER'S NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: BURNS SPRING

COUNTY: INYO

PURPOSE: DOMESTIC

DIVERSION/STORAGE SEASON: JAN 01 TO DEC 31

ACRES/HP: .0 AC

AMOUNT: 100.000 GPD 0.0 AC-FT

Declaration: The United States gives thi notification to the State in the interest of comity, and does not concede that the State has power to regulate the rights of the United States to the use of water.

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR LICENSE

IMPORTANT! EVERY license is subject to the conditions therein. I have currently reviewed my license: YES [XX] NO [ ]. I am complying with the conditions of my license: YES [XX] NO [ ]. Identify any noncompliance by license term number under "Remarks" on reverse side. This report is important in providing the record of use needed in maintaining your water right. It should be filled out carefully and returned promptly to the above-listed address.

THE PROJECT HAS BEEN ABANDONED, AND I REQUEST REVOCATION OF THE LICENSE: YES [ ] NO [XX]

COMPLETE FOR DIRECT DIVERSION PROJECTS

1. Have you used the full licensed amount of water each year? YES [ ] NO [ ].
2. State the quantity of water used each month in gallons or acre-feet (if not known, check months water was used).

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1980	x	x	x	x	x	x	x	x	x	x	x	x	
1981	x	x	x	x	x	x	x	x	x	x	x	x	
1982	x	x	x	x	x	x	x	x	x	x	x	x	

COMPLETE FOR STORAGE PROJECTS	1980	1981	1982
3. Did your reservoir spill this year?			
4. If not, how many feet below spillway vertically was the water level at maximum storage?			
5. Have you emptied the reservoir?			
6. How many feet below spillway vertically was it drawn down at end of season?			
USE (COMPLETE FOR ALL PROJECTS)			
7. Acreage irrigated			
Crops grown			
8. Stockwatering – number of stock			
kind of stock			
9. Domestic – number of persons	x	x	x
garden area, etc.			
10. Recreational – nature of use			
11. Industrial – nature of use			
12. Municipal – approximate population			
13. Power generation – K.W.			
14. Other Wildlife Preservation	x	x	x

15. If no water was used in one or more years, briefly state the reason on the reverse side under "Remarks".
16. If either the location of the point of diversion or place of use has been changed and the permission of this Board has not yet been obtained, please describe nature of change on the reverse side under "Remarks".

WR 17 (8-82)
1095

(REPORT CONTINUES ON REVERSE SIDE)

REPORT OF LICENSEE FOR — PAGE 2

NOTE: The following questions relate to the Board's continuing responsibility to insure that appropriated water is best developed, conserved, and utilized in the public interest as required by the Water Code. Please answer those questions which are applicable to your project.

CONSERVATION OF WATER (WATER PURVEYORS)

17. What measures are you using or planning to reduce water losses in conveyance systems? (1) Seepage or leak detection program [ ]; (2) Lining canals [ ]; (3) Phreatophyte and aquatic vegetation control [ ]; (4) Other (describe in "Remarks") [ ].

18. What measures are used to encourage consumers to conserve water in agricultural use? (1) Program to encourage more efficient irrigation systems (sprinkler, drip, etc.) where applicable [ ]; (2) Return flow systems on individual farms [ ]; (3) Return flow system areawide [ ]; (4) Water pricing to encourage reduced use [ ]; (5) Charges for drainage of irrigated lands [ ]; (6) Other (describe in "Remarks") [ ].

19. What measures are used to encourage municipal and industrial consumers to conserve water? (1) Regulations to control wasteful use [ ]; (2) Public education program on water conservation [ ]; (3) Pricing to encourage reduced use [ ]; (4) Assistance to industry in design of recycle systems [ ]; (5) Other (describe in "Remarks" [ ].

20. What records are maintained on water use and conservation? (1) Loss rate from conveyance system [ ]; (2) Water use for major crops by each farm [ ]; (3) Other (describe in "Remarks") [ ].

CONSERVATION OF WATER (WATER USERS)

21. Describe any water conservation efforts you may have started: _____

22. If credit toward beneficial use of water under this license for water not used due to a conservation effort is claimed under Water Code Section 1011, please show the amounts of water conserved (acre feet or mg.):
19 _____ 19 _____ 19 _____

WATER QUALITY AND WASTEWATER RECLAMATION

23. Describe methods you are using to minimize erosion and to prevent the entry of silt into surface waters: _____

24. After use, the water is (1) retained in reservoir [ ]; (2) discharged into a stream or lake [ ]; (3) discharged into settling ponds [ ]; (4) Other [ ]. Describe: _____

25. Does or will water being discharged contain waste materials? YES [ ] NO [ ].
(1) Domestic [ ]; (2) Municipal [ ]; (3) Industrial [ ]; (4) Agricultural [ ]; (5) Other [ ]. Describe: _____

26. Does or will water being discharged contain any specific material which is deleterious to fish and wildlife or which would impair the water for beneficial uses? YES [ ] NO [ ]. Describe: _____

TO THE EXTENT THE FOLLOWING QUESTIONS APPLY TO YOUR LICENSE, PLEASE ANSWER IN REMARKS SECTION BELOW.

27. Are you now or have you been using reclaimed water from a wastewater treatment facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES [ ] NO [ ].

If credit toward use under this water right through substitution of reclaimed or polluted water in lieu of appropriated water is claimed under Section 1010 of the Water Code, please show amounts of reduced diversion and amounts of reclaimed water used.

28. Are you now or have you been reclaiming or reusing any of the water appropriated under this right? YES [ ] NO [ ]. If yes, please describe. _____

29. What is present availability or current potential for using reclaimed water from a wastewater treatment plant or polluted water in place of the appropriated water to satisfy all or part of your water needs?

30. What is the current potential for reusing the appropriated water to satisfy part of your water needs?

31. If you produce reclaimed water, or polluted water, is there a potential for others to use it?

REMARKS: (Identify the item you are explaining. Additional pages may be attached.)

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

Date February 23, 1983 Signature (Sgd) Gerard S. Witucki
Gerard S. Witucki, Chief, Div. of Water Resources, NPS/WRO
LICENSEE (OR AGENT OR DESIGNEE)

State Water Resources Control Board
DIVISION OF WATER RIGHTS
77 Cadillac Drive, Sacramento, CA 95825
(916) 920-6151

REPORT OF LICENSEE FOR 1977, 1978, 1979

OWNER OF RECORD:

DEATH VALLEY NATL MONUMENT
C/O U S NATIONAL PARK SERVICE, WESTERN REGION, DIVISION OF WATER RESOURCES,
450 GOLDEN GATE AVENUE,
BOX 36063,
SAN FRANCISCO, CALIF 94102

(415) 556-8660
Area Code and Telephone Number

APPLICATION: 13852A

If the owner's name or address shown above is wrong, please correct.

SOURCE: BURNS SPRING

COUNTY: INYO

AMOUNT: 100 GAL/DAY

PURPOSE: DOMESTIC

LICENSE: 6559-A

Declaration: The United States gives this notification to the State in the interest of comity, and does not concede that the State has power to regulate the rights of the United States to the use of water.

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR LICENSE

IMPORTANT! EVERY license is subject to the conditions therein. I have currently reviewed my license: YES [X] NO [ ]. I am complying with the conditions of my license: YES [X] NO [ ]. Identify any noncompliance by license term number under "Remarks" on reverse side. This report is important in providing the record of use needed in maintaining your water right. It should be filled out carefully and returned promptly to the above-listed address. Do you need a copy of your license: YES [ ] NO [X].

THE PROJECT HAS BEEN ABANDONED, AND I REQUEST REVOCATION OF THE LICENSE: YES [ ] NO [X]

COMPLETE FOR DIRECT DIVERSION PROJECTS

1. Have you used the full licensed amount of water each year? YES [X] NO [ ].
2. State the quantity of water used each month in gallons or acre-feet (if not known, check months water was used).

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1977	X	X	X	X	X	X	X	X	X	X	X	X	
1978	X	X	X	X	X	X	X	X	X	X	X	X	
1979	X	X	X	X	X	X	X	X	X	X	X	X	

COMPLETE FOR STORAGE PROJECTS	1977	1978	1979
3. Did your reservoir spill this year?			
4. If not, how many feet below spillway vertically was the water level at maximum storage?			
5. Have you emptied the reservoir?			
6. How many feet below spillway vertically was it drawn down at end of season?			
USE (COMPLETE FOR ALL PROJECTS)			
7. Acreage irrigated			
Crops grown			
8. Stockwatering – number of stock			
kind of stock			
9. Domestic – number of persons	X	X	X
garden area, etc.			
10. Recreational – nature of use			
11. Industrial – nature of use			
12. Municipal – approximate population			
13. Power generation – K.W.			
14. Other Wildlife Preservation	X	X	X

15. If no water was used in one or more years, briefly state the reason on the reverse side under "Remarks".
16. If either the location of the point of diversion or place of use has been changed and the permission of this Board has not yet been obtained, please describe nature of change on the reverse side under "Remarks".

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

Date: January 9, 1980 Sign Here: (Sgd) Gerard S. Witucki
Gerard S. Witucki, Chief, Water Resources, NPS, Western Reg.
LICENSEE (OR AGENT OR DESIGNEE)

1979

(REPORT CONTINUES ON REVERSE SIDE)

09-19-1977: report of licensee for 1974,1975,1976. ; september 19, 1977

State Water Resources Control Board
DIVISION OF WATER RIGHTS
2125 – 19th Street, Sacramento, California 95818

DEVA WR #22

REPORT OF LICENSEE FOR 1974, 1975, 1976

OWNER OF RECORD:

APPLICATION 13852A

DEATH VALLEY NATL MONUMENT
c/o U S NATIONAL PARK SERVICE, WESTERN REGION, DIVISION OF WATER RESOURCES,
450GOLDEN GATE AVENUE, BOX 36063,
SAN FRANCISCO, CALIF 94102

(415)-556-3660
Telephone Number and Area Code

If the information shown above is wrong, please correct

SOURCE: BURNS SPRING

COUNTY: INYO

AMOUNT: 100 GAL/DAY

PURPOSE: ~~DOMESTIC~~ DOMESTIC

LICENSE 6559-A

Declaration: The United States gives notification to the State of [illegible] and does not concede that the State [illegible] the United States to the use of water.

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR LICENSE

IMPORTANT! EVERY license is subject to the conditions therein. I have currently reviewed my license: YES ☑ NO ☐. I am complying with the conditions of my license: YES ☒ NO ☐. Identify any non-compliance by license term number under "remarks" on reverse side. This report is important in providing the record of use needed in maintaining your water right. It should be filled out carefully and returned promptly to the

STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS
2125 Nineteenth Street, Sacramento, California 95818

THE PROJECT HAS BEEN ABANDONED, AND I REQUEST REVOCATION OF THE LICENSE. ☐ YES ☒ NO

DIRECT DIVERSION PROJECTS

1. Have you used the full licensed amount of water each year? ☒ Yes ☐ No
2. State the quantity of water used each month in gallons or acre-feet (if not known, check months water was used).

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1974	x	x	x	x	x	x	x	x	x	x	x	x	
1975	x	x	x	x	x	x	x	x	x	x	x	x	
1976	x	x	x	x	x	x	x	x	x	x	x	x	

STORAGE PROJECTS

	1974	1975	1976
3. Did your reservoir spill this year?			
4. How many feet below spillway vertically was the water level at maximun storage?			
5. Have you emptied the reservoir?			
6. How many feet below spillway vertically was it drawn down at end of season?			

USE

7. Acreage irrigated			
Crops grown:			
8. Stockwatering – head			
Kind			
9. Domestic – number of persons	x	x	x
Garden area, etc.			
10. Recreational – nature of use			
11. Industrial – nature of use			
12. Municipal – approximate population			
13. Power generation – K.W.			
14. Other Wildlife Preservation	x	x	x

15. If no water was used in one or more years, briefly state the reason on the reverse side under "Remarks".
16. If either the location of the point of diversion or place of use has changed and the permission of this Board has not yet been obtained, please describe nature of change on the reverse side under "Remarks".

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

Date: Sept. 19, 1977 Sign Here: (Sgd) Gerard S. Witucki

Gerard S. Witucki LICENSEE

Chief, Div. of Water Resources

1976

(REPORT CONTINUES ON REVERSE SIDE)

SWRCB (7-76)

NOTE: The following questions te to the Board's continuing responsibility to re that appropriated water is best developed, conserved, and utilized in the public interest as required by the Water Code. Please answer only those questions which are applicable to your project.

CONSERVATION OF WATER

17. What measures are you using or planning to reduce water losses in conveyance systems? (1) Seepage or leak detection program ☐; (2) Lining canals ☐; (3) Phreatophyte and aquatic vegetation control ☐; (4) Other (describe in remarks) ☐.

18. What measures are used to encourage consumers to conserve water in agricultural use? (1) Program to encourage more efficient irrigation systems (sprinkler, drip, etc.), where applicable ☐; (2) Return flow systems on individual farms ☐; (3) Return flow system areawide ☐; (4) Water pricing to encourage reduced use ☐; (5) Charges for drainage of irrigated lands ☐; (6) Other (describe in remarks) ☐.

19. What measures are used to encourage municipal and industrial consumers to conserve water? (1) Regulations to control wasteful use ☐; (2) Public education program on water conservation ☐; (3) Pricing to encourage reduced use ☐; (4) Assistance to industry in design of recycle systems ☐; (5) Other (describe in remarks) ☐.

20. What records are maintained on water use and conservation? (1) Loss rate from conveyance system ☐; (2) Water use for major crops by each farm ☐; (3) Other (describe in remarks) ☐.

WATER QUALITY AND WASTEWATER RECLAMATION

21. Describe methods you are using to minimize erosion and to prevent the entry of silt into surface waters:

22. After use, the water is (1) retained in reservoir ☐; (2) discharged into a stream or lake ☐; (3) discharged into settling ponds ☐; (4) Other ☐. Describe:

23. Does or will water being discharged contain waste materials? ☐ Yes ☐ No.
(1) Domestic ☐; (2) Municipal ☐; (3) Industrial ☐; (4) Agricultural ☐; (5) Other ☐. Describe:

24. Does or will water being discharged contain any specific material which is deleterious to fish and wildlife or which would impair the water for beneficial uses? ☐ Yes ☐ No. Describe:

25. Describe what steps you are, have been, or can take to reclaim or indirectly reuse the water sought being appropriated:

REMARKS

Please designate by number the question you are answering:

(If additional space is needed for remarks, attach numbered sheets.)

43427-983 6-76 5M ⓘ ◇ OSP

00-00-0000: report of licensee for 1971,1972,1973.

STATE OF CALIFORNIA – THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

REPORT OF LICENSEE FOR 1971, 1972, 1973 WR#22

OWNER OF RECORD: APPLICATION 13852

U S DEATH VALLEY NATL MONUMENT
c/o U S NATIONAL PARK SERVICE,
DIVISION OF WATER RESOURCES, SSC,
450 GOLDEN GATE AVENUE, BOX 36025,
SAN FRANCISCO, CALIF 94102

Declaration: The United States gives this notification to the State in the interest of comity, and does not concede that the State has power to regulate the rights of the United States to the use of water.

Telephone Number

If the information shown above is wrong, please correct

SOURCE: BURNS SPRING

AMOUNT: 100 GAL/DAY
PURPOSE: DOMESTIC

LICENSE 6559-A

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR LICENSE

IMPORTANT! Every License is issued subject to the conditions therein expressed. I have currently reviewed and am complying with the conditions under which this License has been issued. ☐ Yes ☐ No
This report is important in providing the record of use needed in maintaining your water right. It should be filled out carefully and returned promptly to the State Water Resources Control Board, Division of Water Rights, Room 1015, Resources Building, 1416 Ninth Street, Sacramento, California 95814.

The project has been abandoned, and I request revocation of the License. ☐ Yes ☒ No

DIRECT DIVERSION

1. Have you used the full licensed amount of water each year? ☐ Yes ☐ No
2. State the quantity of water used each month in gallons or acre-feet (if not known, check months water was used.)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1971	x	x	x	x	x	x	x	x	x	x	x	x	12
1972	x	x	x	x	x	x	x	x	x	x	x	x	12
1973	x	x	x	x	x	x	x	x	x	x	x	x	12

STORAGE

	1971	1972	1973
3. Did your reservoir spill this year?	N/A	N/A	N/A
4. How many feet below spillway vertically was the water level at maximum storage?			
5. Have you emptied the reservoir?			
6. How many feet below spillway vertically was it drawn down at end of season?			

USE

7. Acreage irrigated			
Crops grown:			
8. Stockwatering – head			
Kind			
9. Domestic – number of persons	X	X	X
Garden area, etc.			
10. Recreational – nature of use			
11. Industrial – nature of use			
12. Municipal – approximate population			
13. Power generation – H.P.			
14. Other WILDLIFE	X	X	X

15. If no water was used in one or more years, briefly state the reason on the reverse side under "Remarks."
16. If either the location of the point of diversion or place of use has changed and the permission of this Board has not yet been obtained, please describe nature of change on the reverse side under "Remarks."

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

Date: January 24, 1974 Sign Here: (SGD) GERARD S. WITUCKI
Gerard S. Witucki, Chief, Water Resources
LICENSEE

WRCB-17(9-73) 1973 (Report continues on reverse side)

NOTE: The following questions relate to the Board's continuing responsibility to insure that appropriated water is best developed, conserved, and utilized in the public interest as required by the Water Code.

CONSERVATION OF WATER

17. What measures are you using or planning to reduce water losses in conveyance systems? (1) Seepage or leak detection program ☐ (2) Lining canals ☐; (3) Phreatophyte and aquatic vegetation control ☐; (4) Other (describe in remarks) ☐.

18. What measures are used to encourage consumers to conserve water in agricultural use? (1) Program to encourage more efficient irrigation systems (sprinkler, drip, etc.), where applicable ☐; (2) Return flow systems on individual farms ☐; (3) Return flow system areawide ☐; (4) Water pricing to encourage reduced use ☐; (5) Charges for drainage of irrigated lands ☐; (6) Other (describe in remarks) ☐;

19. What measures are used to encourage municipal and industrial consumers to conserve water? (1) Regulations to control wasteful use ☐; (2) Public education program on water conservation ☐; (3) Pricing to encourage reduced use ☐; (4) Assistance to industry in design of recycle systems ☐; (5) Other (describe in remarks) ☐.

20 What records are maintained on water use and conservation? (1) Loss rate from conveyance system ☐; (2) Water use for major crops by each farm ☐; (3) Other (describe in remarks) ☐.

WATER QUALITY AND WASTEWATER RECLAMATION

21. Describe methods you are using to minimize erosion and to prevent the entry of silt into surface waters:

22. After use, the water is (1) retained in reservoir ☐; (2) discharged into a stream or lake ☐; (3) discharged into settling ponds ☐; (4) Other ☐; Describe:

23. Is or will water being discharged contain waste materials? ☐ Yes ☐ No
(1) Domestic ☐; (2) Municipal ☐; (3) Industrial ☐; (4) Agricultural ☐; (5) Other ☐; Describe:

24. Is or will water being discharged contain any specific material which is deleterious to fish and wildlife or which would impair the water for beneficial uses? ☐ Yes ☐ No Describe:

25. Describe what steps you are, have been, or can take to reclaim or directly reuse the water sought being appropriated:

REMARKS

Please designate by number the question you are answering:

(If additional space is needed for remarks, attach numbered sheets.)

STATE OF CALIFORNIA—THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

REPORT OF LICENSEE FOR 1968, 1969, 1970

OWNER OF RECORD: APPLICATION 13852

U S DEATH VALLEY NATL MONUMENT
C/O U S NATIONAL PARK SERVICE,
DIVISION OF WATER RESOURCES, SSC,
450 GOLDEN GATE AVENUE, BOX 36025,
SAN FRANCISCO, CALIF 94102

If the owner or address shown above is wrong, please correct

SOURCE: BURNS SPRING WR-22

AMOUNT: 100 GAL/DAY
PURPOSE: DOMESTIC

LICENSE 6559-A

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR LICENSE

Please fill out carefully and return promptly to the State Water Resources Control Board, Division of Water Rights, Room 1140, Resources Building, 1416 Ninth Street, Sacramento, California 95814.

The project has been abandoned, and I request revocation of the license. ☐ Yes ☒ No

DIRECT DIVERSION

1. Have you used the full licensed amount of water each year? ☐ Yes ☐ No
2. State the quantity of water used each month in gallons or acre-feet. (If not known check months water was used.)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1968	X	X	X	X	X	X	X	X	X	X	X	X	12
1969	X	X	X	X	X	X	X	X	X	X	X	X	12
1970	X	X	X	X	X	X	X	X	X	X	X	X	12

STORAGE

	1968	1969	1970
1. Did your reservoir spill this year?			
2. How many feet below spillway vertically was the water level at maximum storage?	N/A	N/A	N/A
3. Have you emptied the reservoir?			
4. How many feet below spillway vertically was it drawn down at end of season?			

USE

1. Irrigated acres			
Crops grown:			
2. Stockwatering—head			
Kind			
3. Domestic—number persons			
Garden area, etc.			
4. Recreational—nature of use			
5. Industrial—nature of use			
6. Municipal—approximate population			
7. Power generation—H.P.			
8. Other WILDLIFE	X	X	X

If no water was used in one or more years, briefly state the reason:

If either the location of the point of diversion or place of use has changed and the permission of this Board has not yet been obtained, please describe nature of change

REMARKS
(If more space is needed, use reverse side)

Date DECEMBER 1, 1970 Sign Here (Sgd.) GERARD S. WITUCKI, Licensee CHIEF, WATER RESOURCES SECTION, WESTERN SERVICE CENTER

1970

4W

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

Report of Licensee for 1965, 1966 and 1967

OWNER OF RECORD: APPLICATION 13852

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF

If the owner or address shown above is wrong, please correct

SOURCE: (1) BURNS SPRING (2)
(3) (4)
(5) (6)
(7) LICENSE 6559-A

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF THE ABOVE-NUMBERED LICENSE

1. Please give a specific answer in each of the following spaces in regard to beneficial use of water under the license:

1965: Was water used? Yes What was the maximum rate of diversion (if known)? Unknown
Purpose (irrigation, domestic, etc.) Wildlife
Number of units served Unknown
Total acres irrigated, number of stock watered, average number of persons served, etc.
What quantity of water was used each month in gallons or acre-feet? (If not known check months water was used.)

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
X	X	X	X	X	X	X	X	X	X	X	X	12

1966: Was water used? Yes What was the maximum rate of diversion (if known)? Unknown
Purpose Wildlife
Number of units served Unknown
What quantity of water was used each month in gallons or acre-feet? (If not known check months water was used.)

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
X	X	X	X	X	X	X	X	X	X	X	X	12

1967: Was water used? Yes What was the maximum rate of diversion (if known)? Unknown
Purpose Wildlife
Number of units served Unknown
What quantity of water was used each month in gallons or acre-feet? (If not known check months water was used.)

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
X	X	X	X	X	X	X	X	X	X	X	X	12

If no water was used in one or more years, briefly state the reason:
N/A

2. If either the location of the point of diversion or place of use has changed and the permission of this Board has not yet been obtained, please describe nature of change N/A

3. The project has been abandoned, and I request revocation of the license. ☐ Yes ☒ No

REMARKS
(If more space is needed, use reverse side)

Date October 9, 1967 Sign Here John W. Stratton Licensee Superintendent

Please fill out carefully and return promptly to the State Water Rights Board, Room 1140, Resources Building, 1416 Ninth Street, Sacramento, California 95814.

1967

SWRB 17 (6-67) 12786-987 6-67 3500 ⓘ OSP

REMARKS

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
ROOM 1140, 1116 NINTH STREET
SACRAMENTO 25814

Report of Licensee for the Years 1962, 1963 and 1964

OWNER OF RECORD:

APPLICATION 13852

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY,
CALIF

Indicate Corrections Above If the Owner or Address Shown Are Incorrect

SOURCE: (1) BURNS SPRING (2)
(3) (4)
(5) (6)
(7)

LICENSE 6559-A

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF THE ABOVE-NUMBERED LICENSE

1. Please give a specific answer in each of the following spaces in regard to beneficial use of water under the license:

1962: Was water used? Yes Amount (if known) Unknown
Purpose (irrigation, domestic, etc.) Wildlife
Season of use (months) 12 Months
Number of units served (acres, persons or ?) Unknown

1963: Was water used? yes Amount (if known) Unknown
Purpose Wildlife
Season of use 12 Months
Number of units served Unknown

1964: Was water used? Yes Amount (if known) Unknown
Purpose Wildlife
Season of use 12 Months
Number of units served Unknown

If no water was used in one or more of the years, briefly state the reason:
N/A

2. If either the location of the point of diversion or place of use has changed and the permission of this Board has not yet been obtained, please describe nature of change N/A

3. If the project has been abandoned, please so state and license will be revoked
N/A

REMARKS

Date November 17, 1964

Sign Here John A. Aubuchon
John A. Aubuchon *Licensee* Superintendent

YEAR 1964

FORM 91

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 13852 PERMIT 8536 LICENSE 6559-A

United States - Death Valley National Monument
Death Valley, California

THIS IS TO CERTIFY, *That*

has made proof as of April 12, 1961, *(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of*

Burns Spring in Inyo County

tributary to unnamed canyon thence Emigrant Canyon

for the purpose of domestic use *under Permit* 8536 *of the State Water Rights Board and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the terms of the said permit; that the priority of the right herein confirmed dates from* July 17, 1950, *and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed* one hundred (100) gallons per day to be diverted from January 1 to December 31 of each year.

The point of diversion of such water is located:

South thirty-six degrees sixteen minutes west (S36° 16'W) six thousand three hundred forty-seven (6,347) feet from USGS Bench Mark M165 and being within NW¼ of SW¼ of projected Section 2, T18S, R44E, MDB&M.

A description of the lands or the place where such water is put to beneficial use is as follows:

Within NW¼ of SW¼ of projected Section 2, T18S, R44E, MDB&M.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

Received with ltr of Sept 1962 at 4/24/62
* Reg. Director

FORM 64

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: APR 16 1962

L. K. Hill
L. K. HILL
Executive Officer

[SEAL]

LICENSE 6536-A
STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO U. S.-Death Valley National Monument

DATED APR 16 1962

54562 12-61 3M

STATE OF CALIFORNIA - RESOURCES AGENCY
GEORGE DEUKMEJIAN, Governor
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
77 Cadillac Drive, Sacramento, CA 95825
(916) 920-6151

ORDER REVOKING LICENSE

LICENSE 6559B (APPLICATION 13852B)

Licensee: VIRGINIA R. TROEGER, MARY JO SHIELDS, AND RICHARD HENRY TROEGER

It is ordered that this license is hereby revoked and canceled upon the records of the State Water Resources Control Board for the reason indicated:

____ 1. A request has been received from, or on behalf of, licensee that the license be revoked.

__X__ 2. The State Water Resources Control Board has found that licensee failed to beneficially use water under the terms and conditions of this license for a period of five consecutive years or more. This revocation has been issued under the direction of the Board and in accordance with Section 1675, California Water Code.

Raymond Walsh

Raymond Walsh, Chief
Division of Water Rights

Dated: JULY 17 1984

CERTIFIED

cc: County Recorder

The above-listed license was:

/ / issued to _____ and was filed with the County Recorder of _____ County on _____, 19 ___.

/X/ issued to Roy C. Troeger and was recorded with the County Recorder of Inyo County on April 17, 19 62 in Volume 150, Book _____, Page 361.

This filing is prescribed by the Water Code and under the provisions of Section 6103 of the Government Code no fee is required.

WR 26g (1/83)

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD
SACRAMENTO, CALIFORNIA

Director
Docket 22

REQUEST FOR LICENSE

Application **13852** Permit **8536**

Subject to approval by the State Water Rights Board

U. S.-Death Valley National Monument
Death Valley
California

Having made proof as of **April 12, 1961** (the date of inspection) hereby request license action as listed below.

If any reduction in amount, season or land description is necessitated when the rough calculations are checked, the owner will be notified and allowed 30 days within which to submit a protest to any changes. If no protest is submitted the changes may be considered to be acceptable; however, the changes, an explanation thereof and the date of notification shall be noted on the reverse side of this sheet and become a permanent part of the record in connection with this filing. To the best of the knowledge and belief of the undersigned a right has been established to the use of water of **Burns Spring**

in **Inyo** County

tributary to **unnamed canyon thence Emigrant Canyon**

for the purpose of **domestic use**

under Permit **8536** the priority of which dates from **July 17, 1950,**

by beneficial use in the amount of **one hundred (100) gallons per day**

to be diverted from January 1 to December 31 of each year.

The point of diversion of such water **is** located:

South thirty-six degrees sixteen minutes west (S36°16'W) six thousand three hundred forty-seven (6,347) feet from USGS Bench Mark M165 and being within NW¼ of SW¼ of projected Section 2, T18S, R44E, MDB&M

A description of the lands or the place where such water is put to beneficial use is as follows:

Within NW¼ of SW¼ of projected Section 2, T18S, R44E, MDB&M

This does not constitute a change or changes which require a petition.

Dated: **May 4, 1961**
Inspected by A. A. Chesler
Form 760 **A. A. Chesler**

U. S.-Death Valley National Monument
Signature James B. Lee
Superintendent

Director

[illegible] - STATE WATER RIGHTS BOARD

Application 13852 Permit 8536

NOTICE OF EXPIRATION

The time within which to complete construction work and/or to place the water to full beneficial use under the above-numbered water right application and permit has expired or will expire shortly. The following alternatives are available:

1. If sufficient water has been diverted to satisfy your requirements, the amount used will be determined by inspection during the next field season with a view to the issuance of license which is the final confirmation of the water right initiated by the application. A right cannot be acquired for an amount of water or for a season of diversion in excess of that allowed in the permit. With respect to use of water under the terms and conditions of the permit:

(a) Have you used as much water heretofore as you expect to use in the future?

Yes	No
	X

(b) Have you used the water for as long a season as you intend to?

Yes	No
X	

2. If the project has been abandoned or if no progress has been made toward use of water the permit will be revoked upon request.

Should the permit be revoked?

Yes	No
	X

3. If construction work and/or use of water are proceeding with due diligence but not fully complete, a reasonable extension of time may be obtained upon a showing of good cause. Section 777 of the California Administrative Code, Title 23, Waters, provides that lack of finances, occupation with other work, physical disability, and other conditions incident to the person and not to the enterprise will not generally be accepted as good cause for delay while weather conditions and conditions which are incident to the project itself may be accepted as good cause for delay.

A [redacted] (3-year) extension of time is requested for completion of construction work and/or beneficial use of water. (Indicate period of time desired).

The following information should be supplied where an extension of time is requested:

1. Approximate total amount spent on project to date $ Not known.
2. Approximate per cent of construction work complete to date Completed.
3. Estimated date of completion of construction work Completed.
4. Estimated year in which full use of water will be made Not known.
5. Reasons why construction and/or use of water was not completed within time previously allowed:

Full use of water at Burns Spring has been postponed because of decline in market price of Tungsten ore and decrease in activities.

REQUEST FOR EXTENSION MUST BE ACCOMPANIED BY A FEE OF $5.00

Date Dec 13 1960

SIGNATURE UNITED STATES OF AMERICA
By: Granville B. Ickes
Superintendent
Death Valley National Monument

Form 67F

12-13-1960: progress report by permittee for the year 1960;burns spring. ; december 13, 1960

Director

STATE O CALIFORNIA—STATE WATER R. HTS BOARD
1401 21ST STREET
P. O. BOX 1592
SACRAMENTO

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1960

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet.

SOURCE (1)Burro Spring (2) Green Spring APPLICATION 13852
(3)Willow Spring (4) Burns Spring
This report applies to Burns Spring only.
(See statement on reverse) PERMIT 8536

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who are owners of this permit The United States of America for Death Valley National Monument
   MAILING ADDRESS Superintendent, Death Valley National Monument, Death Valley, California
2. Has the project been abandoned? No Has construction work commenced? Yes
3. Has all construction work been completed? Yes If not, give estimated date of completion
4. State approximate cost of construction work on this project during the past 12 months None
   Describe briefly the portions of the project upon which the above amount was expended
5. What remains to be done to complete the project? Completed
6. Has use of water commenced? Yes State amount used if known Not known

   If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

   (a) ☐ Irrigation — Total acres irrigated — Name crops served and acreage of each
   (b) ☐ Stock watering — Number of animals
   (c) ☐ Industrial — Nature of use
   (d) ☒ Domestic — Mining camp, Monument visitors — Number of persons, Area of garden, lawn, etc.
   (e) ☐ Municipal — Approximate population
   (f) ☒ Mining — Concentration table (suspended during 1960) — Method of water use
   (g) ☒ Recreational — Radiator water, wildlife — Nature of use
   (h) ☐ Power — Installed horsepower capacity
   (i) ☐ Other

7. During what months was water used in 1960? January to December
   Do you expect to use it over a longer or different season in the future? No
   If so, state other months of use
8. *Have you used as much water this year as you expect to use in any future year under this permit?* No
   If not, estimate year in which use will be full and complete Unknown (see reverse)
9. Has location of the intake or place of use been changed? No

IF PROJECT INVOLVES STORAGE ANSWER 10 AND 11

10. Have you stored as much water in your reservoir during the 1959-60 collection season as you expect to store in any future collection season? How much of the stored water has been used?
    Have you emptied the reservoir? If not, have you used all the water that you intend to use in any one season? State acre-feet used if known
11. During which months was water collected in the reservoir?

UNITED STATES OF AMERICA
Sign Here Granville B. Liles (Permittee)
By: Granville B. Liles
Superintendent
Death Valley National Monument

Date Dec 13, 1960

(OVER)
YEAR 1960

FORM 67

10207 8-60 3M ① SPO

INSTRUCTIONS

Please bear in mind that neither the filing of [illegible] nor the [illegible] of a certificate of appropriation gives a right. Beneficial use alone establishes the right. When you have used the [illegible] and have definitely effected that use, and use has been made over the full period of the [illegible], [illegible] license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

This report applies only to the Federal use of Burns Spring. Rights to Burro, Green and Willow Springs are held by Roy C. Troeger.

Full use of Burns Spring has been temporarily suspended due to decline in market price of tungsten ore and decrease in mining activity.

Burns Spring was dry when inspected in April 1959. Unless the spring recovers naturally, additional construction may be required to reactivate flow.

DO NOT WRITE IN THIS SPACE

Standard Form No. 1034 a—Revised
Form prescribed by
Comptroller General, U. S.
September 7, 1950
(Gen. Reg. No. 51, Supp. No. 11)

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

D. O. Vou. No. .....

Bu. Vou. No. .....

U. S. Department of the Interior, National Park Service, Region Four
(Department, bureau, or establishment)

Voucher prepared at San Francisco, California December 6, 1960
(Give place and date)

THE UNITED STATES, Dr., Payee's Account No. .....

To State Water Rights Board
(Payee)

P. O. Box 1922 (Address) Sacramento, (City) California (State)

PAID BY

(For use of Paying Office)

No. and Date of Order	Date of Delivery or Service	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE Cost	UNIT PRICE Per	AMOUNT Dollars	AMOUNT Cts.
		Discount Terms					
34-244 12/6/60		FEE, as prescribed by Chapter 254, Statutes of 1955, to accompany a request for extension of time in which to put to use the water of Burns Spring (Application 13052, Permit 8536) in Death Valley National Monument	1		ea	5.00	
PAYMENT: Complete ☐ Partial ☐ Final ☐							
		Use continuation sheet(s) if necessary					
Shipped from	to	Weight	Government B/L No.		Total	5.00	

(Payee must NOT use this space)

Differences .....

Account verified; correct for .....

(Signature or initials) .....

Contract No. | Date | Req. No. | Date | Invoice Rec'd.

MEMORANDUM

ACCOUNTING CLASSIFICATION (For completion by Administrative Office)

Appropriation, limitation, or project symbol	Appropriation title	Limit'n. or Proj't. Amount	Appropriation Amount

Allotment symbol	Amount	Obligations liquidated	COST ACCOUNT Symbol	COST ACCOUNT Amount	OBJECTIVE CLASSIFICATION Symbol	OBJECTIVE CLASSIFICATION Amount

Paid by { Check No. ..... dated ....., 19....., for $..... } on Treasurer of the United States in favor of payee named above.
{ Cash, $....., on ....., 19..... }

16—22900a-2

METHOD OF OR ABSENCE OF ADVERTISING

METHOD OF ADVERTISING

1. Advertising in newspapers Yes ☐ No ☐
2. (*a*) Advertising by circular letters sent to ..... dealers.
   (*b*) And by notices posted in public places Yes ☐ No ☐.

   (If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made below.)

ABSENCE OF ADVERTISING

3. Without advertising, under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.
4. Without advertising in accordance with .....
5. Without advertising, it being impracticable to secure competition because of .....

.....

.....

.....

.....

(Here state in detail the nature of the exigency or circumstances under which the securing of competition was impracticable under 3 and 4)

NOTE.—The above form "Method of or Absence of Advertising" is to be used when purchases are made or services secured under proper authority without written agreement in any form. In case of a written agreement (formal contract, proposal, and acceptance, or less formal agreement) Standard Form No. 1036—Revised should be used for abstracting the method of or absence of advertising and award of contract. (See General Regulations No. 51, as amended.)

☆ U. S. GOVERNMENT PRINTING OFFICE : 1950 O—75805

16—22900a-2

12-03-1959: progress report by permittee for the year 1959. ; december 03, 1959

STATE LIFORNIA—STATE WATEP rS BOARD
1401 21ST STREET
P. O. BOX 1592
SACRAMENTO

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1959

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet.

SOURCE (1) Burro Spring (2) Green Spring APPLICATION 13852
(3) Willow Spring (4) Burns Spring
This report applies to Burns Spring only. PERMIT 8536
(See statement on reverse)

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who are owners of this permit The United States of America for Death Valley National Monument

MAILING ADDRESS Regional Director, National Park Service, 180 New Montgomery St.,

2. Has the project been abandoned? No Has construction work commenced? Yes
3. Has all construction work been completed? Yes If not, give estimated date of completion
4. State approximate cost of construction work on this project during the past 12 months None

Describe briefly the portions of the project upon which the above amount was expended

5. What remains to be done to complete the project? Completed
6. Has use of water commenced? Yes State amount used if known Not known

If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

(a) ☐ Irrigation (Total acres irrigated) (Name crops served and acreage of each)
(b) ☐ Stock watering (Number of animals)
(c) ☐ Industrial (Nature of use)
(d) ☒ Domestic 2 residents Jan. - May (Number of persons) 1000 sq.ft. trees & shrubs. (Area of garden, lawn, etc.)
(e) ☐ Municipal (Approximate population)
(f) ☒ Mining Concentration table (suspended (Method of water use) during 1959)
(g) ☒ Recreational Radiator water, wildlife (Nature of use)
(h) ☐ Power (Installed horsepower capacity)
(i) ☐ Other

7. During what months was water used in 1959? January to December

Do you expect to use it over a longer or different season in the future? No

If so, state other months of use

8. *Have you used as much water this year as you expect to use in any future year under this permit?* No

If not, estimate year in which use will be full and complete Unknown (see reverse)

9. Has location of the intake or place of use been changed? no

IF PROJECT INVOLVES STORAGE ANSWER 10 AND 11

10. Have you stored as much water in your reservoir during the 1958-59 collection season as you expect to store in any future collection season? How much of the stored water has been used?

Have you emptied the reservoir? If not, have you used all the water that you intend to use in any one season? State acre-feet used if known

11. During which months was water collected in the reservoir?

UNITED STATES OF AMERICA
Sign Here John B. Wosky
(Permittee)
John B. Wosky
Regional Chief of Operations, Region Four
National Park Service

Date December 3, 1959

(OVER)

YEAR 1959

FORM 57

93948-C 3-59 2500 © SPO

INSTRUCTIONS

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

This report applies only to the Federal use of Burns Spring. Rights to Burro, Green and Willow Springs are held by Roy C. Troeger.

Full use of Burns Spring has been temporarily suspended due to decline in market price of tungsten ore and decrease in mining activity.

Burns Spring was dry when inspected in April 1959. Unless the spring recovers naturally, additional construction may be required to reactivate flow.

DO NOT WRITE IN THIS SPACE

10-23-1959: letter from department of interior regarding the approval of an extension of time. ; october 23, 1959

Docket 2-35
Burns Spr
Death Valley

Edmund G. Brown
Governor

STATE OF CALIFORNIA

State Water Rights Board

KENT SILVERTHORNE, CHAIRMAN
W. P. ROWE, MEMBER
RALPH J. McGILL, MEMBER

L. K. HILL
EXECUTIVE OFFICER

1401 21st STREET
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

October 23, 1959

Application 13852

COPY

U. S. Department of the Interior
National Park Service
180 New Montgomery Street
San Francisco 5, California

Attention: Mr. John B. Wosky
Regional Chief of Operations

Gentlemen:

Enclosed herewith are two Photostatic copies of the Board's order dated July 29, 1959, granting an extension of time in connection with Permit 8536 (Application 13852) until December 1, 1960, within which to complete construction work and application of water to the proposed use under Permit 8536.

Please accept our apologies in overlooking the copies of this order, as the original was inadvertently forwarded to Mr. Troeger's attorney.

Very truly yours,

L. K. Hill
Executive Officer

Encs.

cc: U. S. Department of the Interior
National Park Service
Death Valley National Monument
Death Valley, California

07-29-1959: order granting extension of time; burns spring. ;

Region Four Docket 22
DEWA

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 13852 PERMIT 8536 LICENSE

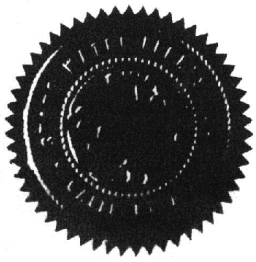
ORDER GRANTING EXTENSION OF TIME WITHIN
WHICH TO COMPLETE CONSTRUCTION AND USE

The State Water Rights Board having determined that good cause has been shown for an extension of time within which to complete construction work and application of water to the proposed use under Permit 8536 ; said Board having approved such extension and having directed that this order be issued;

NOW THEREFORE IT IS ORDERED that an extension of time be, and the same is hereby granted until December 1, 1960 within which to complete construction work and application of water to the proposed use under said permit.

Witness my hand and the seal of the State Water Rights Board this 29th day of July, 1959

L. K. Hill
Executive Officer



FORM 100

Edmund G. [redacted]
Governor

STATE OF CALIFORNIA

State Water Rights Board

1401 21st STREET
P. O. BOX 1925
SACRAMENTO 7, CALIFORNIA

HENRY HOLSINGER, CHAIRMAN
W. P. ROWE, MEMBER
RALPH J. McGILL, MEMBER

L. K. HILL
EXECUTIVE OFFICER

March 10, 1959

Applications 13851 and 13852

COPY

Mr. Roy C. Troeger
c/o David E. Hinckle
Attorney at Law
5768 Enfield Avenue
Encino, California

Dear Mr. Troeger:

On March 4, Mr. Art Detloff and D. A. Dobbins advised this office that all their right, title and interest in Application 13851, License 4788 and Application 13852, Permit 8536 has been assigned to you.

Our records will now be changed to show you as being the only applicant under Application 13851, License 4788 and co-applicant with the U. S. Department of Interior National Park Service under Application 13852, Permit 8536.

Very truly yours,

/s/ L. K. Hill

L. K. Hill
Executive Officer

cc: U. S. Department of Interior
National Park Service
Washington 25, D. C.

District 22 RS
Folder 2

12-18-1958: progress report by permittee for the year 1958. ; december 18, 1958

STATE CALIFORNIA—STATE WATER RIGHTS BOARD
1401 21ST STREET
P. O. BOX 1592
SACRAMENTO

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1958

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet.

SOURCE Burro Spring, Green Spring, Willow Spring, Burns Spring APPLICATION 13852
(This report applies to Burns Spring only. See statement on reverse) PERMIT 8536

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who are owners of this permit The United States of America for Death Valley National Monument.

MAILING ADDRESS National Park Service, Washington 25, D. C.

2. Has the project been abandoned? No Has construction work commenced? Yes

3. Has all construction work been completed? Yes If not, give estimated date of completion

4. State approximate cost of construction work on this project during the past 12 months None

Describe briefly the portions of the project upon which the above amount was expended

5. What remains to be done to complete the project? Completed

6. Has use of water commenced? Yes State amount used if known Not known

If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

(a) ☐ Irrigation ____ (Total acres irrigated) (Name crops served and acreage of each)
(b) ☐ Stock watering ____ (Number of animals)
(c) ☐ Industrial ____ (Nature of use)
(d) ☒ Domestic 2 persons 1000 sq.ft.trees & shrubs. (Number of persons; Area of garden, lawn, etc.)
(e) ☐ Municipal ____ (Approximate population)
(f) ☒ Mining Concentration table (Method of water use)
(g) ☐ Recreational radiator water, wildlife (Nature of use)
(h) ☐ Power ____ (Installed horsepower capacity)
(i) ☐ Other ____

7. During what months was water used in 1958? January to December

Do you expect to use it over a longer or different season in the future? No

If so, state other months of use -

8. *Have you used as much water this year as you expect to use in any future year under this permit?* No

If not, estimate year in which use will be full and complete 1960

9. Has location of the intake or place of use been changed? No

IF PROJECT INVOLVES STORAGE ANSWER 10 AND 11

10. Have you stored as much water in your reservoir during the 1957-58 collection season as you expect to store in any future collection season? How much of the stored water has been used?

Have you emptied the reservoir? If not, have you used all the water that you intend to use in any one season? State acre-feet used if known

11. During which months was water collected in the reservoir?

UNITED STATES OF AMERICA
Sign Here Fred T. Johnston (Permittee)
By: Fred T. Johnston
Regional Chief of Operations
National Park Service, Region Four

Date December 18, 1958

(OVER)
YEAR 1958

FORM 67

76361 4-58 2500 Ⓒ SPO

INSTRUCTIONS

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

This report applies only to the Federal use of Burns Spring. Rights to Borro, Green and Willow Springs are held by Detloff and Dobbins who disowned interest in Burns Spring.

Full use of water of Burns Spring has been temporarily suspended due to decline in market price of tungsten ore and decrease in mining activity.

DO NOT WRITE IN THIS SPACE

00-00-0000: unsigned request for revocation of permit 8536;application 13852.

STATE OF CALIFORNIA

State Water Rights Board

1401 21st STREET
P. O. BOX 1925
SACRAMENTO 7, CALIFORNIA

Application 13852 (Interest of party indicated below)

State Water Rights Board
1401 - 21st Street
Sacramento, California

Gentlemen:

The undersigned hereby requests revocation of Permit 8536 issued in the matter of water right Application 13852 and covering diversion from Burns Spring.

Very truly yours,
United States--Death Valley National Monument

by: _____
Permittee

Date _____

Docket 22 RS
Folder 2

STATE OF C IFORNIA—STATE WATER RIG' 'S BOARD

ORDER

APPLICATION 15852 PERMIT 8536 LICENSE

(1) BURNS SPRING (U.S. DEATH VALLEY NATIONAL MONUMENT) SOUTH 36°16'WEST 6,347 FEET FROM USGS BENCH MARK M165 AND BEING WITHIN THE NW¼ OF SW¼ OF PROJECTED SECTION 2, T18S, R44E, MDBSM.

(2) GREEN SPRING (DOBBINS AND DETLOFF) SOUTH 81°30'WEST, 6900 FEET FROM USGS BENCH MARK M165, AND BEING WITHIN THE SE¼ OF SW¼ OF PROJECTED SECTION 35, T17S, R44E, MDBSM.

(3) BURRO SPRING (DOBBINS AND DETLOFF) SOUTH 63°35'WEST, 4605 FEET FROM USGS BENCH MARK M165 AND BEING WITHIN THE NE¼ OF NE¼ OF PROJECTED SECTION 3, T18S, R44E, MDBSM.

(4) WILLOW SPRING (DOBBINS AND DETLOFF) SOUTH 43°00' WEST, 7895 FEET FROM USGS BENCH MARK M165 AND BEING WITHIN THE NE¼ OF SE¼ OF PROJECTED SECTION 3, T18S, R44E, MDBSM, AND

IT IS FURTHER ORDERED that the Description of the Place of Use under said Application 15852, Permit 8536 be corrected to read as follows, to wit:

PLACE OF USE FROM BURN' SPRIN IS WITHIN THE NW¼ OF SW¼ OF PROJECTED SECTION 2, T18S, R44E, MDBSM.

PLACE OF USE FROM GREE , BURRO AND WILLOW SPRINGS IS WITHIN THE SE¼ OF NW¼ OF PROJECTED SECTION 35, T17S, R44E, MDBSM.

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 6th day of November, 1958

L. K. Hill

L. K. Hill
Executive Officer

Docket 1045
Folder 2

00-00-0000: order regarding description of points of diversion.

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 13858 PERMIT 8356 LICENSE

UNDER CONSIDERATION DESCRIPTION OF POINTS OF DIVERSION AND PLACE OF USE

WHEREAS the United States, Department of the Interior, National Park Service and Detloff and Dobbins are joint owners of Application 13858, Permit 8356, and

WHEREAS each of said parties operate separate and distinct projects under said Application 13858, Permit 8356, and

WHEREAS on August 26, 1957, the United States, Department of the Interior, National Park Service filed with the State Water Rights Board a petition to correct the description of its project to conform with a projection of the Public Land Survey based on the 1952 edition of the United States Geological Survey Emigrant Canyon Quadrangle Sheet, and

WHEREAS the State Water Rights Board solicited a petition from Dobbins and Detloff, which petition was not filed, and

WHEREAS it appears to the State Water Rights Board that correction of description of the entire project is appropriate and will not operate to the injury of any legal user of water, and the State Water Rights Board so finds, and

IT IS HEREBY that the description of the Points of Diversion under said Application 13858, Permit 8356 be corrected to read as follows, to wit:

ORDER

APPLICATION 13858 PERMIT 6956 LICENSE

(1) [redacted] SPRING (U.S. DEATH VALLEY NATIONAL MONUMENT) SOUTH 35°16' WEST 6,367 FEET FROM USGS BENCH MARK N165 AND [redacted] WITHIN THE NE¼ OF NE¼ OF PROJECTED SECTION 2, T18S, R44E, MDBM.

(2) [redacted] SPRING (DARWIN AND KEELER) SOUTH 81°30' WEST, 6900 FEET FROM USGS BENCH MARK N165, AND [redacted] WITHIN THE NE¼ OF NE¼ OF PROJECTED SECTION 36, T17S, R44E, MDBM.

(3) [redacted] SPRING (DARWIN AND KEELER) SOUTH 65°35' WEST, 1405 FEET FROM USGS BENCH MARK N165 AND [redacted] WITHIN THE NE¼ OF NE¼ OF PROJECTED SECTION 1, T18S, R44E, MDBM.

(4) YELLOW SPRING (DARWIN AND KEELER) SOUTH 43°00' WEST, 7925 FEET FROM USGS BENCH MARK N165 AND [redacted] WITHIN THE NE¼ OF NE¼ OF PROJECTED SECTION 1, T18S, R44E, MDBM, AND

IT IS FURTHER ORDERED that the Description of the Place of Use under said Application 13858, Permit 6956 be corrected to read as follows, to wit:

PLACE OF USE FROM [redacted] SPRING IS WITHIN THE NE¼ OF NE¼ OF PROJECTED SECTION 2, T18S, R44E, MDBM.

PLACE OF USE FROM [redacted], JUBBO AND YELLOW SPRINGS IS WITHIN THE NE¼ OF NE¼ OF PROJECTED SECTION 36, T17S, R44E, MDBM.

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 6th day of November, 1958

L. K. Hill

L. K. Hill
Executive Officer

FORM 1.00 [illegible]

PETITION FOR CORRECTION OF DESCRIPTION OF POINT OF DIVERSION

Application 13852 Permit 8536 License

State Water Rights Board
1401 - 21st Street
Sacramento 7, California

Gentlemen:

I hereby request permission to correct the description of the point of diversion described in the above numbered filing as follows and as shown on the map herewith submitted:

S 36°16' W 6347 ft. from USGS Bench Mark M-165 (probably disturbed) in
(Give tie by bearing and distance or by coordinate distances from some unsurveyed land, said Bench Mark being in what would probably be, if surveyed, the NW¼ SE¼ Sec. 35, T 17 S, R 44 E, MDB&M, and said point of diversion of Burro Spring being in what would probably be NW¼ SW¼ Sec. 2, government corner and the 40 acre subdivision in which the new point of
T 18 S, R 44 E, MDB&M, as projected from T 19 S, R 45 E, MDB&M.
diversion lies).

Nothing herein shall be construed to indicate proper correction of description of points of diversion from Burro, Green and Willow Springs under same application without further surveys.

GIVE REASON FOR PROPOSED CORRECTION: Diversions in original application were tied to an unidentified marker erroneously assumed to be a section corner in what is actually unsurveyed land.

WILL THE OLD POINT OF DIVERSION BE ABANDONED? No. The tie, but not diversion is changed.

WATER WILL BE USED FOR Domestic and mining (ore reduction) PURPOSES.

The U. S. has
I have access to the proposed new point of diversion by virtue of assignment of November 30, 1951, from Bennett & Barginski, of which copy has been previously submitted to State Engineer, and assignment of December 21, 1956, from Thad C. and Jo L. Greene, of which photostat copy is attached.
(Ownership, lease, verbal or written agreement)

Are there any persons taking water from the stream between the old point of diversion and the new point of diversion?

No
(Answer "Yes" or "No")

Other rights under Application 13852, Permit 8536 are owned by
Give names and addresses: Detloff and Dobbins

% Art Detloff

P. O. Box

Trona, California

THIS CORRECTION DOES NOT INVOLVE THE INTRODUCTION OF ANY NEW SOURCE OR ANY INCREASE IN THE AMOUNT OF THE APPROPRIATION.

Signed: Fred W Binnewies
(Signature)

Superintendent, Death Valley National Monument
for the United States of America

Aug 7 1957
Date

Form 104-A
5/7/57

See Reverse

This is petition to describe location in accordance with Emigrant Canyon Quadrangle of Geological Survey, which is based on 1948 aerial photography and 1952 field check. The land subdivision is projected from T 19 S, R 44 E, MDB&M, of which some corners have been found and identified as in their proper location with reference to the topography. Bench Marks J-165, K-165 and M-165 are shown on said Quadrangle and described in pamphlet of May 15, 1941 by the U.S. Coast and Geodetic Survey for First Order Leveling, Beatty, Nevada, to Olancha, California. Bench Mark M-165, as shown on said Quadrangle, may have been disturbed during road construction between 1941 and 1948 but is well set, and found by the National Park Service to be S 42°54' E 6656 ft. from said Bench Mark K-165.

All downstream diversions are from springs on other tributaries of Emigrant Canyon, and all surplus water is probably consumed by local native vegetation.

Burro, Green, and Willow Springs which are also covered by Application 13852; and Malapi and Canyon Springs, under Application 13851 are also tied to unidentified marker heretofore erroneously assumed to be NE Cor. Sec. 32, T 17 S, R 44 E, MDB&M. While the points of diversion from all these springs should be similarly corrected, further surveys are needed to do so.

WATER RIGHT ASSIGNMENT

In consideration for the granting of Permit for Water Use. No. DEVA-3-56, December 14 6 (date), 195__, by the Superintendent of Death Valley National Monument, and in compliance with special condition No. 1 of said Permit, we, the undersigned Thad C. and Jo L. Greene of/ P.O. Box 397, Trona, California, do hereby assign, transfer, and set over unto the United States of America, through the National Park Service, all of our claims, rights, title and interest in and to the waters of the following described springs in unsurveyed lands which would probably be Secs. 5 and 6, T 18 S, R 44 E and Sec. 32, T 17 S, R 44 E, MDB&M, if surveyed, in the drainage tributary to Emigrant Canyon, Death Valley National Monument, in Inyo County, California, which are described in, or based on the following appropriative claims:

1. Burns Spring as evidenced by Water Right Application 13852, Permit 8536, heretofore assigned to the undersigned;

2. Covered Spring and Wee Spring as evidenced by Water Right Application 15539, as filed by the undersigned; and

3. Chucker Spring as evidenced by Water Right Application 16138, as filed by the United States of America,

which applications and permits appear of record in the Office of the State Division of Water Resources, Public Works Building, Sacramento, California.

C O P Y

State of California)
County of Inyo) ss.

On this 14th day of March A.D. 1957 before me Jess G. Sutliff a Notary Public in and for the said County and State, residing therein, duly commissioned and sworn, personally appeared THAD C. GREENE and JO L. GREENE known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL) /s/ JESS G. SUTLIFF

My Commission expires 12-15-60 Notary Public in and for said County and State

WATER RIGHT ASSIGNMENT

In consideration for the granting of Permit for Water Use. No. DEVA-3-56, December 14 6 (date), 195__, by the Superintendent of Death Valley National Monument, and in compliance with special condition No. 1 of said Permit, we, the undersigned Thad C. and Jo L. Greene of P.O. Box 397, Trona, California, do hereby assign, transfer, and set over unto the United States of America, through the National Park Service, all of our claims, rights, title and interest in and to the waters of the following described springs in unsurveyed lands which would probably be Secs. 5 and 6, T 18 S, R 44 E and Sec. 32, T 17 S, R 44 E, MDB&M, if surveyed, in the drainage tributary to Emigrant Canyon, Death Valley National Monument, in Inyo County, California, which are described in, or based on the following appropriative claims:

1. Burns Spring as evidenced by Water Right Application 13852, Permit 8536, heretofore assigned to the undersigned;

2. Covered Spring and Wee Spring as evidenced by Water Right Application 15539, as filed by the undersigned; and

3. Chucker Spring as evidenced by Water Right Application 16138, as filed by the United States of America,

which applications and permits appear of record in the Office of the State Division of Water Resources, Public Works Building, Sacramento, California.

Witness our hands, this 21st day of December, 1956

Signature (Sgd) Thad C. Greene

Signature (Sgd) Jo L. Greene

Subscribed and sworn to before me this 21st day of Dec, 1956.

/s/ Samuel F. Downs, Judge.
Notary Public in and for the State of California

Trona Judicial District
Justice Court, San Bernardino County, California

11-01-1954: progress report by permittee for the year 1954. ; november 01, 1954

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1954

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet for instructions and for space to submit additional information.

APPLICATION 13852 PERMIT 8536 SOURCE Burns Spring

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who have an interest in the water right Thad C. Greene and Jo L. Greene

ADDRESS

2. Has the project been abandoned? no Has construction work commenced? yes
3. Has all construction work been completed? yes If not, give estimated date of completion
4. State approximate cost of construction work on this project during the past 12 months $1,100.00
   Describe briefly the portions of the project upon which the above amount was expended Development pipe and storage
5. What remains to be done to complete the project?
6. Has use of water commenced? yes
   If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.
   (a) ☐ Irrigation ____ (Total acres irrigated) ____ (Name crops served and acreage of each)
   (b) ☐ Power ____ (Installed capacity)
   (c) ☐ Industrial ____ (Nature of use)
   (d) ☒ Domestic ____ (Number of persons; Area of garden, lawn, etc.)
   (e) ☒ Mining ____ (Method of water use)
   (f) ☐ Recreational ____ (Nature of use)
   (g) ☐ Stockwatering ____ (Number of animals)
   (h) ☐ Municipal ____ (Approximate population)
7. During what months was water used in 1954? all
   Do you expect to use it over a longer or different season in the future?
   If so, state other months of use 12 months
8. Have you used as much water this year as you expect to use under this permit? no
   If not, estimate year in which use will be full and complete 1955
9. Has location of the intake or place of use been changed? no

IF PROJECT INVOLVES STORAGE ANSWER 10 & 11

10. Have you stored as much water in your reservoir as you expect to store? no
    How much of the water has been used? about 7/8 of it
    Have you emptied the reservoir? no If not, have you used all the water that you intend to use in any one season?
11. During which months was water collected in the reservoir? all of them

/s/Thad C. Greene
SIGN HERE Jo L. Greene
(Permittee)

Date November 1, 1954

(OVER)
YEAR 1954

Form 67

11-20-1953: notice of assignment from art detloff to thad and jo greene; burns spring. ; november 20, 1953

NOTICE OF ASSIGNMENT.

Application-_____

Division of Water Resources
Department of Public Works,
401 Public Works Bldg.,
Sacremento, California.

Gentlemen:

I have assigned all my right, title and interest to BURNS SPRING in Application 13852 Permit 8536, License_____ on file with the Division of Water Resources, State of California, Department of Public Works, to Thad L Greene & Jo L Greene whose address is Box 4, Trona, California

Please so note the change in Ownership upon the records of your office.

Yours very truly,

Art Detloff
Art Detloff.

Dated: 11-20-53

Recorded Sept. 1/54
Vol. 111, Page 590
Records of INYO County
(At request of Fred W. BINNEWIES)

VOL 106 PAGE 610

BURNS SPRING.

For and in consideration of certain covenants and promises, I, the undersigned, ART DETLOFF, owner of Burns Spring, do hereby give, grant and assign to Thad C. Greene and Jo L. Greene all my right, claim and interest in and to the above Burns Spring. Said Burns Spring is better described as being in the NE¼ of SE¼ of Section 6, Township 18S, Range 44E, M.D.B & M and held under California Division of Water Resources, Application No. 13852 and Permit No. 8536.

This agreement dated: 11-20 1953

Signed: Art Detloff
Art Detloff.

Thad C. Greene
Thad C. Greene,

Jo L Greene
Jo L. Greene

STATE OF CALIFORNIA,
County of San Bernardino } ss.

ON THIS 25 day of Nov, A. D., 1953, before me, Samuel J Downs Jr a Notary Public in and for said County and State, personally appeared Art Detloff - Thad C. Greene - Jo L. Greene, known to me, to be the person whose name is are subscribed to the within Instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Samuel J Downs Jr
Notary Public in and for said County and State.

ACKNOWLEDGMENT—GENERAL—WOLCOTTS FORM 234

My Commission Expires April 8, 1956

VOL 106 PAGE 610

B U R N S S P R I N G.

For and in consideration of certain covenants and promises, I, the undersigned, ART DETLOFF, owner of Burns Spring, do hereby give, grant and assign to Thad C. Greene and Jo L. Greene all my right, claim and interest in and to the above Burns Spring. Said Burns Spring is better described as being in the NE¼ of SE¼ of Section 6, Township 18S, Range 44E, M.D.B & M and held under California Division of Water Resources, Application No. 13852 and Permit No. 8536.

This agreement dated: 11-20 1953

Signed: Art Detloff
Art Detloff.

Thad C. Greene
Thad C. Greene,

Jo L. Greene
Jo L. Greene

168
NO.
FILED FOR RECORD AT THE REQUEST OF
Jo L. Greene
5 MINUTES PAST 11 O'CLOCK A M.
NOV. 27 1953
VOL 106 OF Official Records
PAGE 610 RECORDS OF INYO COUNTY, CALIF.
RICHARD F. OYLER, Recorder
BY Nellie Grimes
DEPUTY RECORDER
FEE $1.50 INDEXED COMPARED

10-20-1953: notice of assignment from james burnett to art detloff; application 13852. ; october 20, 1953

11b

NOTICE OF ASSIGNMENT

Application 13852

Division of Water Resources
Department of Public Works
401 Public Works Building
Sacramento, California

Gentlemen:

I have assigned all my right, title and interest in Application 13852 Permit 8536, License _____ on file with the Division of Water Resources, State of California, Department of Public Works, to Art Detloff _____ whose address is Box 4, Trona, California. also 8620 Rosewood Ave, Los Angeles, 48

From envelop NOV 24 53 A.S.W.

Please so note the change in ownership upon the records of your office.

Very truly yours,

James H. Burnett
Licensee

Oct. 20th, 1953
DATED:

STATE OF _IFORNIA—DEPARTMENT OF I _LIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1953

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 13852 PERMIT 8536 SOURCE Burro Spring, Green Spring, Willow Spring, Burns Spring

1. *Name* of present owner of permit Dobbins & Detloff

Address Box 4, Trona, California

2. Has the project been abandoned? no 3. Is construction *complete*? no

4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed

app. ½ completed

5. If additional construction is required please indicate date when it will be complete June 1, 1954

6. Describe any construction work done during the past 12 months and state the estimated cost including labor

Drifted app. 37 ft. on Soring spring 1/8 in. of water spent 2 weeks on Willow Springs app. ½ in water working on Green Springs drifting mill about ½ completed.

7. Has use of water commenced? yes If so, describe use made during the past 12 months
If permit is for irrigation, state acreage irrigated; if for domestic use, state number of persons served, etc.

Used to build mill filling large supply tank as are completed.

When mill will be completed will have to have over a million gallons to fill tanks.

8. During which months was water used? all summer to fall

9. Will water be used during any other months all year ground

10. Have you used as much water as you expect to use under this permit? Yes, at present time

If not, when will such use be full and complete? must have more
If necessary, use the reverse side of this sheet to explain your answers in this paragraph.

11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

If project involves storage answer 12 and 13

12. Have you filled your reservoir and subsequently used the water? Yes, at present time

13. During which months was water collected in the reservoir? all summer

Date October 26, 1953

SIGN HERE /s/ Dobbins & Detloff
Art Detloff
Permittee

(OVER)

YEAR 1953

FORM 67

Docket 22128
Golden, 2a

03-06-1952: letter to bennett and barginski informing them that use of the water on monument land requires the issue of permits. ;

COPY

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Death Valley National Monument
Death Valley, California

March 6, 1952

Messrs. Bennett and Barginski
Post Office Box 4,
Trona, California

Gentlemen:

We have had recent correspondence with the Director of National Parks and the Bureau of Land Management regarding the status of water permits for Burns, Canyon, Malapi, Green and Burro Springs.

It had been our impression that these springs were on land patented before establishment of Death Valley National Monument but we find no record of such patents and, therefore, assume that their use was on mineral and millsite filings.

It is the established policy of this Service to acquire all water rights for sources on Monument lands in the name of the United States, and to issue permits for approved users of water.

The alternative where water right permits have been issued to private individuals by the State of California is to require permits from this Service for use of Monument lands for pipe lines or ditches to convey such water from point of origin to point of use. No action was taken at the time of filing water right applications 18351 and 18352 under the understanding that source transmission and point of use were on land patented prior to 1933.

Until this matter is completely clarified this Service is taking no further action regarding Burns Spring, and no action should be taken for construction of any system of conveyance across the lands of Death Valley National Monument until the land status is further clarified, and a permit request submitted and given consideration by this Service.

Sincerely yours,

T. R. Goodwin
Superintendent

T. R. Goodwin
Superintendent

11-30-1951: assignment by bennett and barginski to the united states; application 13852. ; november 30, 1951

ASSIGNMENT

I, James H Bennett and Max Barginski of Box 4 - Trona, California do hereby assign, transfer, and set over unto the United States of America, through the National Park Service, all of our rights, title, and interest in and to Application No. 13852, Permit No. 8536 Solely for the appropriation of water in Burns Spring, located in Burns Canyon, tributary to Emigrant Canyon, in Inyo County, and legally described as within NE ¼ of SE ¼ Section 6, Township 18 S, Range 44 E, Mount Diablo Base and Meridian, in Death Valley National Monument, California, which permit appears of record in the office of the Division of Water Resources, Public Works Building, Sacramento, California.

Witness my hand this 30 day of Nov, 1951.

Signature James H Bennett
Max Barginski

Subscribed and sworn to before me this 30 day of Nov., 1951

(SEAL)

Samuel H Dawson
Notary Public in and for the
State of California

NOTARY PUBLIC in and for the County of San Bernardino
State of California
My Commission Expires April 5, 1952

07-17-1950: application to appropriate unappropriated water by bennett and barginski. ; july 17, 1950

Part 2

FILE IN DUPLICATE

[For full information concerning the filling out of this form refer to Regulation 4 of Rules and Regulations Governing the Appropriation of Water]

RECEIVED
DIVISION OF WATER RESOURCES
SACRAMENTO
1950 JUL 17 PM 1 12

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

Application No. 18352 Filed July 17, 1950 at 1:12 P. M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

1. James H Bennett and Max Barginski
Name of applicant

of 841 No. Crescent Heights Blvd Apt 6 County of Los Angeles
Post office

State of California, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, *SUBJECT TO EXISTING RIGHTS:*

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is ① Burro Spring ② Grew Spring ③ Willow Spring ④ Burro Spring
Give name of stream, lake, etc., if named; if unnamed state nature of source and then it is unnamed

located in Inyo County, tributary to Immigrant Canyon

2. The amount of water which applicant desires to appropriate under this application is as follows: 1- 3200 G.P.D. 2- 3200 " " " 3- 3200 " " " 4- 1920 " " "

(*a*) For diversion to be directly applied to beneficial use without storage 11520 G.P.D. ~~cubic feet per~~
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day

second, to be diverted from Jan 1st to Dec 31st of each season.
Beginning date each season Closing date each season

(*b*) For diversion to be stored temporarily and later applied to beneficial use ..... acre-feet
1 acre-foot equals 325,851 gallons

per annum, to be collected between ..... and ..... of each season.
Beginning date each season Closing date each season

NOTE.—Answer (*a*) or (*b*) or both (*a*) and (*b*) as may be necessary. The amounts stated must be in definite terms of some established unit of measurement. Neither these amounts nor the season may be increased after application is filed.

3. The use to which the water is to be applied is Mining and domestic
Domestic, irrigation, power, municipal, mining, industrial, recreational

4. The point of diversion is to be located ① 3230'-358°-00'W-② 4670'-360°-58'W ③ 10705'-342°-10'W-④ 9860'-336°-02'W } purposes. ~~U.S.C.L.S. MONUMENT NO. M165~~
State bearing and distance or coordinate distances to section or quarter section corner

from the E Corner of Sec 32 T 17S - R 44E. M.D.B.&M.
① SW¼ of SE¼ of Sec 31 - ② SE¼ SW¼ of Sec 31 T 17S R 44E

being within the ③ NW¼ SE¼ of Sec 6 - ④ NE¼ SE¼ of Sec 6 T 18S - R 44E
State 40-acre subdivision of U. S. Government survey or projection thereof

of Section 31, Tp. 17S, R. 44E M.D.B.& M., in the County of Inyo

5. The main conduit terminates in NE¼ of NW¼ of Sec. 32, Tp. 17S, R. 44E, M.D.B.& M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application can not be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply)

(*a*) Diversion will be made by pumping: Capacity of plant ..... gallons per minute.

(*b*) Diversion will be by gravity, the diverting dam being 3 FT feet in height (stream bed to level of overflow); 6 FT feet long on top; and constructed of .....
Concrete, earth, brush, etc.

(*c*) The storage dam will be ..... feet in height (stream bed to overflow level); ..... feet long on top; have a freeboard of ..... feet, and be constructed of .....
Concrete, earth, etc.

7. Storage Reservoir .....
Name

The storage reservoir will flood lands in .....
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of ..... acres, and a capacity of ..... acre-feet.

☞ In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

FORM 1

8. **Conduit System** (Fill in cr. in. conduits only)

(a) Canal, ditch, flume: **Width on top (at water line)** ____ feet; **width at bottom** ____ feet; **depth of water** ____ feet; **length** ____ feet; **grade** ____ feet per 1,000 feet; **materials of construction** ____
Cross out two not used
Earth, rock, timber, etc.

(b) Pipe line: Diameter 2" inches; length ~~6000~~ 19000 feet; grade 30 feet per 1,000 feet; total fall from intake to outlet 180 feet; kind Steel pipe
Riveted steel, cement, wood-stave, etc.

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. **The estimated capacity** of the diversion works proposed is 32500 G.P.D.
State cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is $350.00
Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

Completion Schedule

10. **Construction work** will begin on or before 30 days after permit is granted

Construction work will be completed on or before 180 " " " " "

The water will be completely applied to the proposed use on or before Jan 1st 1952

Description of Proposed Use

11. **Place of Use** ~~Lot mill site~~ NE¼ of NW¼ of Sec 32 T 17S R 44E MDB&M
State 40-acre subdivisions of the public land survey. If area is unsurveyed delineate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map. These blanks need not be filled in when municipal use is proposed.

Does applicant own the land whereon use of water will be made? No.
Yes or No.

Application for mill site approved by Death Valley Nat Monument
If applicant does not own land whereon use of water will be made, state what arrangements have been made with owner.

12. **Domestic Use.** Domestic use is proposed as follows: approx 12 persons at mill camp.
Describe nature of use which may include stock water and the irrigation of domestic gardens not exceeding one-half acre with each place of residence. State number and kind of stock to be watered, number of houses and people to be served.

The amount for which application is made was determined by 12 person - 43 gal per person per day (570 gal)
Describe basis of quantity needed

13. **Irrigation Use.** The area to be irrigated is ____ acres.
State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice ____ acres; alfalfa ____ acres; orchard ____ acres; general crops ____ acres; pasture ____ acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about ____ and end about ____
Beginning date each season — Closing date each season

The land to be irrigated has another / no other water right or source of water supply other than that herein applied for. The nature and amount of the additional supply referred to is ____

14. **Power Use.** The total fall to be utilized is ____ feet.
Difference between nozzle or draft tube water level and first free water surface above

The maximum amount of water to be used through the penstock is ____ cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is ____ horsepower.
Second feet × fall ÷ 8.8

The use to which the power is to be applied is ____
For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is ____
Turbine, Pelton wheel, etc.

The size of the nozzle to be used is ____ inches.

The water will / will not be returned to ____ in ____ of
Name stream — State 40-acre subdivision

Sec. ____, Tp. ____, R. ____, ____ M.

NOT WRITE IN THIS SPACE

ATTACH EXTRA SHEETS HERE

15. **Municipal Use.** This application is made for the purpose of serving _____ (Name city or cities, town or towns. Urban areas only) having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

16. **Mining Use.** The name of the mining property to be served is D & B Mining and Milling Co. (Name of claim) and the nature of the mines is Lode - gold silver lead (Gold placer, quartz, etc.)

The method of utilizing the water is Concentration flotation cyanide

It is estimated that the ultimate water requirement for this project will be 11000 g.p.d (Other than specified, gallons per minute. State basis of estimate)

The water will ~~will not~~ be polluted by chemicals or otherwise flotation cyanide (Explain nature of pollution, if any)

and it will ~~will not~~ be returned to Unnamed Canyon (Name stream) in N.E¼ of N.W¼ (State 40-acre subdivision)

Sec. 32, Tp. 17S, R. 44E M.D.B.& M.

17. **Industrial Use.** The nature of the use proposed is _____ (Describe nature and method of use)

The amount for which application is made was determined by _____ (Describe basis of estimate of quantity needed)

18. **Recreational Use.** Water will be used for _____ (Describe nature and method of use)

The amount for which application is made was determined by _____ (Describe basis of estimate of quantity needed)

General

19. Are the maps as required by the Rules and Regulations filed with Application? Yes (Yes or No). If not, state specifically the time required for filing same _____

20. Does the applicant own the land at the proposed point of diversion? No (Yes or No). If not, state what steps have been taken to secure right of access thereto special permit by Death Valley Nat. Monument

21. What is the name of the post office most used by those living near the proposed point of diversion?
Trona - California

22. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? Del Norte Mining Co.
Application #8961 permit #5175

[SIGNATURE OF APPLICANT] James H Bennett and Max Barginski

FORM 61-A

IMPORTANT

[Please Read Carefully]

1. *Note the terms and conditions of this permit.* Construction work must be prosecuted, and the water applied to the beneficial uses intended with due diligence. Annual reports of progress will be expected from you upon forms which will be furnished for the purpose. When the water has been fully applied to the beneficial uses intended the Water Code requires that you notify the State Engineer thereof.
2. Neither this application nor the permit is a water right, but *if the terms and conditions of the permit are observed a water right can be obtained through beneficial use of the water*—the extent of the right to be determined by a field inspection which will be made by a representative of the State Engineer.
3. *No change in point of diversion, or place of use or character of use, can be made under this application and permit* without the approval of the State Engineer.
4. *If the rights under this permit are assigned* immediate notice to that effect with the name and address of the new owner should be forwarded to the State Engineer, Sacramento, California.
5. *Please advise immediately of any change of address.* Until otherwise advised communications will be sent to the address used in the letter transmitting this permit.

FORM DO. 12644 6-48 1M SPO

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES } ss.

CERTIFICATE 4687
APPLICATION 13852
PERMIT 8536
LICENSE

I, Timothy C. Cronin, Certification Clerk of the Division of Water Resources, Department of Public Works, State of California, do hereby certify that I have carefully compared the attached ~~copy~~ photostatic copy of map in support of Application 13852, Permit 8536

and that the same is a true, full, complete and correct copy of the original thereof on file in this office.

WITNESS my hand and the seal of the Department of Public Works, State of California, this 18th day of October, 19 51

Timothy C. Cronin
Certification Clerk, Division of Water Resources

PERMIT No. 8536

This is to certify that the application of which the foregoing is a true and correct copy has been considered and is hereby approved SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed eleven thousand five hundred twenty (11,520) gallons per day to be diverted from January 1 to December 31 of each year; a l as more explicitly set forth in paragraph 2(a) of this approved applicatio .

2. The maximum amount herein stated may be reduced in the license if investigation so warrants.

3. Actual construction work shall begin on or before October 1, 1951 and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.

4. Said construction work shall be completed on or before December 1, 1953

5. Complete application of the water to the proposed use shall be made on or before December 1, 1954

6. Progress reports shall be filed promptly by permittee on forms appropriate to the purpose which will be provided annually by the State Engineer until license is issued.

7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriatur of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (or the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Witness my hand and the seal of the Department of Public Works of the State of California this 30 *day of* April 19 51

A. D. EDMONSTON
[redacted] *State Engineer*

Other Supporting Information

01-00-1993: memo from acting chief, water resources division; subject: trip report for denise newberry. ; january, 1993

Denise Newberry DN
Alice Johns
Owen Williams
Dan B. Kimball

DEVA

January 21, 1993

L54(479)
WR/Water Rights

Memorandum

To: Regional Director, Western Region

From: Acting Chief, Water Resources Division

Subject: Trip Report for Travel by Denise Newberry to Death Valley National Monument, November 30 - December 3, 1992

The attached trip report by Denise Newberry concerns her travel to Death Valley National Monument (DEVA). The purpose of the trip was to assess how licensed water rights may need to be corrected or changed to reflect current park uses and to update water rights records for licensed water rights at DEVA. This information will be used by the Water Rights Branch to (1) prepare Reports of Licensee for DEVA that will be submitted to the California State Water Resources Control Board (SWRCB), (2) request Orders of Correction for licensed water rights, and (3) file applications to change the point of diversion, place, or type of use.

If you have any questions, please feel free to call Denise at (303) 225-3525.

William Jackson

Attachment

cc: DEVA - Superintendent, Essington
WR - Kolipinski
479 - Johns

FNP:DNEWBERRY:bb:(303)225-3500:01/21/93:B:\DEVA

January 20, 1993

L54(479)
WR/Water Rights

Memorandum

To: Acting Chief, Water Resources Division

Through: Chief, Water Rights Branch

From: Water Rights Specialist, Water Rights Branch

Subject: Trip Report for Travel by Denise Newberry to Death Valley National Monument, November 30 - December 3, 1992

PURPOSE: The purpose of the trip was to assess how licensed water rights may need to be corrected or changed to reflect current park uses and to update water rights records for licensed water rights at Death Valley National Monument (DEVA). This information will be used by the Water Rights Branch to (1) prepare Reports of Licensee for DEVA that will be submitted to the California State Water Resources Control Board (SWRCB), (2) request Orders of Correction for licensed water rights, and (3) file applications to change the point of diversion, place, or type of use.

ITINERARY: Departed Fort Collins, Colorado and arrived at DEVA on November 30, 1992. Departed DEVA and returned to Fort Collins on December 3, 1992.

CONTACTS: Mel Essington, Mining Engineer, DEVA
John Stark, Engineering Technician, DEVA
Nancy Ward, Secretary, Resources Management, DEVA

DISCUSSION: Upon arrival, I went to the Resources Management office at DEVA to familiarize myself with water rights records and park staff scheduling. Essington gave me an orientation to DEVA water rights history and locating water rights records at DEVA.

On the morning of December 1, 1992, Essington and I field-checked the following: Texas, Main Cow Creek (Nevares) and Travertine Springs. In the afternoon of December 1, 1992, I familiarized myself with the park water rights records.

On December 2, 1992, Essington and I field-checked Burns and Surprise Springs and spent the day going over Reports of Licensee that will be submitted to the SWRCB.

On the morning of December 3, 1992, Essington and I field-checked Wildrose, Emigrant, Burns Creek and Unnamed Spring (Thorndyke Spring), and I returned to Fort Collins that evening.

ACTION ITEMS:

1. Complete and submit Reports of Licensee to the SWRCB, for the following:

Wildrose Spring	License 4897	Application A012076
Mesquite Spring	License 7578	Application A019538
Ranger Spring	License 7577	Application A019482
Goldbelt Spring	License 6740	Application A018433
Tarantula Springs	License 10845	Application A016096
Saratoga Spring	License 6343	Application A008183
Unnamed Stream	License 10780	Application A021646
Covered Spring	License 10781	Application A015539

Responsible Party: Newberry. Target Date: January 29, 1993.

2. Submit a written request to the SWRCB to process Orders of Correction, for the following:

Main Cow Creek (Nevares Spring)	License 4621	Application A009510
Unnamed Spring (Thorndyke Spring)	License 10580	Application A008423
Unnamed Source (Texas Spring)	License 7854	Application A010119
Lower Emigrant	License 6110	Application A015381
Lower Spring	License 2430	Application A005073
Burns Creek	License 6559A	Application A013852A

Responsible Party: Newberry. Target Date: January 29, 1993.

3. File copies of completed Reports of Licensee in the Water Rights Branch dockets. Responsible Party: Newberry. Target Date: January 29, 1993.

Denise Newberry

ANW

STATE OF CALIFORNIA — GEORGE DEUKMEJIAN, *Governor*

STATE WATER RESOURCES CONTROL BOARD
THE PAUL R. BONDERSON BUILDING
901 P Street, Sacramento, CA
(916) 324-5685

DIVISION OF WATER RIGHTS
P. O. BOX 2000, Sacramento, CA 95810

In Reply Refer to:342:ANW:13852B

RECEIVED
Western Regional Office
MAY 11 '84
Regional Director
Operations
Res. Mgmt. Plan
Administration
Operations Eval.
Public Affairs
Budget
Action Taken

MAY 7 1984

Thomas A. Illmensee
Pascarella, Dehler, Illmensee and Carra
Attorneys & Counselors at Law
1301 Franklin Avenue
Garden City, NY 11530

Dear Mr. Illmensee:

LICENSE 6559B (APPLICATION 13852B), TROEGER, BURRO SPRING IN INYO COUNTY

I have enclosed a copy of my letter to you dated October 26, 1983. Please review that letter.

I have not received any response to that letter so I plan to initiate revocation proceedings in 30 days.

If you have any of the information I requested, please write within 30 days.

Sincerely,

ORIGINAL SIGNED BY:

Arthur N. Webb, Chief
Extension, Change and
Compliance Unit

Enclosure

cc: Mrs. Roy C. Troeger
4501 Firmament Avenue
Encino, CA 91436

National Park Service
450 Golden Gate Avenue
San Francisco, CA 94118

07-20-1983: message record to bob mitchell requesting information on claims. ; july 20, 1983

NATIONAL PARK SERVICE
Western Regional Office

WR–8
(3/75)

MESSAGE RECORD

Subject: Mining operation Bureau Spring Unity Cty, DEVA

Date July 20, 1983

Routed for: ☒ Information ☐ Central File ☐ Action

☐ Incoming Call

☒ Outgoing Call

To: NAW

Name and Title Bob Mitchum

Representing Mining Engineer, DEVA Telephone No. (619) 786-2331

Address (Home) → 786·2231

NPS Personnel in on Call W Werrell (Work) → 786-2371

Conversation: Called Bob to ask status of Troger claims, Bob reports that of 33 claims, the court found 3 valid. Regarding the other 30, the Trogers have contested the original ruling. Bob estimates that there will be no decision until 1985 or 1986.

There has been no work on the claims (and thus no water usage) since 1979.

Follow-up Action to be Taken: Awaiting documents on firearm & appeals from Robt. Mitcham.

Follow-up Action Taken:

R

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000, Sacramento, CA 95810
901 P Street, Sacramento, CA 95814
(916) 324-5685

GEORGE DEUKMEJIAN, Governor

RECEIVED
JUL 15 '83
WESTERN REGIONAL OFFICE

	ACTION	INFO	INITIAL	DATE
D				
A				
O				
R				
EO				
DPA				

JUL 13 1983

In Reply Refer to:342:ANW:13852B

Mrs. Roy C. Troeger
4501 Firmament Avenue
Encino, CA 91436

Dear Mrs. Troeger:

LICENSE 6559B (APPLICATION 13852B) BURRO SPRING IN INYO COUNTY

Thank you for your letter of June 29, 1983 regarding your mining operations under License 6559B.

We will delay revocation action and await word from your attorneys. We are also awaiting a response to our letter to the National Park Service. As I stated in my previous letter, it is very important for us to be advised as to the current status of the litigation and even more important that we are given a realistic projection as to when this matter will be resolved.

Thanks again for your prompt reply. I hope you are able to work this matter out in a manner that meets your needs.

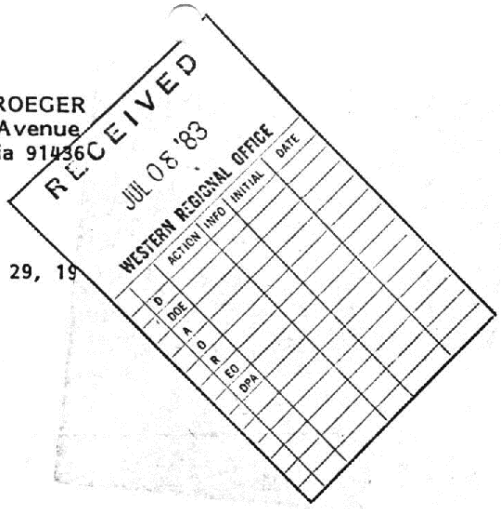
Sincerely,

Original Signed By:

Arthur N. Webb, Chief
Extension, Change and
Compliance Unit

cc: National Park Service ✓
450 Golden Gate Avenue
San Francisco, CA 94118

MRS. ROY C. TROEGER
4501 Firmament Avenue
Encino, California 91436



June 29, 19

Mr. Arthur N. Webb, Chief
Extension, Change & Compliance Unit
State Water Resources Control Board
Division of Water Rights
P. O. Box 2000
Sacramento, California 95814

Re: 342:ANW:13852B
License 6559B (Application 13852B)
Burro Spring in Inyo County

Dear Mr. Webb:

I am in receipt of your letter of June 21, 1983 regarding the above referenced water license. I have forwarded a copy of your letter to our attorneys handling the litigation matters of these mines with the request that they advise you of the current status of the matter.

Please do not begin any revocation proceedings as I believe that we are near to having the mining rights reinstated to the claims and, therefore, near to resuming our mining operations.

If you have any questions, please do not hesitate to contact me. Thank you for your assistance.

Very truly yours,

Virginia R Troeger

Virginia R. Troeger

VRT:cw
cc: National Park Service
450 Golden Gate Avenue
San Francisco, California 94118
Attention: Mr. James Hershey

01-00-1975: photographs of wee spring and burns spring. ; january, 1975



Death Valley - Wee Spring
Point of Discharge
Picture taken in January 1975



Death Valley - Flow from Wee Spring

Picture taken in January 1975



Death Valley - Covered Spring
Point of Discharge
Picture taken in January 1975



Death Valley - Burns Spring
(Not on this inspection trip)
Picture taken in January 1975



Death Valley - Pipeline from
Wee Spring
Picture taken in January 1975



Death Valley - Wee & Covered Springs
Proposed Place of Use
Picture taken in January 1975



Death Valley - Wee, Covered &
Chucker Springs - Proposed Place of
Use (Mill Site)
Picture taken in January 1975

United States Department of the Interior

NATIONAL PARK SERVICE
WESTERN REGION
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIFORNIA 94102

IN REPLY REFER TO:

L54(WR)PSW
DEVA/WATER RIGHTS GEN
WR#2

March 13, 1974

California State Water Resources
Control Board
Division of Water Rights
1416 Ninth Street
Room 1015
Sacramento, California 95814

Gentlemen:

This is in response to your letter of February 19, wherein you reference permits of certain springs and washes in Inyo County, Death Valley National Monument. Your letter specifically discusses status of water uses as reported for Permits 11422, 11423, and 11424 during the past three years. Permits 11422 (Application 16138) and Permit 11424 (Application 15539) are used jointly as a water system. Also in the same system is Permit 8536 (Application 13852), License 6559A. Water from these sources are used by (1) wild game, the use is constant and (2) a small mining operation in the area uses the water for domestic purposes. The duration of the mining activities is unpredictable because of the variables inherent to such operations e.g, size of ore deposit, fluctuations in price of ore and labor, etc. The result is a series of "opening" and "closing down" of mining operations; use and unuse of the water supply. No mining is presently being done and these permits are currently in our inactive file.

In the interest of comity, this office has supplied water use information to the State in regards to these permits over the past several years. Water usage reported has been based upon the reported mining status at the time the report was submitted. These same reports indicate no usage and subsequent reports contain water use data.

Permit 11423 (Application 17839) pertains to water located several miles away from the above permits, but of similar use. On March 11,

JOHNNY HORIZON 76
Let's Clean Up America For Our 200th Birthday

it was reported that this mining operation had been "reopened" several weeks ago. Thus this permit has been removed from our inactive file and placed in the active status.

When contacted by Mr. Wilbert Chung of your Los Angeles Office, we will notify the appropriate park personnel so as to provide the necessary assistance to the on-site examination of Permits 4645, 5738, 5739, 5754, 11421, 11924, 14533, 15363, and 15721.

Sincerely yours,

(SGD) JAMES B. THOMPSON

James B. Thompson
Acting Regional Director

cc:
Supt., DEVA w/cy of inc.
and cys for each
individual Water
Right Docket File
(WR #1,3,4,5,21,22,22A,
24,25,34, and AWR #7)

WASO(MR) w/cy of inc. and
cys for each individual
Water Right Docket File
(WR #1,3,4,5,21,22,22A,24,
25,34, and AWR #7)

ROBERTS
FIELDS
GRAY
KORNELIS

MAY 10 1968

L54 LWSSC
DEVA - Dockets Nos. (22), 7, 1

Memorandum

To: Chief, Division of Land and Water Rights, WASO
Attention: Chief, Branch of Water Resources

From: Chief, Office of Land and Water Rights, SSC

Subject: Water Rights - Death Valley

In your memorandum of November 1, 1967, on the above subject, you posed certain questions which we will answer in order.

We were told on the telephone by the California State Water Rights Office that annual use reports may be sent in early, especially as the exact amount of use is unknown and does not change materially from year to year. Wildlife use is recognized by the State as a beneficial use and this is declared by other Federal Agencies.

The park personnel inform us that the Main Cow Creek report is correct. The water from that source has been removed from the system and its only use is wildlife. It may be used rarely by an individual to fill a canteen, but this is not documented. The waters are not commingled presently with those of Permit No. 11924, so the peak-use flow amount noted in 1964 does not apply. Burns Spring use is for wildlife also.

It is possible to file on all the springs in Death Valley, using wildlife as a beneficial use, if the water is contained by some means. However, the Field Solicitor informs us this is not necessary because of a regulation in Title 36, Code of Federal Regulations (Revised as of January 1, 1967), Paragraph 7.26(b). This section states that any diversion, impoundment, appropriation, transmission, or other use of water on or across monument lands shall be approved by an authorized officer or employee of the National Park Service. He feels this regulation is sufficient to prevent undue exploitation of water resources by anyone.

198

We do feel that an inventory of all these springs will be helpful and this is being established as a part of our overall appraisal program.

(Sgd) THOMAS KORNELIS

cc:
Regional Director, Western
JWRoberts:ge 5/10/68

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON, D.C. 20240

IN REPLY REFER TO:
L54-OLW

November 1, 1967

RECEIVED
San Francisco Planning and Service Center
Office of Land and Water Rights
NATIONAL PARK SERVICE
NOV 6 1967

ACT.	INFO.		INITIALS	DATE
		CHIEF		
		ASS'T. CHIEF		
		S A. ASST.		
		SUPV. AP R.		
✓		SUP. Hyd. Eng		
		DOCKET		
		FILE		

Memorandum

To: Chief, Office of Land and Water Rights, SSC
Attention: Mr. Fields

From: Chief, Branch of Water Resources

Subject: Reports of licensees, Death Valley

Please refer to Mr. Fields' memorandum of October 18 and the enclosed reports for Burns Spring, Wildrose Spring, and Main Cow Creek for 1965, 1966, and 1967. Inasmuch as 1967 is not over yet, are these reports premature?

However, the main concern is the report for Main Cow Creek which indicates that water was used only for wildlife during the reporting period. License 4621 appropriates 0.446 c.f.s. for domestic and recreational use with no proviso concerning wildlife. Permit 11924, which is supplemental to License 4621, does contain provisos that Section 5937 of the State Fish and Game Code applies and no fences shall be constructed to prevent use by the public or wildlife. The annual progress report for 1966 under Permit 11924 makes no statement about wildlife use. Thus, the reporting for these two appropriations may be mixed up.

Further, the progress reports state that the waters of the two appropriations are commingled and the 1964 report states that maximum use was 0.54 c.f.s., exceeding either appropriation. If this peak amount was reached in 1965, 1966, or 1967 obviously all the water under License 4621 could not have been used for wildlife.

The report of licensee for ~~Burro~~ Barn Spring indicates wildlife use only, but this was also indicated on the report for 1962, 1963, and 1964 without apparent question by the State. It is not known here whether the State recognizes wildlife use as a beneficial use and, therefore, a valid method of keeping the water right in good standing. If you are not certain of this, it might be worthwhile to present this specific question to the State. If wildlife use is recognized by the State, perhaps a program of filing on all springs in Death Valley should be considered as a means of preventing undue exploitation of

127

these sources to the detriment of the wildlife in the monument. I believe the California Fish and Game Commission has been quite influential in getting the State to require permittees to make provisions for wildlife needs and may be a source of information and advice.

It is suggested that the reports on Main Cow Creek and Burro Spring be reexamined with these points in mind, and any needed corrective action be taken. Perhaps, consultation with the Field Solicitor is in order.

E W Reed

E. W. Reed

cc:
Superintendent, Death Valley

orig copy in A.W.R. 3

July 2, 1952

L54-AL

Memorandum

To: Regional Director, Region Four

From: Chief, Branch of Water Resources

Subject: Application 13852; (1) License 6559A, Burns Spring, Part II, Docket 22; and (2) License 6559B, Burro Spring, Part VIII, Alien Water Right 34 - Death Valley National Monument

The subject licenses, were received with copy of Mr. Liles' memorandum of April 24 to you, and have been filed in the indicated parts of the docket and Alien water right assembly. We have also filed a copy of the enclosed letter of May 4, 1952, to the Superintendent from Mr. Hill, State Water Rights Board, under License 6559B in A. W. R. 34, to indicate that claim to Green and Willow Springs under Application 13852 has been dropped.

There still remains a question as to whether the perfection of rights to Burro Spring, by License 6559B to Roy C. Troeger, complies or conflicts with the act of June 13, 1933, extending the mining laws to Death Valley, and the Federal regulations and water use permit procedure under that act.

The land was withdrawn from entry for reclassification (as a monument) by the Secretary's Order No. 5408 of July 25, 1930. The monument was established by Proclamation No. 2028 of February 11, 1933, subject to all valid existing rights. The act of June 13, 1933, extending the mining laws was followed by the first three secretarial regulations for surface use on June 7, 1934, which were signed by the Acting Commissioner of the General Land Office. Those regulations limited surface use exclusively to mineral exploration and development except on written permission of the Director, and required conformity with all rules and regulations then, or thereafter made applicable by the Director. The same three regulations, with the addition of a 4th regulation to control access roads was signed by the Under Secretary and published in the Federal Register (17-7269) of July 3, 1952. The 5th regulation, with specific procedure for access to, and the use of water, was added to the regulations which were republished in the Federal Register of December 13, 1953: 18FR8643.

Docket 22a 45

As stated in the memorandum of May 22, 1952, to the Director from the Superintendent, the millsite and related water use have been periodically recorded since 1909, with the first apparent water right Application 3669 dated January 22, 1925. However, as discussed in the memorandum of January 26, 1953, to you from Assistant Director Allen, there is no evidence of a complete chain of title from claims on record on July 25, 1930, to claims asserted after June 13, 1933.

The Gold Bottom Millsite was located and recorded with the county on March 24, 1934, by Steinberger and Roy and El Journigan, with no reference to the prior claims to the area and developments. Water Right Application No. 13852 was filed on July 17, 1950, by Bennett and Barginski, and all earlier applications for the appropriation of the same water have been revoked or cancelled, as shown in Alien Water Right No. 34. However, we seem to have no records of any significant water developments or improvements of a system which may have been constructed prior to 1930 until Bennett and Barginski filed their supplemental D&B Millsite claims and started the extensive reconstruction of the mill plant.

The preceeding outline suggests that all rights under Application 13852, License 65598 should be assigned to the United States. However, the matter has not been pressed because there has been some justification for considering a water system as an essential part of "mineral development" authorized in the first regulations, until the publication of regulation five in 1952. The matter should be referred to the Regional Solicitor.

A. van V. Dunn
Chief, Water Resources Branch

Enclosure

Copy to: Superintendent, Death Valley, w/c enc.
Chief, WCDC (2), w/c enc.

Docket 22a-45

05-29-1961: memo from region four; subject: water rights of troeger; burns spring. ; may 29, 1961

Spaulding
Whitworth
Manbey
Wosky
(quiat)

May 29, 1961

L 5A

Memorandum

To: Superintendent, Death Valley

From: Regional Chief of Operations, Region Four

Subject: Water Rights of Ray Troeger, Water Right Application 13892, Burns Spring, Alien Water Right No, Death Valley National Monument

& WR 22

By memorandum of May 25 Mr. Dunn has commented upon the water rights of Mr. Ray Troeger.

We believe that Mr. Hill's letter of May 4 indicated the quantity of water Mr. Troeger asked for, not the quantity the State Water Rights Board is considering granting. It is certain that the State will not issue a license for 29,000 gpd under the subject application or for even 9,600 gpd (the amount of the application from three springs) if, as you reported, the flow of Burns Springs is on the order of 1 gallon per minute. (One gallon per minute is equivalent to 1440 gallons per day).

We see no reason to take action in this matter at this time but we should be informed of developments.

(SGD) JOHN B. WOSKY

Regional Chief of Operations

Copy to: Director
Chief, WSRC (2)

LSSpaulding:lq

~~Spaulding~~ LSS
~~Whitworth~~
~~Manbey~~ BFM.
~~Gale~~
~~Wesky~~ JBW
~~Merriam~~
~~(quiet)~~ LCM

May 9, 1961

L 54

Memorandum

To: Superintendent, Death Valley

From: Regional Director, Region Four

Subject: Water Right Application 13852, Burns Spring, Docket 22, Death Valley National Monument

We received a copy of Mr. L. K. Hill's letter of May 4 to you. Mr. Hill states that on the basis of an inspection the State Water Rights Board proposes to issue a license in the name of the United States for 100 gallons per day from Burns Spring.

As we understand the situation, Burns Spring is one of several springs developed by Thad and Jo Greene for mining use. Under the policy of the Park Service regulating the surface use of water, the Greenes assigned their rights in Burns Spring to the United States, and a special water use permit was issued to them but reserving a first priority for visitor use. It has been reported to us that for the last few years mining has been suspended and only occasional use of water has been made. On one State inspection of the spring, it was found to be dry and the State recommended cancellation (Mr. Binnewies' memorandum of April 20, 1959).

FILE COPY

Under these circumstances we believe it advantageous to accept licensing as proposed by the State and, if agreeable with you, recommend that you take the action suggested by Mr. Hill.

If you take the suggested action a signed copy of the request for license should be placed at the top of contents of Part II of Docket 22 and signed copies should be sent to the Director and to this office.

We note by Mr. Hill's letter that Mr. Troeger has requested licensing of Burro Spring but is abandoning rights to divert from Green Spring and Willow Spring. As soon as it is known that his application to these springs has been cancelled it may be desirable to investigate the springs to determine if sufficient water is available for future supply of the Emigrant District Ranger Station.

(SGN) LAWRENCE C. MERRIAM

Regional Director

Copy to: Director (w/cy Hill's ltr of May 4)
Chief, WODC (2)(w/cy Hill's ltr of May 4)

LSSpaulding:lq

05-04-1961: letter from state water rights board; subject: application 13852 water use. ; may 04, 1961

DEVA Docket 22

RECEIVED
NPS REGION FOUR OFFICE
MAY 5 '61
SURNAME DATE
REG. DIR.
ASST. R.D.
OPERATIONS
ADMIN.
RECREATION
INTERP.
RANGER ACT

Edmund G. Brown
Governor

STATE OF CALIFORNIA
State Water Rights Board

1401 21ST STREET
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

KENT SILVERTHORNE, CHAIRMAN
RALPH J. McGILL, MEMBER
W. A. ALEXANDER, MEMBER

L. K. HILL
EXECUTIVE OFFICER

Spaulding L55 5/5
Whitworth
Quiet

May 4, 1961

COPY

Mr. Granville B. Liles, Superintendent
Death Valley National Monument
Death Valley, California

Subject: Application 13852

Dear Mr. Liles:

On April 12, 1961, one of our engineers inspected the project covered by a water right Application 13852, Permit 8536, which covers diversion of water from Burro Spring, Green Spring, Willow Spring and Burns Spring within the Monument. The right to the diversion from Burns Spring is held by Death Valley Monument and the right to diversion from Green Spring, Willow Spring and Burro Spring is held by Roy C. Troeger who has utilized water in connection with mining claims. Our engineer recommends that no further extension of time in connection with the permit be allowed and that separate licenses be issued to the Monument and to Mr. Troeger confirming the beneficial use of water made under the terms and conditions of the permit.

Mr. Troeger has requested license in the amount of 29,000 gallons per day from Burro Spring only from January 1 to December 31 to cover water use made for domestic use within the SE¼ of NW¼ of projected Section 35, T17S, R44W, MDB&M. The right to divert from Green Spring and Willow Spring will be dropped.

Our engineer's report further indicates that the flow from Burns Spring was measured and was found to be 100 gallons per day. We therefore propose to issue license for 100 gallons per day from Burns Spring from January 1 to December 31 of each year for domestic purposes in the name of U. S. Death

148

Valley Monument within the NW¼ of SW¼ of projected Section 2, T17S, R44E, MDB&M, as set forth on the enclosed request for license form.

If you concur with the information set thereon, please sign the original copy and return it to this office. The three duplicate copies may be retained for your files.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

Enc.

cc: Mr. Roy C. Troeger
4600 Encino Avenue
Encino, California

National Park Service
Region Four Office
180 New Montgomery Street
San Francisco, California

08-04-1959: memo from region four; subject: burns spring accompanying granted extension of time. ; august 04, 1959

Docket 22 DEATH V

154

Whitworth

Spaulding (Letter)

Wosky

Helen Frothman

FILE COPY

August 4, 1959

Memorandum

To: Superintendent, Death Valley

From: Regional Chief of Operations, Region Four

Subject: Water Right Application 13852, Burns Spring
Docket 22, Death Valley

We are attaching for your files and information a copy of a letter received from the State Water Rights Board granting an extension of time until December 1, 1960 for the subject application.

This copy is being forwarded you inasmuch as we have no indication of the distribution by the State of California.

(SGD) JOHN B. WOSKY

John B. Wosky
Regional Chief of Operations

Attachment

Copy to: Director w/cy attachment

GFW:hat

127

file DEVA Docket DESIGNATION

Docket 22

June 30, 1959

Application 13852

U. S. Department of the Interior
National Park Service
Death Valley National Monument
Death Valley, California

Attention: Mr. Fred W. Binnewies

Gentlemen:

We are in receipt of your letter of June 23, 1959, in regard to Permit 8536 (Application 13852) to appropriate from Burro Spring, Green Spring, Willow Spring, and Burns Spring in Inyo County.

Our records indicate that Mr. Chesler, an engineer of this office, contacted you in the matter of this application on April 11, 1959, and at that time was of the opinion that revocation of the permit was in order. However, Mr. Chesler subsequently, on April 15, 1959, interviewed Mr. Troeger at the project. As a result of information obtained during the interview and by inspection of the project, he recommended an extension of time of two years within which to complete construction and use of the water. On April 20, 1959, a request for an extension of two years together with the required filing fee was received from Mr. Troeger, and the matter is now under consideration by the Board.

We trust that this will satisfy the request contained in your letter, and you will be supplied with a record of the Board's action in the matter.

Very truly yours,

L. K. Hill
Executive Officer

124

L 54

Death Valley National Monument
Death Valley, California

June 23, 1959

Mr. L. K. Hill
State Water Rights Board
P. O. Box 1592
Sacramento 7, California

77

Dear Mr. Hill:

During Mr. Chesler's inspection of Burns Spring, Water Right Application 13852, permit 8536, in April, he recommended revocation of the permit because the spring was dry. We would prefer to retain the permit for the statutory period at least since there is a possibility that the spring will be reactivated.

Sincerely,

Fred W. Binnewies
Superintendent

Copy to Region Four in duplicate√

123

L-54

LSS
~~Spaulding~~
McMillan
~~Manley~~ B/M
Wo
FILE COPY

June 5, 1959

Memorandum

To: Superintendent, Death Valley

From: Regional Chief of Operations, Region Four

Subject: Water Right Application 13852, Burns Spring
Docket 22, Death Valley

In regard to the recommendation by Mr. Chesler of the State Water Rights Board that the subject application be cancelled as it relates to Burns Spring, we believe the permit should be retained for the statutory period at least. In this we are in agreement with Mr. Dunn's recommendation of April 30 and yours of May 15.

We will have gone to a lot of effort for nothing if water rights for small desert springs are cancelled whenever a drought or lack of upkeep drys up the spring.

(SGD) JOHN B. WOSKY

John B. Wosky
Regional Chief of Operations

Copy to: Director (w/cy Supt's May 15 memo)

LSSpaulding:hat

122

05-15-1959: memo from superintendent, death valley; subject: water rights, burns spring; regarding revocation of permit. ; may 15,

IN REPLY REFER TO:

L 54

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

May 15, 1959

RECEIVED
NPS REGION FOUR OFFICE
MAY 19'59

	SURNAME	DAT.
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.	BFm	5/19
RECREATION		
INTERP.	LSS	6/4
LEGAL		

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

Subject: Water Right Docket No. 22 - Burns Spring

Attached is our memorandum of April 20 relating to Burns Spring that apparently was not received in the regional office. It will be noted that no reference has been made to the removal of the water system lateral as stated in Mr. Dunn's memorandum of April 30.

See memo of 6/5 to Supt.

We have not yet signed the request for revocation of Permit 8536 and agree with Mr. Dunn that it would probably be better to wait until the end of the statutory period for lapse. There is little possibility that any water can be developed at this spring although a wet cycle in the weather may change the picture.

If you agree that the permit should be retained we will so inform the State Water Rights Board.

Fred W. Binnewies
Superintendent

In duplicate

Attachment

L54-OBL

(2)

April 30, 1959

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

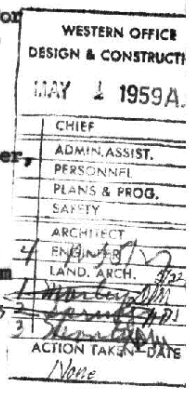
Subject: Superintendent's Three Memoranda of April 20; (1) Detloff and Dobbins, Alien Water Right 34; (2) Burns Spring, Docket 22; and (3) Emigrant Spring, Docket 9, Death Valley

If Dobbins is selling mill equipment, and it is being removed from Gold Bottom and adjacent millsite claims, Mr. Troeger should not be pressed at this time. Mr. Troeger's voluntary assignment of water rights would be fine, but value for purchase would be less after the removal of supporting water systems.

Before withdrawing claim to Burns Spring, or accepting its cancellation by the State Water Rights Board, consideration should be given to the long period of drought reflected by precipitation records at Greenland Ranch (Furnace Creek Ranch), and action taken by the Greenes to remove the water system lateral. I recommend revocation of land use permit and removal of water system lateral if permit is nullified. However, I also advise against nullification of permit until end of statutory period for lapse, if Greenes plan to hold millsite claim in hope of resuming operations.

Federal claims under Application 15381, Permit 9604, Docket 9, should certainly be amended by petition as part of proof for license. Mr. Binnewies has not supplied sufficient detail for me to understand just what charges have been made. However, the petition should cover the point of diversion now in use. If there are still pipeline connections to, and the sources at either or both of two former points of diversion are likely to return to former flow, I should also petition for right to divert all, or any part of the water, from any of the sources.

I think the State is unjustly forcing the issue if insisting on licensing what may be subnormal flows at this time. However, it may be willing to license the use of past average or maximum flow, when available. This should be determined before filing the petition.



SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley
Chief, WODC

NO COPY MADE IN MAIL ROOM

04-20-1959: superintendent, death valley; regarding mr. chesler report of burns spring-dry. ; april 20, 1959

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

April 20, 1959

RECEIVED
IN REPLY REFER TO:
NPS REGION FOUR OFFICE
MAY 19 '59 L 54

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS	[illegible]	5/19
ADMIN.		
RECREATION		
INTERP.		
LEGAL		

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

Subject: Water Right Application 13852, Burns Spring

*Spaulding LSS 6/4
See memo of 6/5 to Supt.

On Saturday April 11 Mr. Chesler, Engineer of the State Water Rights Board, made an inspection of Burns Spring and found that it is dry with little probability that water can be developed. It is his recommendation that Application 13852, Permit 8536, be cancelled as it relates to Burns Spring. If there is no objection we will sign the request for cancellation.

Fred W. Binnewies
Superintendent

In duplicate

Copy to Director

118

12-15-1958: memo from chief, water resources section; subject: progress report, burns spring. ; december 15, 1958

IN REPLY REFER TO:
L54-OBL

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

RECEIVED
NPS REGION FOUR OFFICE
DEC18 '58

December 15, 1958

SURNAME
REG. DIR.
ASST. R.D.
OPERATIONS
ADMIN.
RECREATION
RESOURCES
CHIEF

Memorandum (AIR MAIL)

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Progress Report, Burns Spring, Application 13852, ~~Docket 88,~~
Part II, Death Valley

The four attached forms for the subject report have just been received, attention A. van V. Dunn, under December 8 post mark. I assume that the notice was first sent to Detloff and Dobbins, who disowned interest in Burns Spring. This should be explained in forwarding the belated report to the State Water Rights Board.

I believe the report should indicate that it covers only the Federal use of Burns Spring. The report should also conform with those for other springs covered by same docket. Since Detloff and Dobbins have been reluctant to sell their interest in the rights to the other springs, I am inclined to let their rights lapse unless they take action to the contrary. You might discuss this with Mr. McClellan.

There are only enough copies of the form for the State, Monument, Region and here. Either send us a good carbon to duplicate for WODC, or get a good photostat for their assembly.

A. van V. Dunn
Chief, Water Resources Section

Attachments 4

Copy to: Superintendent, Death Valley
Chief, WODC

Docket 22 left side Vol. 2
make copy for Alien WR 34

IN REPLY REFER TO:
154-OBL

RECEIVED
NPS REGION FOUR OFFICE
NOV 28 '58

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

November 24, 1958

	SURNAME	DAT
REG. DIR.		
ASST. R.D.		
OPERATIONS	Butterworth	
RECREATION		
INTERP.		
LEGAL		

Spaulding LBS 12/23

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Amendment of Rights under Application 13852, Permit 8536, Part II, Docket 22; and Part VII, Alien Water Right 34, Death Valley

The two attached copies of the order correcting points of diversion and place of use under Application 13852 should be filed above the petition in Docket 22 and above the application in Alien Water Right 34, in the designated parts of those assemblies. Similar copies are being sent to WODC for its assemblies.

The original and one copy are being sent to the Superintendent, and the original should go in Docket 22, and the copy in the alien water right. Part VII of the alien water right contains applications 13851 and 13852, and the order should be on top of the proper application.

Also attached is a print of the drawing which was prepared primarily for Application 16138, which I have marked to support the petition for amendment of Application 13852. The petition in Part II, Docket 22 of my assembly is above a modified print of the USGS quadrangle. I suggest that the attached drawing be filed between the petition and the quadrangle.

Also distributed are copies of the cover letter of November 6 from Mr. Hill of the State Water Rights Board.

A. van V. Dunn
Chief, Water Resources Section

Attachments 4

Copy to: Superintendent, Death Valley, with 4 attachments
Chief, WODC, with 4 attachments

114
copy filed in Alien WR 34

	SUPT.
	CH. RGR.
	NAT'L.
	ENGR.
	ADM. ASST.
	SUP. CLK.

L-54

March 1958

March 27, 1958

Memorandum

To: Director

From: Regional Chief of Operations, Region Four

Subject: Water Right Application 13852 of Detloff and Dobbins, Alien Water Right 34, Death Valley

During his recent trip to Death Valley, Mr. Spaulding discussed with Superintendent Binnewies the course of action to be taken in connection with a petition changing the Detloff and Dobbins water right application.

Mr. Dunn listed three alternatives in his memorandum of March 7 that Superintendent Binnewies might urge upon Detloff and Dobbins in regard to the petition sent them by the State Water Rights Board. The petition changes the description of spring locations to agree with the revised description previously made for water rights in the same area held by the United States.

The simplest course for Detloff and Dobbins is to sign and return the petition. The water board advised by letter of March 13 that a fee is not required in this case.

It is unlikely Detloff and Dobbins would withdraw their claims to water under applications 13851 and 13852, but they may be willing now to assign their rights to the United States in exchange for a permit for water use. The Greenes appear satisfied with the arrangement on Wee, Covered and Burns Springs. Their experience may induce Detloff and Dobbins to follow the same course and assign their rights to the United States.

Mr. Spaulding's conversation with Mr. Binnewies concluded that it was up to Detloff and Dobbins to decide on the action they will take in regard to the petition. Mr. Dobbins visited the mill recently but did not call at headquarters to discuss either the future of the mill or water rights.

Mr. Spaulding made a stadia survey of the springs above Detloff's mill, the notes of which have not yet been reduced. To enable Mr. Dunn to make a check on the location of Burro Spring, traverse notes to that spring are attached.

(SGD) FRED T. JOHNSTON

Attachment

Copy to: Supt., Death Valley

Fred T. Johnston
Regional Chief of Operations

Docket 22 R5
Folder 2

STADIA TRAVERSE TO BURRO SPRING March 1958 Spaulding

Point	Distance	Bearing	Remarks
12		N75° 13' W	NPS Brass Mon. 1953 survey
11	1733	S55° 39½' W	NPS Brass Mon. 1953 survey
11 B	2432	S53° 07½' W	1 x 2 stake
16	877	S32° 57½' E	NPS Brass Mon. set 1958
Burro Spring			Center of concrete wall at tunnel portal

Docket 22-28
Folder 2

154-L

WESTERN OFFICE
DESIGN & CONSTRUCTIO
MAR 10 1958 A.M
CHIEF
ADMIN. ASSIST.
PERSONNEL
PLANS & PROG.
SAFETY
ARCHITECT
ENGINEER
LAND. ARCH.
ACTION TAKEN—DATE

March 7, 1958

22

Mr. L. K. Hill, Executive Officer
State Water Rights Board
1401 - 21st Street
P. O. Box 1592
Sacramento 7, California

Re: Application 13852, Permit 8536
Death Valley National Monument

Dear Mr. Hill:

We appreciate the opportunity to review the two petitions which were forwarded with Mr. Hill's letter of February 21, by which Detloff and Dobbins will obtain an amendment of their share of the rights under Application 13852, if they sign and return them with a $10.00 filing fee.

The copy of the Petition for Correction of Description of Place of Use correctly indicates that the rights are evidenced by Application 13852, Permit 8536. For some unknown reason, unless it is a typographical error, the Petition for Change in Points of Diversion, indicates that the rights are evidenced by Application 10952, Permit 8536. Perhaps the erroneous, underlined application number is only on the copy of the petition which you have prepared for us.

We find the two petitions to be entirely satisfactory in all other respects, subject to such minor corrections as may become necessary when an actual survey of the pipeline of Detloff and Dobbins is obtained. The corrections will at least place the springs in approximate proper geographical positions, and will eliminate any possible question of conflict with existing water sources claimed under other water right applications.

We shall appreciate further advice as to how the one suggested error is corrected, any changes which may be made in the petitions by the claimants, and the dates when they are signed and filed in your office. We will be particularly interested in knowing how the petitions are signed. This information will be used to complete the copies you have sent us, for permanent record.

We should also like to know, at this time, whether approval of our petitions for similar corrections in the portions of the rights relating to Burns Spring, is dependent on the action by Detloff and Dobbins.

Very truly yours,

(SGD.) A. VAN V. DUNN

A. van V. Dunn
Chief, Water Resources Section

Copy to: Detloff & Dobbins, % Art Detloff, P. O. Box 4, Trona, California
Regional Director, Region Four
Superintendent, Death Valley
Chief, WODC

160

SUPT.	✓
CH. RGR.	
NAT'L.	
ENGR.	
ADM. ASST.	
SUP. CLK.	

In reply refer to:
L-54

March 12, 1958

Personal Attention

Memorandum

To: Mr. Linn Spaulding, Hydraulic Engineer

Thru: Superintendent, Death Valley

From: Regional Chief of Operations, Region Four

Subject: Water Right Application 13852, Permit 8336, Alien Water Right 34, Death Valley

It is noted that the Superintendent has received a copy of Mr. Dunn's memorandum of March 7, on the above subject. It is suggested that at your convenience you discuss this with Mr. Binnewies to ascertain what further steps should be taken and determine what action Detloff and Dobbins are proposing to take.

We do not understand Mr. Dunn's reference to the need of paying a filing fee in this particular case unless there are some factors with which we are not acquainted. The letter from Executive Officer Hill of the State Water Rights Board of February 21 to Hobbins and Detloff specifically states in paragraph 2 that no fee is required. Do you know of any reason why a fee should be paid?

Fred T. Johnston
Regional Chief of Operations

Copy to: Director
Chief, WORC
Supt., Death Valley

Goodwin J. Knight
Governor

STATE OF CALIFORNIA

State Water Rights Board

HENRY HOLSINGER, CHAIRMAN
JOHN B. EVANS, MEMBER
W. P. ROWE, MEMBER

1401 21st STREET
P. O. BOX 1388
SACRAMENTO 7, CALIFORNIA

LESLIE C. JOPSON
CHIEF ENGINEER
LAWRENCE SPENCER
APPLICATIONS
JOHN PAGE
ADJUDICATIONS-RECORDATION

March 13, 1958

Application 13852

COPY

Mr. A. Van V. Dunn
Chief, Water Resources Section
U. S. Department of the Interior
National Park Service
Washington 25, D. C.

Dear Mr. Dunn:

Thank you for calling our attention to the typographical error on the petition to correct the description of the points of diversion for the Dobbins and Detloff portion of Application 13852. Please correct your copy of the petition by changing the number from 10952 to 13852.

We wish to advise that the filing of the petition by Dobbins and Detloff does not require a $10.00 filing fee as stated in the first paragraph of your letter since State law provides that no filing fee is required with petitions to correct descriptions. Petition fees are required only in cases where a physical change is contemplated in the project.

In regard to your question as to whether or not approval of your petitions will be contingent upon action by Dobbins and Detloff, it is our opinion that correction of the entire water right is or will be of benefit to all concerned and that failure to do so may result in considerable confusion. If the Dobbins and Detloff petitions are not returned, we will proceed with steps to initiate an administrative order correcting the description of this portion of the project to agree with the petitions of which copies were forwarded to you on February 21, 1958.

Action on the matter as outlined above will be considered within the near future.

Very truly yours,
/s/ L. K. Hill

L. K. Hill
Executive Officer

JTDupe

Docket 22 R5
Folder 2

03-07-1958: memo from chief, water resources section; subject: water rights application detloff and dobbins.

File Water Rights - Emigrant Canyon 155

L34-L

SUPT.	
CH. RCR.	
NAT'L.	
ENGR.	
ADM. ASST.	
SUP. CLK.	
Spaulding	155

FOR OFFICIAL USE ONLY

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Application 13852, Permit 6536, Alien Water Right 34, Death Valley

Attached are copies of the letters of February 21 to us, and to Detloff and Dobbins, from Mr. L. K. Hill, Executive Officer, State Water Rights Board, and my reply.

Only one copy of each petition and the supporting map were submitted. We are deferring duplication and distribution for Alien Water Right 34 until they can be completed as filed. The corrections are in nominal agreement with what we would offer, except that we have two quite different ties to Burro Spring.

We understood from Mr. Spaulding, in November, that Detloff and Dobbins had suspended operations and left Mr. and Mrs. Thad C. Greene in custodial occupancy. However, it is suggested that the Superintendent make every effort to see Mr. Detloff if he comes to the Monument, and determine whether he has filed the petitions, or try to induce him to do so.

I do not see any reason for Detloff and Dobbins not to sign and file the petitions, but they may be reluctant to pay any filing fee, if they are not working, or are uncertain as to their future activity at Death Valley. You will note that I have specifically asked Mr. Hill whether approval of the Federal petitions is dependent on the filing of the petitions of Detloff and Dobbins. I am advised informally by the Solicitor's Office that the United States could probably pay the filing fee if that were essential to the proper amendment of the Federal portion.

Accordingly, I suggest that the Superintendent attempt to have Detloff and Dobbins follow one of the following courses, which are listed in the order of preference:

Docket 22 RS
Folder 2

February 21, 1958

Applications 13851, 13852

Dobbins and Detloff
c/o Art Detloff
P. O. Box 4
Trona, California

Gentlemen:

The enclosed petitions and map have been revised in accordance with more recent information and should supersede the petitions and map which were sent you on January 16.

If the petitions meet with your approval, you may retain the map and one copy of each of the petitions for your files and return one signed copy of each petition for further action. No fee is required.

We are requesting this correction in order that the location of your portion of the project will retain its proper relationship with that of the Park Service project, and also that one map may be used to depict the entire project.

Correction of description of Application 13851, License 4788, may also be in order; however, since this filing does not involve divided interests and you are the sole owners, no action will be initiated by this office and the matter will be left to your discretion.

Very truly yours,

L. K. Hill
Executive Officer

cc: U. S. Dept. of the Interior
National Park Service
Washington 25, D. C.
Attn.: A. van V. Dunn

enc. 2

98

Goodwin J. Knight
Governor

STATE OF CALIFORNIA

State Water Rights Board

HENRY HOLSINGER, CHAIRMAN
JOHN B. EVANS, MEMBER
W. P. ROWE, MEMBER

1416 9th STREET
P. O. BOX 1382
SACRAMENTO 7, CALIFORNIA

LEELE C. JOPSON
CHIEF ENGINEER
LAWRENCE SPENCER
APPLICATIONS
JOHN PAGE
ADJUDICATIONS & PETITIONS

February 21, 1951

Application 13852

Your ref.: L54-L

U. S. Department of the Interior
National Park Service
Washington 25, D. C.

Attention: A. van V. Dunn, Chief
Water Resources Section

Gentlemen:

This will acknowledge your letter of February 3. Enclosed are copies of the petitions and supporting map for Dobbins and Detloff which we compiled from your projection of the public land survey on the U.S.G.S. Emigrant Canyon sheet. The correction is desirable at this time for uniformity of descriptions. We have no other filings upon our records wherein separate points of diversion are referenced to different projections of the public land survey. You will no doubt appreciate that such a situation is a potential source of confusion, especially to those coming in contact with the file without benefit of previous knowledge regarding the situation.

If Dobbins and Detloff execute and return the petition to this office we will notify you accordingly and you will be given an opportunity to protest the proposed correction if it is believed that such a correction will result in injury to the Park Service.

If and when a reliable survey of the area is completed our records can again be amended, if required. It has not been our policy to impose upon an applicant the

97

burden and expense of an extensive survey in areas where the public land lines are not established, but to project the lines on the best map available and correct the descriptions at no expense to the applicant at such time as more accurate data becomes available.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

cc: Dobbins and Detloff
c/o Art Detloff
P. O. Box 4
Trona, Calif.

enc. 2

Goodwin J. Knight
Governor

STATE OF CALIFORNIA

State Water Rights Board

1401 21st STREET
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

HENRY HOLSINGER, CHAIRMAN
JOHN B. EVANS, MEMBER
C. P. ROWE, MEMBER

LESLIE C. JOPSON
CHIEF ENGINEER
LAWRENCE SPENCER
APPLICATIONS
JOHN PAGE
ADJUDICATIONS-RECORDATIONS

February 5, 1958

Application 13852

J. S. Department of Interior
National Park Service
Washington 25, D.C.

Attention: Mr. A. van V. Dunn
Chief, Water Resources Section

Gentlemen:

In our letter of September 27, 1957, we inadvertently omitted reference to the transfer of the Greene interest in Application 13852 to the Park Service.

Please be advised that in accordance with the water right assignment received on August 26, 1957, we have removed the names of Thad C. and Jo L. Greene from the list of owners of Application 13852 and that the ownership of Application 13852 now stands upon our records in the names of Art Detloff and Dobbins and U. S. Department of Interior, National Park Service.

Future correspondence in the matter will be addressed to United States Department of the Interior, National Park Service, Washington 25, D.C. and copies will be sent to Detloff and Dobbins in care of Art Detloff, Box 4, Trona, California

Very truly yours,

L. K. Hill
L. K. Hill
Executive Officer

cc: Dobbins and Detloff
c/o Art Detloff
Box 4
Trona, California

L54-1

February 3, 1958

Mr. L. K. Hill, Executive Officer
State Water Rights Board
1401 - 21st Street
P. O. Box 1592
Sacramento 7, California

Re: Application 13852
Death Valley

Dear Mr. Hill:

We have received the copy of your letter of January 16 to Detloff and Dobbins, submitting a petition and supporting map for their signature to amend their share of the rights under the subject application. We should like to have a copy of the petition and supporting map if Detloff and Dobbins sign the former.

Please refer to our letters of April 16, 1957, and supporting drawing No. 6983 and of December 17, 1957, concerning Applications 13852, 15539, and 16138. Although we placed the emphasis on the impropriety of Federal amendment of Detloff and Dobbins Applications 13851 and 13852 in our letter of December 17, 1957, we were equally reluctant to amend those applications because we did not have the data to reconcile the claimants' locations of springs with those shown on the Geological Survey map, to project those springs not shown on the quadrangle, or to show the Detloff and Dobbins water system.

The Geological Survey has assured us that spring location should be correct to within 10 or 20 feet, where shown, which is far less than the difference between Geological Survey and Detloff and Dobbins locations. The difference is largely due to difference in accuracy, but may be due to difference in identity of some springs. It was my own personal idea to leave your proposed amendments until either the claimants or this Service could supply a reliable map of the water system. It is debatable how far any amendment based on existing data may need further change before all water sources in the vicinity are shown with their proper relations.

Very truly yours,

SIGNED
A. van V. Dunn
Chief, Water Resources Section

Copy to: Regional Director, Region Four)
Superintendent, Death Valley) ALL DETACHED
Chief, WCDC)

COPY

State of California
STATE WATER RIGHTS BOARD
1401 - 21st St.
P. O. Box 1592
Sacramento 7, California

January 16, 1958

Application 13852

Detloff and Dobbins
c/o Art Detloff
Box 4
Trona, California

Gentlemen:

On December 17, 1957, this office received a letter from the United States Department of Interior, National Park Service requesting permission to correct the point of diversion of Burns Spring, under Permit 8536. This correction appeared necessary from the results of inspection of the 1952 USGS Quadrangle "Emigrant", and other Federal surveys. Their petition to correct the point of diversion is only for Burns Spring.

We have prepared a map from the information in this office and have located Green Spring, Willow Spring and Burro Spring on it along with Burns Spring. In order to correlate the location of other applications in the same area, it would be advantageous to have all applications use the same reference points. It is with this thought in mind that we are sending you a copy of the map, along with petitions for your approval.

If the location of your project is correctly shown and meets with your approval, please sign the petitions and return them to this office.

If we can be of further assistance to you in this matter, please feel free to call upon us.

Very truly yours,

/s/ L. K. Hill

L. K. Hill
Executive Officer

JM:ram
cc: U. S. Department of Interior

90

COPY

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD
1401 - 21st St.
P. O. Box 1592
Sacramento, California

Alien WR
Docket #2

December 6, 1957

Applications 13852, 15539

U. S. Department of Interior
National Park Service
Washington 25, D. C.

Gentlemen:

Reference is made to your petition to correct the description of location of Burns Spring as set forth by Application 13852, Permit 8536 and to your petition to correct the description of location of Covered and Wee Springs as set forth by Application 15539. The locations of Burro, Green and Willow Springs as described in Application 13852 should also be corrected as well as the places of use under both applications.

We note that the petition in connection with Application 13852 contains a statement to the effect that further surveys are required before the locations of Burro, Green and Willow Springs are corrected.

We are of the opinion that the descriptions of all points of diversion and places of use should be corrected by the issuance of a single order on each application unless circumstances are such as to make acquisition of the survey data impracticable.

Action on the petitions will be deferred pending receipt of a petition to correct the description of Burro, Green and Willow Springs and location of the places of use under Application 13852, also a petition to correct the description of the place of use under Application 15539.

Very truly yours,

/s/ L. K. Hill

L. K. Hill
Executive Officer

08-07-1957: letter to dobbins attached to a copy of petition for correction of description of point of diversion. ; august 07, 1957

Death Valley National Monument
Death Valley, California

August 7, 1957

Mr. D. A. Dobbins
1106 Isabel Street
Burbank, California

Dear Mr. Dobbins:

Attached for your information is a copy of Petition for Correction of Description of Point of Diversion that is being filed with the State Water Rights Board to correct the description under Application 13852 for Burns Spring. This does not affect water rights but ties the spring to Bench Mark M-165 rather than to an unidentified marker.

Sincerely,

Fred W. Binnewies
Superintendent

Attachment

cc File
cc
FWBinnewies:ekm

Docket 22 RS
Folder 2

06-25-1957: letter to detloff attached to copy of petition for correction of description of point of diversion. ; june 25, 1957

In reply refer to:
L 54

Death Valley National Monument
Death Valley, Calif.

June 25, 1957

Mr. Art Detloff
Wildrose Station
Trona, Calif.

Dear Art,

Attached is a copy of "Petition for Correction of Description of point of Diversion" that the Chief of Water Resources, A Van V. Dunn requested that we send to you. It does not affect your use of water in any way but corrects the description in accordance with the latest available information. Mr. Dunn also suggests that all of the points of diversion and places of use under your rights 13851 and 13852 should be corrected along this line.

I have not heard from you for some time and would like to know what plans you have for the mill. If it is to be liquidated we might possibly be interested in one of the generators.

Things are warming up here in the Valley now. Better come out and get some sunshine.

Best regards,

Fred W. Binnewies
Superintendent

Docket 2.2 RS
Folder 2

In reply refer to:
L4

April 29, 1957

Memorandum

To: The Director

From: Assistant Regional Director, Region Four

Subject: Water Right Applications 13852, 15539 and 16138, Docket 22 and Water Use Permit of Thad C. and Jo L. Greene, Death Valley

We have today received the original of the water right assignment in this matter signed by Thad C. Greene and Jo L. Greene, which has been duly recorded on March 14, 1957 in Volume 125, page 603, of the Official Records of Inyo County, California.

The original and three copies of the assignment are attached.

(SGD) HERBERT MAIER

Herbert Maier
Assistant Regional Director

Attachments 4

Copy to: WODC. With a copy of assignment.

WESTERN OFFICE
DESIGN & CONSTRUCTION
APR 30 1957 A.M.
CHIEF
ADMIN. ASSIST.
PERSONNEL
PLANS & PROG.
SAFETY
ARCHITECT
ENGINEER
LAND. ARCH.
ACTION TAKEN—DATE
None

L54-L

RECEIVED
NPS REGION FOUR OFFICE
APR 22 '57
SURNAME(S)
REG. DIR.
ASST. R.D.
OPERATIONS
ADMIN.
RECREATION
INTERP.
LEGAL
Lands OFM 5/

April 16, 1957

Docket 22

State Water Rights Board
P. O. Box 1592
Sacramento 7, California

Re: Applications 13852, 15539 and
Death Valley National Mon

Dear Sir:

In the clarification of Federal rights to the use of water under the subject applications, largely for domestic and milling purposes at the millsite of Thad C. and Jo L. Greene, our first step will be to file amended Application 16138. Our second step will be to file an amendment of Application 13852, to change the place of use of waters of Burns Spring from the old Journigan (now Detloff and Dobbins) Millsite to the Greene Millsite and adjacent Federal lands. It also appears that Application 15539 will need amendment to agree as to geographical location.

When we filed Application 15381 for the appropriation of Lower Emigrant and Pioneer Springs, we pointed out that those springs were in unsurveyed land and could be described in different sections by projection from the north, west and south, and that we preferred to use a projection which would differ with that in Application 5073 for the earlier appropriation of waters of the same Lower Emigrant Spring by the General Hotel Company. We were instructed by letter of July 10, 1953, to use the projection adopted by the General Hotel Company to assure that the identity of the Lower Emigrant Spring in Applications 15381 and 5073 would be clear.

By letter of November 30, 1953, Mr. Harvey O. Banks, then Assistant State Engineer, submitted a sketch showing the ties to the springs as described in Applications 13851, 13852, 15539, 15557 and 15558, among others. Enclosed is the 1952 USGS Emigrant Quadrangle, based on 1948 aerial photographs, which shows most of the springs covered by those applications, and the subdivision of T 19 S, R 45 E, MDB&M. In connection with our work in Trail Canyon (Nichols, Ramos, etc.), we have found and used the NE Corner, Section 1, T 19 S, R 45 E, MDB&M, and found it to agree with the location shown on the Emigrant Quadrangle and our surveys in Trail Canyon. On inquiry, we have also been advised by the Geological Survey that said Quadrangle should be accurate as to topography within about 25 or 30 feet. Accordingly, it seems logical to describe all land subdivision within the Quadrangle, which are tied to the Mt. Diablo Base (some land on the east may be traversed by the San Bernardino Meridian) by ties to T 19 S, R 45 E, MDB&M.

57

Enclosed is a print of our working sketch, NM-DV-6963, on which we show the subject springs with their inter-relation as projected from that Quadrangle, and with the projected land subdivision projected from the north line of T 19 S, R 45 E, MDB&M, as closely as we can measure them. From these basic data, we have also shown an apparent NE Corner Section 32, T 17 S, R 44 E, MDB&M from the recorded applications (also ties given with aforesaid letter of November 30, 1953). This sketch also shows the chained Park Service surveys, except where stadia is indicated, to locate the present (disturbed) location of Mineral Monument M-165, the iron pipe which the present miners claim to have been accepting as said M-165 or the NE Corner said Section 32, and the Greene Water System and part of the springs with relation to Burns Spring.

With the exception of Malapai, Canyon and Burro Springs, there is relatively good agreement as to the related locations of the springs. However, it is evident that the ties given in the miner's application are crude and erroneous. We shall appreciate your concurrence in our proposal to correct all ties and land subdivisions to agree as far as possible with the basic data on the Emigrant Quadrangle. This will make it necessary to correct Application 15539 as well as 13852 and 16138 at this time, and show how other sources of water for Detloff and Dobbins should be corrected for Applications 13851, 13852 and 15539 as the opportunity arises.

Sincerely yours,

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Enclosures 2

Copy to: Superintendent, Death Valley, w/c NM-DV 6963
Regional Director, Region Four, w/c NM-DV 6963
Chief, WODC

57

Governor

STATE OF CALIFORNIA

State Water Rights Board

1401 - 21st Street

P. O. BOX 1542

SACRAMENTO, CALIFORNIA

HENRY HOLSINGER, CHAIRMAN
JOHN B. EVANS, MEMBER
W. P. ROWE, MEMBER

LESLIE C. JOHNSON
CHIEF ENGINEER

March 5, 1957

Applications 13852, 15539

Thad C. and Jo L. Greene
P. O. Box 397
c/o Wildrose Station
Trona, California

Dear Sir and Madam:

This will acknowledge receipt of your letter of February 24, 1957, regarding a permit issued to you.

In checking our files we find that Permit 8536 was issued on April 30, 1951 covering appropriation of water from Burro Spring, Green Spring, Willow Spring and Burns Spring. It is also noted that a partial assignment of Permit 8536 to appropriate water from Burns Spring was made to Thad C. and Jo L. Greene on August 30, 1955. The amount specified from Burns Spring is 1920 gallons per day. If you desire a copy of this permit we will be happy to send our copy to a local blueprint company to have a photostat made. The bill for the service would be sent direct to you.

In regard to your Application 15539, we find that a permit has not as yet been issued pending the clearing of certain matters with the National Park Service. Mr. A. van V. Dunn, Chief of Water Resources Section, has recently informed us that these matters will be cleared in the near future, and at that time the permit in connection with your Application 15539 will be issued.

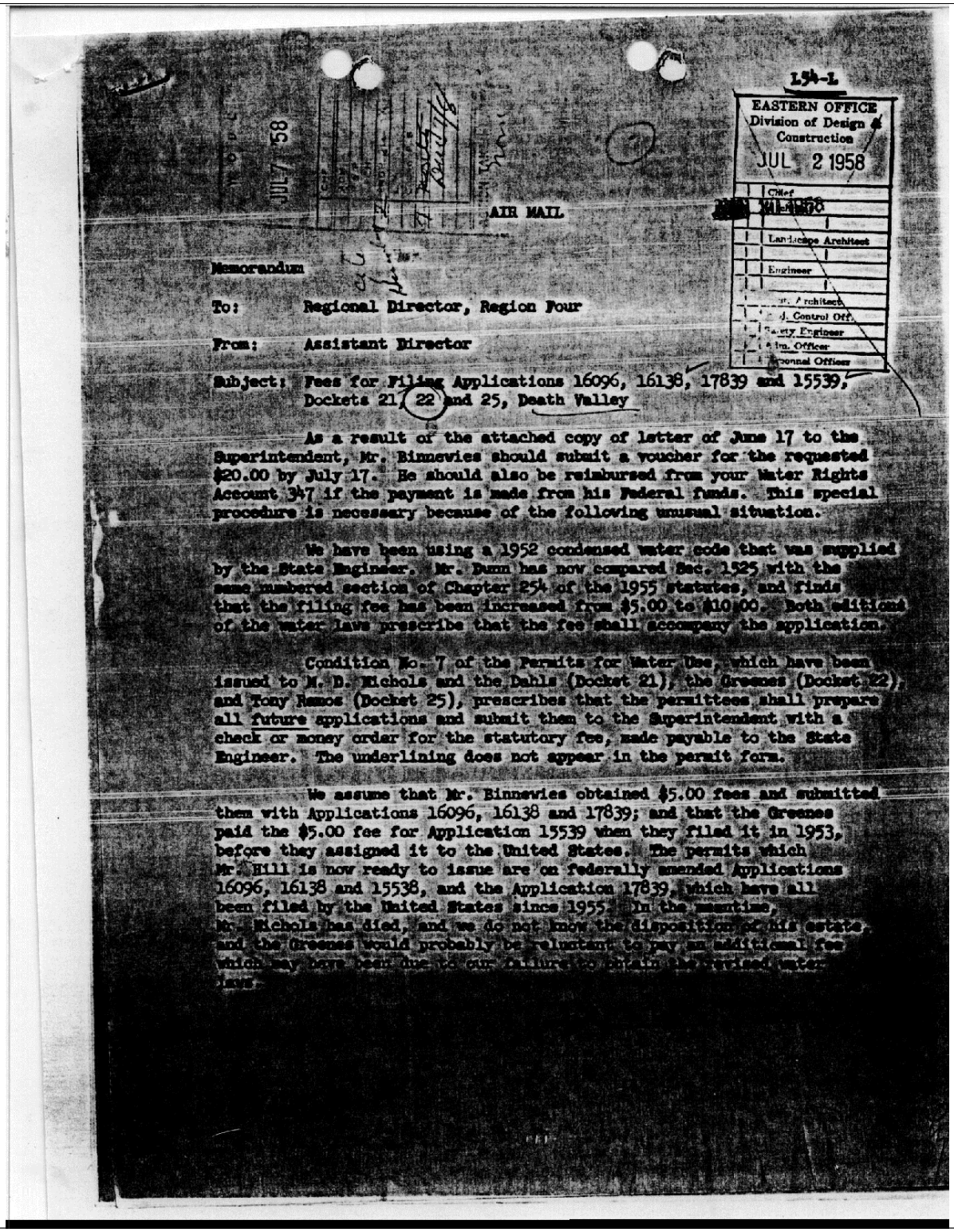
If we can be of any furtner assistance to you in this matter, please feel free to call upon us.

Very truly yours,

STATE WATER RIGHTS BOARD
LESLIE C. JOHNSON, Chief Engineer

By _____
L. C. Spencer

03-05-1957: memo from assistant director to region four requesting a voucher for fees. ; march 05, 1957



L54-L

EASTERN OFFICE
Division of Design & Construction
JUL 2 1958

Chief
Landscape Architect
Engineer
Control Off.
Engineer
Officer
Personnel Officer

JUL 7 '58

AIR MAIL

Memorandum

To: Regional Director, Region Four

From: Assistant Director

Subject: Fees for Filing Applications 16096, 16138, 17839 and 15539, Dockets 21, 22 and 25, Death Valley

As a result of the attached copy of letter of June 17 to the Superintendent, Mr. Binnewies should submit a voucher for the requested $20.00 by July 17. He should also be reimbursed from your Water Rights Account 347 if the payment is made from his Federal funds. This special procedure is necessary because of the following unusual situation.

We have been using a 1952 condensed water code that was supplied by the State Engineer. Mr. Dunn has now compared Sec. 1525 with the same numbered section of Chapter 254 of the 1955 Statutes, and finds that the filing fee has been increased from $5.00 to $10.00. Both editions of the water laws prescribe that the fee shall accompany the application.

Condition No. 7 of the Permits for Water Use, which have been issued to M. D. Nichols and the Dahls (Docket 21), the Greenes (Docket 22), and Tony Ramos (Docket 25), prescribes that the permittees shall prepare all future applications and submit them to the Superintendent with a check or money order for the statutory fee, made payable to the State Engineer. The underlining does not appear in the permit form.

We assume that Mr. Binnewies obtained $5.00 fees and submitted them with Applications 16096, 16138 and 17839; and that the Greenes paid the $5.00 fee for Application 15539 when they filed it in 1953, before they assigned it to the United States. The permits which Mr. Hill is now ready to issue are on federally amended Applications 16096, 16138 and 15538, and the Application 17839, which have all been filed by the United States since 1955. In the meantime, Mr. Nichols has died, and we do not know the disposition of his estate and the Greenes would probably be reluctant to pay an additional fee which may have been due to our failure to obtain the revised water laws.

We have authority to pay filing fees. We also believe that all of the subject permittees should be treated alike in this case. The permittees have also been subjected to considerable inconvenience. Accordingly, we recommend that the present Federal payment be made without bothering the permittees further. We also believe that the reference to payment of the small filing fees might be deleted from Condition 7 before additional permits are issued.

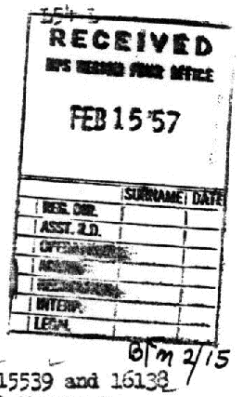
(SGD) JACKSON E. PRICE

Assistant Director

Attachment

Copy to: Superintendent, Death Valley - AIR MAIL
Chief, WODC, w/c attachment

02-12-1957: letter to california state water rights branch; enclosed with a voucher and purchase order ;applications 13852,15539 a



February 12, 1957

Mr. Leslie C. Jopson, Chief Engineer
State Water Rights Board
P. O. Box 1592
Sacramento 5, California

Re: Applications 13852, 15539 and 16138
Death Valley National Monument

Dear Mr. Jopson:

Enclosed are a voucher and purchase order in favor of the Atlas Blue Print Company, 916 14th Street, Sacramento, California, for photostat negatives of all pages of Application 15539 and the supporting map. An extra copy of this letter is also enclosed for the Company, to advise that the estimated cost of $2.00 on the purchase order is only to set up our obligation and the voucher should be signed and returned with the correct price.

We have now clarified the water right status of Mr. and Mrs. Greene and of the various miners in Trail Canyon, and the United States. We are therefore ready to amend water rights under Applications 16138 and 16096, but the amendment of the former involves the use of a combined water system under the three subject rights, and we seem to have neglected to obtain a copy of Application 15539.

Very truly yours,

A. van V. Dunn
Chief, Water Resources Section

Enclosures 3

Copy to: Atlas Blue Print Company
Regional Director, Region Four
Superintendent, Death Valley

02-11-1957: memo to region four; subject: applications 13852,15539,16138 and water use permit of thad and jo greene. ; february

IN REPLY REFER TO:
L54-L

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

RECEIVED
NPS REGION FOUR OFFICE
FEB 15 '57

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
[illegible]		
RECREATION		
INTERP.		

February 11, 1957

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Applications 13852, 15539 and 16138, Docket 22 and Water Use Permit of Thad C. and Jo L. Greene, Death Valley

This is in reply to the memoranda of January 8 and 18 from Mr. Maier.

Although the Water Use Permit of December to the Greenes now differs with those issued to Nichols and the Dahls in October, as to conditions 14 and 15, we assume that the revisions had the approval of the Regional or Field Solicitor.

Incidently, the proposed permit to Tony Ramos, on which we offered comments by memorandum of February 6, did not have those revisions, or the change to refer to the State Water Rights Board instead of the State Engineer in conditions 7 and 8.

It is also satisfactory to authorize the use of only 10,380 gallons of water per day, derived in part from night storage of a continuous daily diversion of 7.2 gpm, for milling use at the rate of 12 or more gallons per minute during 8 to 12 work hours. This probably represents conditions better than the authorization of use of 12 to 15 gpm in the permits to Nichols, the Dahls, and as proposed to Tony Ramos. In the separate memoranda concerning the other Permits for Water Use, I have suggested that the daily limit, as in the Greene permit would be better. But, since two of the other three permits have been issued, the reduction in quantity for the Greenes may be unfair.

Technically, the supplemental specification of the rate of use or diversion from the springs, in second feet, forces the Greenes to divert at a uniform rate throughout the day, and to provide night storage to permit the required greater use during work hours. If the flow of the four springs increases they will still be limited to the specified rate of diversion and possible needless maintenance of excessive storage. This provision is excellent in that it assures a continuous potential flow for others. On the other hand, it is consistent with the other permits which authorize 24 hour diversions at the rate of need for the mill tables, if they can get it. The Greene permit will be clearer as to who may have to provide what storage if another permittee is granted subpriority No. 3.

Since the Greene permit has been granted, we should have an instrument by which the Greenes assign their rights under Applications 13852 and 15539 to the United States. At the present moment the Greenes have a right to divert, and fully use 30,000 gpd from Covered and Wee Springs under their Application 15539, with no restrictions except availability and the possibility that the Permit for Water Use might be cancelled as a permissive surface use if they exercised their full rights. The same condition exists with relation to the use of 3,200 gpd from Burns Spring under Application 13852 if the failure to record the Bennett and Barginski assignment to the United States in 1951 was nullified by the recorded Detloff assignment to the Greenes in 1953.

Since we now have the copy of the Permit for Water use for the State Water Rights Board, and will complete and file amended water right applications, we suggest that the Superintendent obtain the instrument by which the Greenes assign their rights under both applications, in a form satisfactory to the Regional Solicitor, and that the instrument be recorded in the county and forwarded to this office for duplication for dockets and the State Water Rights Board. The copy for the State Water Rights Board will be needed for water right amendments.

It is assumed that the water from Burns, Chucker, Covered and Wee Springs is all piped to the Greene storage tanks and thence distributed through one pipe. It will be necessary to reconcile the common portions of the water system served by diversion pipes from Chucker, Covered and Wee Springs. We can show the Chucker portion in accordance with the memorandum of December 21, 1956, from Mr. Binnewies, but have just realized that we have not obtained the copy of Application 15539 and supporting map, and have ordered a copy from the State Water Rights Board.

It also appears that although the rights to Burns Spring have been assigned to both the United States and the Greenes, the rights under Application 13852 still authorize water use at the Journigan or Gold Bottom Mill and not at the Greene Mill. This right will have to be amended, and the requested assignment of possible Greene interests is to be used to clarify the authority of the United States to do so.

Our print of Drawing 2086 does show a pipe from Wee Spring to the 20,000 gallon reservoir, and thence directly to the Mill. It also shows a pipeline from Burns Spring, picking up the flow of Covered Spring, and terminating at the 750 and 1720 gallon tanks without connection to the mill or pipeline from the 20,000 tank. The memorandum of December 21, 1956, from Mr. Binnewies indicates that the pipeline from Chucker Spring terminates with deliveries to all three tanks. We need a tracing of the pertinent portion of the large scale plan on Drawing 2086 with these details clarified.

Mr. Binnewies also gives the tie from Chucker Spring to USGS Monument M-165 while Drawing 2133 gives the tie line from survey station 15

to the Greene Millsite. We have also advised the State Engineer, now State Water Rights Board, that M-165 was destroyed, and I have not yet found any record of having forwarded a print of Drawing 2133. It will be advisable to submit a print of Drawing 2133 with our amended applications, if you will send us one, and we should also have confirmation that Mr. Binnewies has given the tie to M-165 and not station 15, which we can check from Drawing 2133.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley
Field Solicitor McClellan (2)

08-17-1956: memo from region four; subject: applications 13852,15539,16138 and water use permit of thad and jo greene. ; augu

In reply refer to
L54

BFM
Manbey
McClellan

August 17, 1956

Memorandum

To: Director

From: Assistant Regional Director, Region Four

Subject: Water Rights under Applications 13852, 15539, and 16138, and proposed Water Use Permit to be granted to Thad C. and Jo L. Greene, Death Valley

Attached is copy of Regional Solicitor Burke's memorandum of July 20 on the above subject. It will be seen that Mr. Burke makes particular reference in this case to his "memorandum of July 19 upon the subject of Application 16096" which should be read in connection with that of July 20 on the above applications.

We believe Mr. Burke's letter is self explanatory. Attention is called to the penultimate paragraph in his memorandum suggesting an amendment in 36 C.F.R. 20.25(b) by de-emphasizing "monument lands" and clearly identifying the limitation with patented lands.

Mr. Burke also suggests we give consideration to a regulation in support of a reservation of rights-of-way for all lawful purposes incidental to the administration of the National Monument.

FILE COPY

Herbert Maier
Assistant Regional Director

Attachment

Copy to Death Valley
w/copy incoming

BFManbey/jd

07-17-1956: memo from superintendent, death valley; regarding findings from mr. langley; specifics. ; july 17, 1956

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

In reply refer to:
L54-L

RECEIVED
NPS, REGION FOUR OFFICE
JUL 23 1956

July 17, 1956

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REG. DIR.		
ASST. R.D.		
OPERATIONS		
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LEGAL	has seen	
Lands	BF	7/2

Wrote W.O. 7/2 BF

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley NM

Subject: Water Rights Under Applications 13852, 15539 and 16138, Thad C. and Jo L. Greene, Death Valley

All of the information requested in Mr. Langley's memorandum of June 14, 1956, on the above subject is not yet available but we will furnish what we can at this time. For ready reference we have numbered the paragraphs in Mr. Langley's memorandum and the following numbers correspond to them.

3. The tie from the bolt in the pavement to BM-M165 is shown in the traverse notes on the lower right of Drawing 2086. These can be added to the plan on the left of the sheet.

The land in question is unsurveyed and section lines would have to be projected. Some drawings show M165 as a section corner but Mr. Spaulding questions the accuracy of this assumption and believes that it requires further study.

4. Mr. Spaulding pointed out to the Greenes that the corners of the Art Lode claim as monumented takes the center line off of the vein and discovery monument. The Greenes decided to relocate the east monuments to leave the vein centered and still include Burns and Covered Springs.

5. The actual monuments for the millsite are uncertain, except for the one at the southwest corner that contains location papers. Mr. Spaulding started from this monument and drew the claim according to the description, using an unidentified cairn for orientation. It will require more field work if greater accuracy is necessary.

6. The descriptions were copied from the recorded notices and are as follows:

Greene Millsite, Vol. 67, p.203, located Sept. 6, 1953
Commencing at corner No 1 where this notice is posted, which is about 900 feet northeast from Covered Spring, thence

northeasterly 210 feet, thence northwesterly 1000 feet, thence southwesterly 210 feet, thence 1000 feet southeasterly to point of beginning.

Art Lode Claim, Vol. 67, P.209, located Sept. 6, 1953
Commencing at monument where notice is posted, which monument is at the point of discovery on said vein or lode on the center line of this location, we hereby claim 1,100 feet extending in a northeasterly direction. The general course of said vein or lode is northeasterly and southwesterly, as near as can be determined from present developments. Discovery monument is 500 feet from Burns Spring in an easterly direction there from and about 6000 feet from the Death Valley highway.

There are no other conflicting claims of record that we know of.

11. The Greenes have decided to abandon Chucker Spring since they have found no water of any consequence there. This may cancel the need for a water use permit if riparian rights are recognized on the other springs.

Fred W. Binnewies
Superintendent

Goodwin J. Knight
GOVERNOR OF CALIFORNIA

A. D. EDMONSTON, STATE ENGINEER
CHIEF OF DIVISION

FRANK B. DURKEE
DIRECTOR

STATE OF CALIFORNIA
Department of Public Works
SACRAMENTO

ADDRESS REPLY TO
DIVISION OF WATER RESOURCES
PUBLIC WORKS BUILDING
P. O. BOX 1079
SACRAMENTO 5

June 23, 1955

Application 13852

Mr. Fred W. Binnewies, Superintendent
Death Valley National Monument
Death Valley, California

Dear Mr. Binnewies:

Reference is made to Application 13852, Permit 8536 of Art Detloff, et al. to appropriate from Burro spring, Green spring, Willow spring, and Burns spring.

On April 22, 1955, this office received a petition requesting permission to change the place of use under the above-numbered filing. The place of use under the permit is described as being within NE¼ of NW¼ of Section 32, T 17 S, R 44 E, MDB&M. The aforementioned petition requests that the place of use be changed as follows: Mill site and camp within SW¼ of SE¼ of Section 29, T 17 S, R 44 E, MDB&M, and at mill site and camp within NW¼ of SW¼ of Section 5, T 18 S, R44 E, MDB&M.

Failing to hear to the contrary within 30 days, it will be assumed that the National Park Service has no objections to the change.

Very truly yours,

A. D. EDMONSTON, STATE ENGINEER

By W. R. Gianelli
W. R. Gianelli
Supervising Hydraulic Engineer

Docket 22 RS
Folder 2

03-16-1955: memo from regional chief of lands, region four; subject: water right interests of art detloff and alien water right 34. ; ma

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION FOUR
SAN FRANCISCO, CALIFORNIA

In reply refer to: L54

Supt.	FMS
C. Rgr.	
Nat.	
Gen. For.	
Fis. Clk.	
Stone.	
Whse.	
C. Clerk	

March 16, 1955

RECEIVED
MAR 18
DEATH VALLEY NATL MON.

Memorandum

To: Superintendent, Death Valley National Monument

From: Regional Chief of Lands, Region Four

Subject: Water Right Interests of Art Detloff, Alien Water Right 34, Death Valley

Reference is had to Mr. Allen's memorandum in this matter of February 8, copy of which was sent you February 17, also discussions had with you when you were in the Regional Office last week.

By copy of this memorandum to the Washington Office, we are requesting that consideration be given to the establishment of a separate water right as to Burns Spring. We believe it should be broken away from the other springs (Green, Burro, Willow) covered by Application No. 13852, Permit No. 8536, and given a Docket number, rather than an Alien water right. We think that much of the confusion that has arisen in examining the intricacies of these water rights has been due to the fact that Application 13852 covers four springs whereas our efforts have been solely related to the Burns Spring, and for that reason we feel there should be a separate water right to take care of Burns Spring.

Regarding the title of the United States to the rights to Burns Spring, there remains the matter of securing an assignment from the Greenes to the United States of any interest they may have in Burns Spring. In State Engineer Edmonston's letter of December 8, 1954 to Mr. James H. Bennett (copy attached), the closing paragraph reads:

"Unless, as you state, the transfer was not completed, it appears our records should be changed to indicate that all of the right, title, and interest to Burns Spring under Application 13852, Permit 8536 was assigned by you and Mr. Barginski to the United States. Action in the matter will be withheld for a period of 30 days in event you may wish to

Docket 22 RS
Folder 2

submit evidence in support of your statement. Failing to receive such evidence it will be assumed the transfer was legally effected and our records will be changed accordingly."

In a letter from Mr. Dunn to Mr. Edmonston, dated December 16, of which you were furnished a copy, Mr. Dunn in his closing paragraph states:

> "We believe that the confused rights to the waters of Burns Spring under Application 13852 will be clarified when Mr. and Mrs. Greene comply with the terms of the permit to be issued to them. They have already indicated that they will assign any interest they might have under a chain of title through Messrs. Bennett and Detloff."

On December 29, 1954, Mr. Edmonston wrote Mr. Dunn (copy attached), and, referring to the above quoted paragraph in Mr. Dunn's letter of December 16, stated:

> "Under the circumstances it appears preferable to leave the names of Thad C. and Jo L. Greene upon our records pending receipt of evidence of assignment of any interest they may have to the United States."

We assume that Mr. Bennett did not reply to Mr. Edmonston's letter of December 8, 1954. By this memorandum we are also requesting the advice of the Washington Office as to the desirability of obtaining from the Greenes at this time the assignment referred to.

Your attention is called to the third paragraph on page 2 of Mr. Allen's memorandum of February 8, to the effect that the records of the Division of Water Resources showed a potential claim or interest of Mr. Dobbins in Application 13852, "subject to the assignment of interests in the right to the one spring to the United States by Bennett and Barginski on November 30, 1951." It would appear from the record that any such claim or interest which Mr. Dobbins may have would be in the other springs covered by Application 13852, namely, Green, Burro, and Willow, since title to Burns Spring is in the United States and will be entirely clear when the assignment from the Greenes becomes a matter of record. In dealings with Mr. Detloff, where it appears Mr. Dobbins has a potential claim or interest, you will note Mr. Allen's statement that the United States will require evidence of Mr. Detloff's authority to sign for Mr. Dobbins, or the signature of both, on any instruments it receives or any permits it issues.

Docket 22 RS
Folder 2

The information requested by Mr. Allen as to whether Mr. Detloff filed the Annual Progress Report for 1954, was contained in the second paragraph of your memorandum of January 6, copy of which was forwarded with our memorandum of January 18 to the Washington Office, and which read:

> "In answer to Mr. Dunn's question in the last paragraph of his memorandum of December 15, Mr. Detloff did file the annual progress report on water rights that was due in October 1954."

You will also notice Mr. Allen's request for information from the State Engineer as to "what reports Mr. and Mrs. Greene have filed, if any, since they have water right interests by assignment and their own appropriative filings." Will you please secure this information.

Your attention is also directed to the statement that an authorized employee of the United States should report on the Federal interests next October.

B. F. Manbey

B. F. Manbey
Regional Chief of Lands

Attachments 2

Copy to: The Director

Rock 1 12 R5
Folder 2

To: Supt. Death Valley
Date forwarded 2/17
By: Region Four Office

In reply refer to:
L54-L

FEB - 8 1955

Memorandum

To: Regional Director, Region Four

From: Assistant Director

Subject: Water Right Interests of Art Detloff, Alien Water Right 34, Death Valley

It is not clear what the proposed use will be of answers to questions in the memorandum of January 6 from Mr. Binnewies, which was forwarded by memorandum of January 18. The following comments should be used with caution unless more explanation is offered.

Bennett and Barginski assigned their interests in Burns Spring, under Application 13852, to the United States by instrument of November 30, 1951. The assignment was belatedly recorded in the County or State Engineer's Office with our letter of July 26, 1954. Bennett and Barginski filed a "Notice of Assignment" of "all my right, title and interest in Application 13852" to Art Detloff, dated October 20, 1953. We do not have a copy of actual instrument of conveyance from Bennett and Barginski to Art Detloff, but the notice to the State Engineer does not imply any intent to assign interests previously assigned to the United States. The United States will doubtless take action to defend its title to the rights to Burns Spring, if necessary.

By instrument of November 20, 1953, Art Detloff assigned all his "right, claim and interest" to Burns Spring under Application 13852 to Thad C. Greene and Jo L. Greene. He filed a "Notice of Assignment" of same date with the State Engineer. By letter of August 9, 1954, Mr. Jopson of the Division of Water Resources acknowledged our belated filing of the copy of the assignment of rights to Burns Spring to the United States, and stated that rights under Application 13852 now stand in the names Dobbins, the Greenes, and the United States, with the omission of Art Detloff. He supported the record by reference to his receipt of a notice of assignment of a partial interest from Art Detloff to Detloff and Dobbins on November 2, 1953. By letter of December 29, 1954, to Mr. Detloff, Mr. Gianelli of the Division of Water Resources, advised that his partial title had been inadvertently deleted, and was now reinstated.

Docket 22 RS
Folder 2

Copies of all of the above instruments except the last are in our assembly of Part VIII of Alien Water Right 34. The letter of December 29, 1954, is in our letter file at this time. We have not attempted to clarify the relative interests in Burns Spring of the United States and the Greenes because we have been advised by you and the Superintendent that the Greenes have consented to assign any interest they or Mr. Detloff claimed in connection with the pending water use permit. We have no records to indicate that they have any interests in rights to other springs covered by Application 13852 as a basis for the records of the State Engineer.

The annual progress report on Application 13852 by Art Detloff for 1953, in Part VIII of Alien Water Right 34, was signed by only him for Dobbins and Detloff, and dated October 26, 1953. The aforesaid letter of August 9, 1954, from Mr. Jopson, indicates that on November 2, 1953, he received a notice of assignment of partial interest to Detloff and Dobbins. In the aforesaid letter of December 29, 1954, to Art Detloff, Mr. Gianelli asked whether Mr. Dobbins retains any interest in the water right.

It appears from these references that the State Division of Water Resources, was advised of Mr. Detloff's assignment to Mr. Dobbins of partial interest in rights under Application 13852 on November 2, 1953, that he assigned his interest in rights to Burns Spring to the Greenes 18 days later, on November 20, 1953, and that the records of the Division of Water Resources still showed a potential claim or interest of Mr. Dobbins as late as December 29, 1954, subject to the assignment of interests in the right to the one spring to the United States by Bennett and Barginski on November 30, 1951. The United States will require evidence of Mr. Detloff's authority to sign for Mr. Dobbins, or the signature of both, on any instruments it receives or permits it grants. So far we have never seen his signature on any instrument, and Mr. Dunn is reasonably certain that one letter from the Division of Water Resources, during the past year, indicates that the State Engineer, like this Service, does not even know his initials.

As a third point, Mr. Dunn asked whether Mr. Detloff filed the Annual Progress Report for 1954, in a memorandum of December 15, 1954. He believes that an affirmative answer was received, but we cannot locate it at the moment. He did not inquire about annual reports by Mr. and Mrs. Greene, and the State Engineer has not submitted any forms to this office for reports although he has questioned the authority of a permittee to sign for the United States. We shall appreciate confirmation on the Detloff report and should also like to

Docket 22 RS
Folder 2

Dupt.-
Death Valley

In reply refer to:
1554-3

know from them what reports Mr. and Mrs. Greene have filed, if any, since they have water right interests by assignment and their own appropriative filings. It has probably been sufficient for any owner of part interest in a recorded right to make the report to date, but an authorized employee of the United States should report on the Federal interests next October.

FEB - 8 1955

(SGD) THOMAS J. ALLEN

Assistant Director

To: Regional Director, Region Four

From: Assistant Director

In duplicate

Subject: Water Right Interests of Art Detloff, Alien Water Right 34, Death Valley

It is not clear what the proposed use will be of answers to questions in the memorandum of January 6 from Mr. Rinnewise, which was forwarded by memorandum of January 18. The following comments should be used with caution unless more explanation is offered.

Bennett and Barginski assigned their interests in Burns Spring, under Application 13852, to the United States by instrument of November 30 1951. The assignment was belatedly recorded in the County or State Engineer's Office with our letter of July 25, 1954. Bennett and Barginski filed a "Notice of Assignment of all my right, title and interest in Application 13852" to Art Detloff, dated October 20, 1953. We do not have a copy of actual instrument of conveyance from Bennett and Barginski to Art Detloff, but the notice to the State Engineer does not imply any intent to abbin interests previously assigned to the United States. The United States will doubtless take action to defend its title to the rights to Burns Spring, if necessary.

By instrument of November 20, 1951, Art Detloff assigned all his right, claim and interest to Burns Spring under Application 13852, to Thad G. Greene and Jo L. Greene. He filed a Notice of Assignment of same date with the State Engineer. By letter of August 9, 1954, Mr. Dopson of the Division of Water Resources acknowledged our belated filing of the copy of the assignment of rights to Burns Spring to the United States, and stated that rights under Application 13852 now stand in the names Robbins, the Greenes, and the United States, with the omission of Art Detloff. He supported the record by reference to his receipt of a notice of assignment of a partial interest from Art Detloff to Detloff and Robbins on November 2, 1953. By letter of December 29, 1954, to Mr. Detloff, Mr. Gianelli of the Division of Water Resources, advised that his partial title had been inadvertently deleted, and was now reinstated. Detloff report and should also like to

Docket 22 R5
Folder 2

01-17-1955: memo from chief, water resources section; subject: application 13852,alien water right 34,bennett,detloff, and thad an

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

In reply refer to:
L54-L

RECEIVED
NPS, REGION FOUR OFFICE
JAN 20 1955

January 17, 1955

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Application 13852 Alien Water Right 34, Interests of Bennett and Barginski Art Detloff, and Thad C. and Jo L. Greene. Death Valley

Attached are two copies of a letter of December 29 1954 from the Supervising Hydraulic Engineer State Division of Water Resources.

A photostat copy of the assignment of the water right should be the sixth page from top of Part VIII of subject docket. and dated October 20, 1953. The deed mentioned in the second paragraph of Mr. Gianelli's letter is believed to cover all mining interests including millsite locations, improvements, and water rights. Mr. Detloff probably has or will supply Mr. Binnewies with one or more copies in accordance with the provisions for obtaining the approvals and permits from this Service, which he needs. We should obtain copies for all assemblies of the docket before the approvals and permits are finally granted in any case, but there is no reason to demand them prematurely.

It also seems immaterial how Mr. Gianelli retains the record of title to Burns Spring until the negotiations with Mr. and Mrs. Greene are completed. However, if the promised assignments to the United States are not made, the approvals and permits should be held up until we obtain further legal counsel.

A. van V. Dunn
Chief, Water Resources Section

In duplicate

Attachments 2

Docket 22 RS
Folder 2

01-10-1955: memo from superintendent, death valley; subject: detloff water rights in burns spring. ; january 10, 1955

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

In reply refer to: ~~L3027~~ L 54

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NPS, REGION FOUR OFFICE
JAN 10 1955

January 6, 1955

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REG. DIR.		
ASST. R.D.		
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INTERP.		
LEGAL		

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley NM

Subject: Assignment of Water Rights in Burns Spring, Art Detloff

Inquiry has been made of Mr. Art Detloff concerning the interest that his partner Mr. Dobbins might have in Burns Spring that has been assigned to Thad and Jo Greene. Mr. Detloff showed us the instrument in which he acquired the interest to Burns Spring along with others, by assignment, under applications 13851 and 13852, from Bennett and Barginski in 1952. Mr. Dobbins was not mentioned and apparently Mr. Detloff alone had the right to reassign his interest to Mr.and Mrs. Greene. Mr. Detloff also stated that if there was any further question that he has the authority to sign for Mr. Dobbins, but that the water rights at that time were in his name.

In answer to Mr. Dunn's question in the last paragraph of his memorandum of December 15, Mr. Detloff did file the annual progress report on water rights that was due in October 1954.

Fred W. Binnewies
Fred W. Binnewies
Superintendent

In duplicate

14

C
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P
Y

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
Sacramento

December 29 1954

Application 13852

A. van V. Dunn
Chief, Water Resources Section
Department of Interior
National Park Service
Washington 25, D. C.

Dear Mr. Dunn:

Reference is made to our letter of December 8 to James H. Bennett a copy of which was forwarded to you.

On December 21 we received a letter from Mr. Art Detloff enclosing a photostatic copy of a deed from James H. Bennett and Max Barginski conveying certain properties "together with all rights now held to water by virtue of Application 13851 Permit 8535 and Application 13852, Permit 8536".

Reference is also made to your letter of December 16 which states "We believe that the confused rights to the waters of Burns Spring under Application 13852 will be clarified when Mr. and Mrs. Greene comply with the terms of the permit to be issued to them. They have already indicated that they will assign any interest they might have under a chain of title through Messrs. Bennett and Detloff."

Under the circumstances it appears preferable to leave the names of Thad C. and Jo L. Greene upon our records pending receipt of evidence of assignment of any interest they may have to the United States.

Very truly yours

A. D. EDMONSTON, STATE ENGINEER

By /s/ W. R. Gianelli
W. R. Gianelli
Supervising Hydraulic Engineer

cc: Art Detloff
James H. Bennett & Max Barginski
Thad C. and Jo L. Greene

Docket 22 R5
Folder 2

12-08-1954: letter to james bennett acknowledging receipt of his letter advising permits 8535 and 8536 had been transferred to art

EDMUND G. BROWN, GOVERNOR
STATE OF CALIFORNIA

STATE OF CALIFORNIA
Department of Public Works
SACRAMENTO

ADDRESS REPLY TO
DIVISION OF WATER RESOURCES
P. O. BOX 1079
SACRAMENTO 5
PUBLIC WORKS BUILDING
1120 N STREET

December 8, 1954

Applications 13851, 13852

Mr. James H. Bennett
1534 North Curson Avenue
Los Angeles 46, California

Dear Mr. Bennett:

COPY

Receipt is acknowledged of your letter of November 19, 1954, advising that on August 27, 1952, Applications 13851 and 13852, Permits 8535 and 8536 were transferred to Art Detloff, together with all water and water rights.

Your letter states that Burns Spring was to have been transferred to the National Park Service but that the transfer was not completed. In this connection we received from the National Park Service on July 30, 1954, a copy of an assignment dated November 30, 1951, of all the right, title and interest in and to Application 13852, Permit 8536 insofar as Burns Spring is concerned from yourself and Max Barginski to the United States of America, National Park Service. The copy appears to have been duly executed by yourself and Mr. Barginski and was notarized by Samuel F. Downs, Sr., Notary Public in and for the State of California, County of San Bernardino.

Unless, as you state, the transfer was not completed, it appears our records should be changed to indicate that all of the right, title, and interest to Burns Spring under Application 13852, Permit 8536 was assigned by you and Mr. Barginski to the United States. Action in the matter will be withheld for a period of 30 days in event you may wish to submit evidence in support of your statement. Failing to receive such evidence it will be assumed the transfer was legally effected and our records will be changed accordingly.

Very truly yours,

A. D. EDMONSTON, STATE ENGINEER

By W. R. Gianelli
W. R. Gianelli
Supervising Hydraulic Engineer

cc: Art Detloff
A. van V. Dunn
Thad C. and Jo L. Greene

10

11-16-1954: letter from chief, water resources section; subject: assignment of water rights by bennett and barginski. ; november 16

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

In reply refer to:
L54-L

RECEIVED
NPS, REGION FOUR OFFICE
NOV 22 1954

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS	Dunn	11-22
ADMIN.		
COOP. ACT.		
INTERP.		
LEGAL		
X Trentley	B Fm 11/23	

November 16, 1954

22

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Assignment of Water Rights by James H. Bennett and Max Barginski, Death Valley

The memorandum of September 54, 1954 from Mr. Binnewies to you indicates that the assignment of interests in Burns Spring to the United States, dated November 30, 1951, was recorded at his request on September 1, 1954.

I assume that the County Recorder returned the instrument which he recorded to Mr. Binnewies with the record of recording entered thereon. If Mr. Binnewies does have that copy, with the record of date, book and page of recording, it should be filed in his assembly of Alien Water Right No. 34 under Part VIII. In that Part, it should be placed above the copy of Application 13852, and below the letter of March 6, 1952 to Messrs. Bennett and Barginski from Mr. Goodwin.

The following statement is being typed on the back of our copy, and should also be entered on your copy:

"Recorded September 1, 1954
Vol. 111, Page 590
Records of Inyo County
At Request of Fred W. Binnewies."

Done B Fm 11/23/54

We find that our copy of the assignment and the memo of December 10, 1951 from Mr. Goodwin were inadvertently placed above a memo of May 22, 1952 in our assembly. If you also find it in the wrong place, please move it to the proper chronological location.

can't find B Fm.

I also suggest that copy of memo of September 54, 1954 from Mr. Binnewies be filed at top of contents of Part VIII for chronological reference, noting thereon:

"See assignment dated November 30, 1951."

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley

9

09-24-1954: memo from superintendent, death valley; subject: enclosed copy of assignment of water rights interests by bennett an

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

In reply refer to:
L54

September 24, 1954

22 ~~Manbert~~ BFM
McClellan BFM

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley NM Sent cc W.O. 9/27 BFM.

Subject: Assignment of Water Rights by James H. Bennett and Max Barginski, Death Valley

The original copy of the assignment of water rights interests covered by Application No. 13852, Permit No. 8536, by James H. Bennett and Max Barginski to the United States was recorded in the Inyo County, California, records on September 1, 1954, in Volume 111, page 590.

Fred W. Binnewies
Superintendent

NATIONAL PARK SERVICE
RECEIVED
SEP 1 6 1954
REGION FOUR OFFICE

8

08-31-1954: letter to chief, water resources section; subject: acknowledgment of letter and answers to item questions. ; august 31,

Goodwin J. Knight
GOVERNOR OF CALIFORNIA

A. D. EDMONSTON, STATE ENGINEER
CHIEF OF DIVISION

FRANK E. DURKEE
DIRECTOR

STATE OF CALIFORNIA
Department of Public Works
SACRAMENTO

ADDRESS REPLY TO
DIVISION OF WATER RESOURCES
PUBLIC WORKS BUILDING
P. O. Box 1079
SACRAMENTO 5

August 31, 1954

Application 13852 Your file L54-L

Mr. A. van V. Dunn
Chief, Water Resources Section
U. S. Department of Interior
National Park Service
Washington 25, D. C.

Dear Mr. Dunn:

Receipt is acknowledged of your letter of August 19 in connection with the above-numbered application.

Referring to your item No. 2, we have no information as to whether the partial assignment of October 20, 1952, from Bennett and Barginski to Art Detloff was an assignment of a part interest in all their rights under the application or a total assignment of their rights to one of the springs.

Referring to your item No. 3, we have no information as to the date of the partial assignment from Art Detloff to Mr. Dobbins and no information as to the property included in the partial assignment.

In reference to your item No. 4, we wish to thank you for calling to our attention the fact that the assignment of November 20, 1953, from Art Detloff to Thad C. and Jo L. Greene was not an assignment of all of his rights but rather an assignment of his right in Burns Spring.

Referring to your item No. 5, we have no information as to the specific water rights and the date of the instrument of assignment of the remaining interests of James H. Bennett and Max Barginski to Art Detloff.

We concur with your conclusion that the record would apparently indicate that Bennett and Barginski are no longer involved and that the water right is now owned by Art Detloff, Thad C. and Jo L. Greene,

Mr. Dobbins and the United States of America. However, in view of the incompleteness of the information in our files, it is proposed to attempt further verification as to ownership before our records are changed in the matter.

In accordance with your request the notices of assignment received October 20, 1952, November 2, 1953, and November 19, 1953, have been sent to the Atlas Blueprint Company of this city with instructions to forward copies thereof to you and to amend and execute the voucher and return it to you.

Very truly yours,

A. D. EDMONSTON, STATE ENGINEER

By W. R. Gianelli
W. R. Gianelli
Supervising Hydraulic Engineer

08-27-1954: memo from chief, water resources section; subject: assignment of detloff's interest in burns spring to thad and jo gree

In reply refer to:
L54-L

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

August 27, 1954

Manbey BFm
McClellan

22

Memorandum

To: Regional Director, Region Four

Sent cc Supt. Death Valley 8/31 BFm

From: Chief, Water Resources Section

Subject: Rights to Burns Spring, Application 13,852, Permit 8536, Alien Water Right 34, Death Valley ← File

Attached are an original and a photostat copy of the assignment of Art Detloff's interest in Burns Spring to Thad C. and Jo L. Greene, and of the notice to the State Engineer of that assignment. The original copy is for the Superintendent, and the instruments should be filed in your respective assemblies of the docket, just above Mr. Goodwin's memo of December 10, 1951 in Part VIII.

No copy has been prepared for the Western Office of Design and Construction because it does not have a copy of the Alien Water Right Assembly. When the relative interests of Detloff, Greene, and the United States are settled, a docket will be prepared to cover the Federal interests, with a copy for the Western Office of Design and Construction.

A. van V. Dunn
Chief, Water Resources Section

In duplicate

Attachments 2

NATIONAL PARK SERVICE
RECEIVED
AUG 31 1954
REGION FOUR OFFICE

6

08-27-1954: memo from chief, water resources section; subject: assignment of detloff's interest in burns spring to thad and jo gree

In reply refer to:
L54-L

6. November 11, 1953 - Art Detloff assigned his right, claim and interest in Burns Spring under Application 13852, Permit 8536, to Thad C. and Jo L. Greene. This instrument was recorded on November 27, 1953 in your office at Page [illegible] 106 of official records of Inyo County. From the foregoing and Item 5, to follow, there is some question as to whether Mr. Detloff [illegible] interest in Burns Spring under the specified right, and Mr. A. D. Edmonston [illegible] ership interest was retained by Mr. Dobbins State Engineer [illegible] described as Item 3.
Division of Water Resources
Department of Public Works [illegible] received a notice of the assignment to not records
P. O. Box 1079 [illegible] of the remaining interests of James H. Bennett and
Sacramento 5, California [illegible] seems to have eliminated Bennett and [illegible] the picture, [illegible]

Dear Mr. Edmonston: Application 13852, Death Valley [illegible] right interests they assigned and the [illegible] of the [illegible] here to.

By letter of August 9, Mr. Jopson recited the records of assignment of rights to waters of Burns, Green, Willow and Burro Springs under Application 13852 with priority of July 17, 1950. He advised that the records would stand as listed in his last sentence unless advised to the contrary within 30 days. Although Mr. Jopson may be correct, we are unable to arrive at the same resultant title from the contents of the letter and a copy of the assignment of November 20, 1953, which we have obtained. [illegible] have int[illegible] under

1. November 30, 1951 - The original appropriators, Bennett and Barginski assigned their rights to Burns Spring to the U. S., retaining their interests in Green, Willow and Burro Springs. The assignment was not recorded by the U. S. until 1954. [illegible] interest in [illegible] Green.

2. October 20, 1952 - You received notice of assignment of partial interest in rights under Application 13852 from Bennett and Barginski to Art Detloff, by instrument of unspecified date. We should like to know the date of assignment and whether it was an assignment of part interest in the rights under the Application 13852 of Bennett and Barginski, or a total assignment of rights to part of the springs. Assignment of the first type would have made Mr. Detloff a partner in interest without defining the interests. Assignment of the second type, if limited to interests in rights to Green, Willow and Burro Springs would confirm the prior assignment of Burns Spring to the U. S.

Aug 27, 195[illegible] Assigned all water rights to Detloff 13851, permit 8535 13852 permit 8536. Vol 107 Page 294

3. November 2, 1953 - You received notice of assignment of partial interest of Art Detloff to Detloff and Dobbins, by instrument of an unspecified date. Apparently Mr. Detloff only made Mr. Dobbins a partner to his interests under the assignment by the instrument of 1952. (Item 2) A lot depends on what interests Mr. Detloff had previously acquired. We should like to know the date of each project included in this assignment. not records [illegible] tion

Docket 22 AS
Folder 2

4. November 11, 1953 - Art Detloff assigned his right, claim and interest in Burns Spring under Application 13852, Permit 8536, to Thad C. and Jo L. Greene. This instrument was recorded on November 27, 1953 in your office at Page 610, Book 106 of official records of Inyo County. From the foregoing and Item 5, to follow, there is some question as to whether Mr. Detloff had an interest in Burns Spring under the specified right, and if so, what partnership interest was retained by Mr. Dobbins under the assignment described as Item 3.

5. November 19, 1953 - You received a notice of the assignment to Art Detloff of the remaining interests of James H. Bennett and Max Barginski. This seems to have eliminated Bennett and Barginski from the picture, but we should like to know what specific water right interests they assigned and the date of the instrument if you have it. not recorded

6. November 27, 1953 - You received notice of the assignment of November 11 (Item 4).

7. August 1954 - You received the notice of the assignment to the United States (Item 1).

This outline suggests that Detloff and Dobbins both have interests in the rights to Green, Willow and Burro Springs under Application 13852, which may or may not be equal. The United States and Thad C. and Jo L. Greene have been assigned the rights to Burns Spring under the same application, by different claimants. The major question is whether Detloff and Dobbins ever acquired an interest in Burns Spring that either could assign to Thad C. and Jo L. Greene. If they did, the next question is whether Dobbins still has an interest in Burns Spring.

Enclosed are a voucher and purchase order by which we should like to have the Atlas Blue Print Co. supply us with photostats of the assignments listed as Items 2, 3 and 5 if you have copies. The voucher should be signed and returned with a corrected statement of charges if the order is filled.

Very truly yours,

(SGD.) A. VAN V. DUNN

A. van V. Dunn
Chief, Water Resources Section

Attachments 2
Copy to: Superintendent, Death Valley (4) detached
Regional Director, Region Four

Docket 22 RS
Folder 2

In reply refer to:
154-L DEVA

transferred to Docket 22

BFm Mackley McKelvey

AUG 19 1954

File in ALIEN Water Right 34

Memorandum

To: Superintendent, Death Valley National Monument

From: Acting Assistant Director

Subject: Water Rights Under Application 13852 for Burns, Green, Willow and Burro Springs, Alien Water Right 34, Death Valley National Monument

Attached are the original assignment of Burns Spring to the United States by Bennett and Barginski dated November 30, 1951; copy of a letter of August 9, 1954 from Mr. L. C. Jopson of the State Engineer's Office, acknowledging a signed copy which we submitted for recording by letter of July 26; and four copies of Mr. Dunn's reply to the latter. The assignment was sent to us with four copies by memorandum of December 10, 1951 from Mr. Goodwin who advised that he was retaining one copy.

Please have the attached original assignment recorded in the county records at Independence before there are further assignments by Greene, Detloff and Dobbins. When recorded, the original should go in your Alien Water Right Assembly 34 at the top of Part VIII. At the same time, copy the reference to date, book and page of recording on the copy which Mr. Goodwin retained, and return it through the Region to this office so that we may both make similar notations on our copies.

The four extra copies of the letter to the State Engineer are for Mr. and Mrs. Greene, Messrs. Detloff and Dobbins, and Bennett and Barginski, respectively. We believe that they should be presented with the explanation that we are only attempting to clarify the records at this time, and their assistance may be desirable.

When recording the assignment to the United States, it may pay to check for records of the three assignments listed as Items 2, 3 and 5 in the letter to the State Engineer, in case he does not have copies.

(SGD) HENRY LANGLEY

Acting Assistant Director

NATIONAL PARK SERVICE RECEIVED AUG 23 1954

Attachments 6

Copy to: Regional Director, Region Four with copy of attachments
(Please file assignment in your Alien Water Right 34)

5

08-09-1954: letter to chief, water resources section; acknowledgment of his letter regarding transmitting a copy of assignment to th

A. D. EDMONSTON, STATE ENGINEER
CHIEF OF DIVISION

RECEIVED
Chief, Water's Office
NATIONAL PARK SERVICE
1954 AUG 13 AM 9:

Goodwin J. Knight
GOVERNOR OF CALIFORNIA

FRANK B. DURKEE
DIRECTOR

STATE OF CALIFORNIA
Department of Public Works
SACRAMENTO

ADDRESS REPLY TO
DIVISION OF WATER RESOURCES
PUBLIC WORKS BUILDING
P. O. Box 1079
SACRAMENTO 5

August 9, 1954

Application 13852

Mr. A. van V. Dunn
Chief, Water Resources Section
U. S. Department of the Interior
National Park Service
Washington 25, D. C.

Dear Mr. Dunn:

Receipt is acknowledged of your letter of July 26 transmitting a copy of the assignment to the United States of America of all the rights, title, and interest of James H. Bennett and Max Barginski for the appropriation of water from Burns Spring under Application 13852, Permit 8536. We observe the assignment was executed on November 30, 1951.

The chain of title as shown upon our records is as follows: The application was originally filed by James H. Bennett and Max Barginski. On October 20, 1952, we received a notice that a partial interest had been assigned to Art Detloff. On November 2, 1953, we received a notice of the assignment of a partial interest of Art Detloff to Detloff and Dobbins. On November 19, 1953, we received a notice of assignment of the interest of James H. Bennett and Max Barginski to Art Detloff. On November 27, 1953, we received notice of assignment of the interest of Art Detloff to Thad C. and Jo L. Greene. In accordance with the foregoing the application now stands upon our records in the name of Mr. Dobbins, Thad C. and Jo L. Greene. In accordance with the copy of the assignment received from you, our records will be changed to indicate that the water right is now owned by Mr. Dobbins, Thad C. and Jo L. Greene and the United States of America, unless word to the contrary is received within 30 days.

Very truly yours,

A. D. EDMONSTON, STATE ENGINEER

By _____
L. C. Jopson
Principal Hydraulic Engineer

cc: Mr. James H. Bennett
cc: Messrs. James H. Bennett and Max Barginski
cc: Dobbins and Detloff
cc: Thad C. and Jo L. Greene

07-26-1954: letter to division of water resources; enclosed with copies of assignment of rights to burns spring by bennet and bargi

In reply refer to:
154-2

✓	Supt.	RMS
	C. Rgr.	
	Nat.	
	Gen. For.	
	Fis. Off.	
	Stenog.	
	Whse.	
	C. Clerk	Dick

July 26, 1954

Mr. A. D. Edmonston, State Engineer
Division of Water Resources
Department of Public Works
P. O. Box 1079
Sacramento 5, California

Dear Mr. Edmonston:

Enclosed is one of the four signed copies of an assignment of rights to Burns Spring under Application 13852 by James H. Bennett and Max Barginski on November 30, 1951. Please record this assignment which seems to have been over-looked in 1951.

We are advised informally that some rights to the same Spring may have been assigned to Thad C. and Jo L. Greene by Art Detloff within the past year. We should like to know whether such an assignment has been recorded in your office and what rights were outlined by Mr. Detloff. This letter is primarily to bring the records up-to-date. If, through failure to record the assignment to the U. S., Mr. Detloff makes further assignment in good faith, there is probably no issue to be resolved at this time because Mr. and Mrs. Greene have already consented to the assignment of their interests in Burns Spring and under Application 15539.

From Page 29 of your Rules and Regulations there appears to be no fee for the recording of an assignment.

Very truly yours,

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Enclosure
Copy to: Regional Director, Region Four (2)

Docket 2285
Folder 2

C
O
P
Y

Box 4, Trona, California
August 22, 1952

Mr. T. R. Goodwin, Superintendent,
Death Valley National Monument,
Box 8, Trona, California

Dear Mr. Goodwin:

Referring to your letter of May 8, 1952, I wish to make the following statement regarding the assignment, to the Park Service, of Water Applications Nos. 13851 and 13852 which I hold jointly with Mr. Max Barginski.

I operate and hold by valid lease the Skidoo and Del Norte Mines and own one other very promising silver-tungsten claim, all of which are located here in the Wildrose Mining District, Death Valley. I also own, in partnership with Mr. Barginski, a 40-ton quartz reduction mill which represents an investment of many thousands of dollars, also here in Death Valley. I have made numerous gold bullion shipments to the U. S. Mint at San Francisco from this mill in the past 18 months from ore millings from the Skidoo and Aguerreberry Mines. Mr. Barginski also owns four very promising tungsten claims in this District, all of which is of record at the Recorder's Office at Independence, California.

We have complied with all the laws and beneficial use requirements of the Division of Water Resources Code and the Federal Mining laws, which are presumed to prevail here in Death Valley National Monument.

Therefore, once again, I wish to apply for the pipe line right-of-way permit from the Springs application 13851 and 13852 to our millsite located in Sec. 29, T17S, R44E, MDB&M as requested in my letter of March 18, 1952.

Without this assignment I have recently taken steps to purchase Mr. Barginski's interest in this operation, however, a large balance is still due him, to be payed out of milling profits. When I suggested that we assign our application, if it proved beneficial to us, he protested violently and on July 31, 1952, served me with a notice that he would take legal steps immediately if I attempted to force the issue.

After 11 expensive months in 1950 of legal proceedings in acquiring these water rights, lawyer retainer fees, court stenographers, field trips, etc., I can see little gain in forcing this issue by this assignment, in the face of this opposition.

I trust we may proceed with the right-of-way permit if such is deemed necessary, in order that I may complete the pipe line and use this water at the millsite in the near future.

If, at some future date, such an assignment were considered, I am interested in knowing just what advantages would exist for me. This operation, including the water represents a sizable investment for me and I would not jeopardize it without very obvious advantages and full knowledge of any disadvantages.

Very truly yours,

(Sgd) James H. Bennett
James H. Bennett

District 22 RS
Folder 2

C O P Y

~~Part 8 AWR 37~~

Part 2 Docket 27

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Death Valley National Monument
Death Valley, California

March 6, 1952

Messrs. Bennett and Barginski
Post Office Box 4,
Trona, California

Gentlemen:

We have had recent correspondence with the Director of National Parks and the Bureau of Land Management regarding the status of water permits for Burns, Canyon, Malapi, Green and Burro Springs.

It had been our impression that these springs were on land patented before establishment of Death Valley National Monument but we find no record of such patents and, therefore, assume that their use was on mineral and millsite filings.

It is the established policy of this Service to acquire all water rights for sources on Monument lands in the name of the United States, and to issue permits for approved users of water.

The alternative where water right permits have been issued to private individuals by the State of California is to require permits from this Service for use of Monument lands for pipe lines or ditches to convey such water from point of origin to point of use. No action was taken at the time of filing water right applications 18351 and 18352 under the understanding that source transmission and point of use were on land patented prior to 1933.

Until this matter is completely clarified this Service is taking no further action regarding Burns Spring, and no action should be taken for construction of any system of conveyance across the lands of Death Valley National Monument until the land status is further clarified, and a permit request submitted and given consideration by this Service.

Sincerely yours,

T. R. Goodwin
Superintendent

T. R. Goodwin
Superintendent

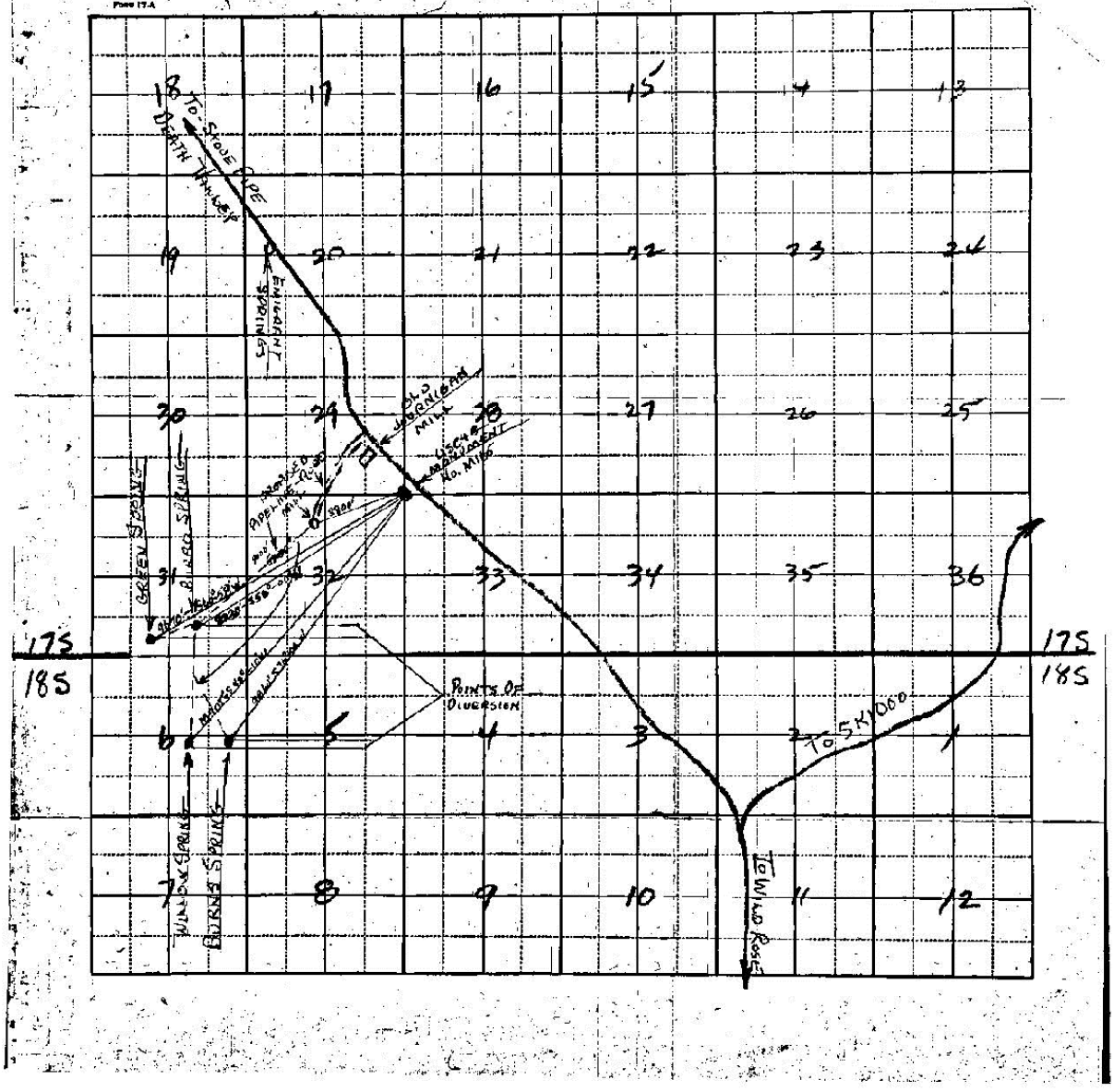
Application 15852
Permit 8536
License

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

Applicant James H Bennett + Max Bergmeier Sec. 31 Township 17S 18S Range 44E, MDB+M Meridian
Mapped by JHB from Original County Inyo

NOTE.—Maps are to be drawn on this plat only when total amount of water to be diverted does not exceed three cubic feet per second for direct diversion or two hundred acre-feet per annum for storage.

Form 17-A



Application 13852
Permit 8536
License

STATE OF CALIFORNIA STATE WATER RIGHTS BOARD
P. O. BOX 1592
SACRAMENTO 7

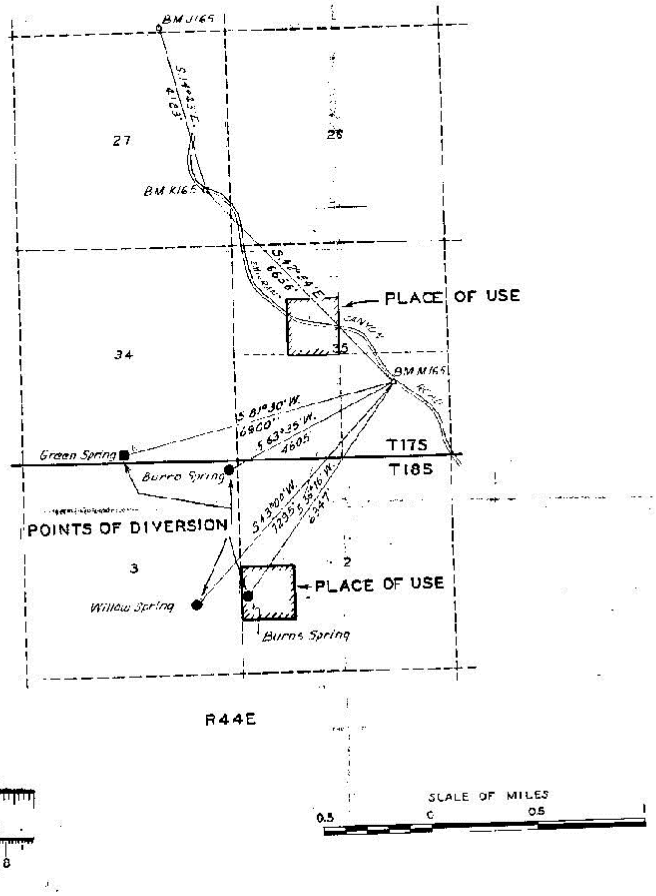
Applicant DOBBINS & DETLOFF & U.S. DEPT. OF INTERIOR - NAT. PARK SERVICE

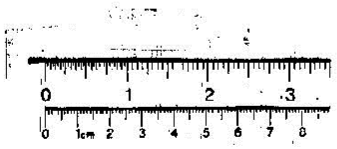
SEC. 34 T17S &
Sec. 2 & 3 Township 18S Range 44 E. M.D.B. & Meridian

County INYO

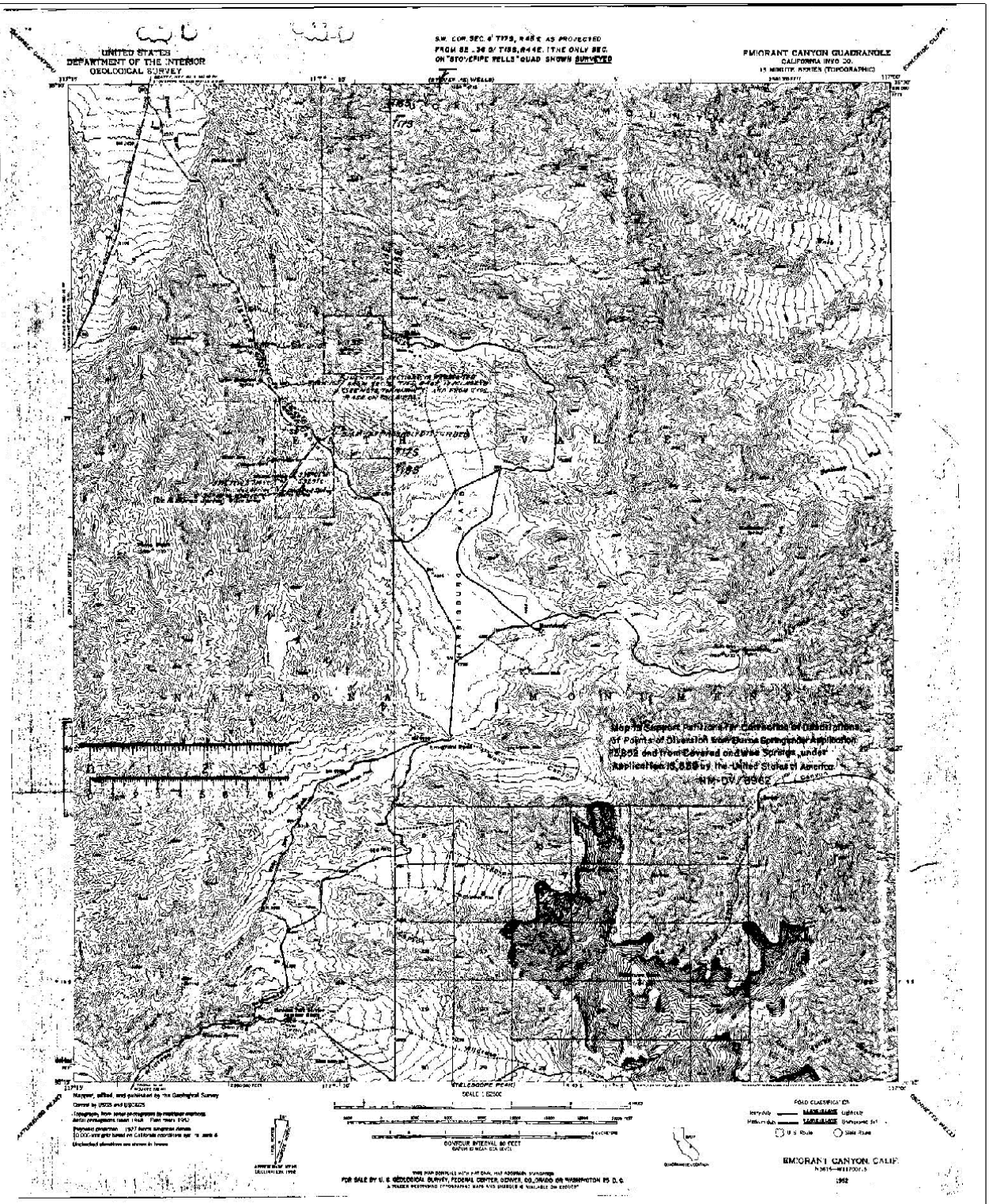
Mapped by

NOTE—Maps are to be drawn on this plat only when total amount of water to be diverted does not exceed three cubic feet per second for direct diversion or one hundred acre feet per annum for storage.





00-00-0000: topographic map of deva



Amended Applications 16,138 & 13852
Permit
License

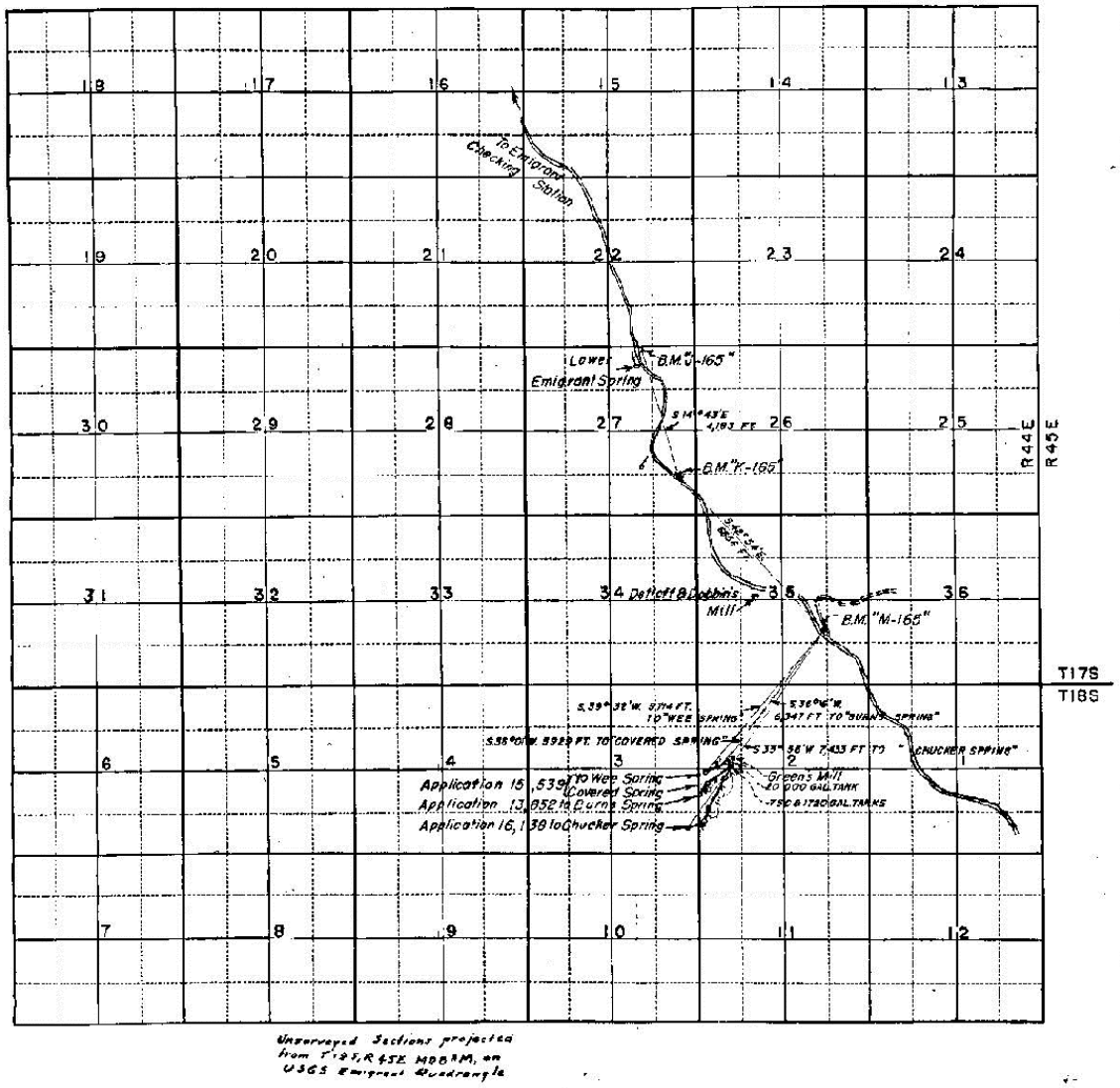
FORM 17-A

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

Applicant United States of America Sec's 2 & 3 Township 18 S. Range 44 E, M.D.B.& Meridian

Mapped by Linn S. Spaulding & Gordon W. Robertson County Inyo

NOTE.—Maps are to be drawn on this plat only when total amount of water to be diverted does not exceed three cubic feet per second for direct diversion or two hundred acre-feet per annum for storage. For amounts less than those above stated the average applicant can prepare a very satisfactory map without the aid of a surveyor by observing instructions on the reverse side of this plat.



Docket Information

Number of Documents in Docket 169

Documents Dated from 7/17/1950 to 7/3/2012

Docket Compiled: 7/13/2012