Docket No: 17

SARATOGA SPRINGS. LICENSE 6343

Preliminary Docket Information

04-17-1996: notes to the file deva 017 saratoga springs ; april 17, 1996

NOTES TO THE FILE DEVA 017 Saratoga Springs April 17, 1996

DEVA Docket 017 contains documentation pertaining to California License 6343 for wildlife preservation purposes at Saratoga Springs.

Previously Docket 017 also contained information pertaining to revoked permit 5773 at Saratoga Springs. Documentation of this revoked permit is now filed under Docket 039.

Land history, legal opinions, administrative agreements, supporting hydro data, other supporting information, and maps, which are applicable to both License 6343 and revoked Permit 5773 have been filed in Docket 017.

There are 3 "county filings" (claims to pre-1914 appropriative rights), as well as riparian rights which may attach to Saratoga Springs. These are addressed in the legal opinions section of Docket 017.

Alice Johns
Hydrologist
Water Rights Branch
Water Resources Division
National Park Service

DATE: May 4, 1979

DOCKET (FILE) TITLE

REGION Western AREA Death Valley National Monument

SITE Saratoga Springs

STATE California COUNTY San Bernadino DOCKET NO WR #17

LOCATION SW¼ NW¼ Sec.2 T18N R5E

REGIONAL BASIN LOCAL BASIN

ACQUIRED BY Appropriation/Riparian

APPLICATION 8183/10171 PERMIT 4513/5773 CERTIFICATE 6343/-

ACTION DUE PRIORITY November 30, 1934 RESERVATION

QUANTITY 4800 gpd USE Fish and Wildlife Preservation

STATUS Active SOURCE Surface Water - Spring

REMARKS Hydrologic Unit #18090203

NARRATIVE:

Saratoga Springs consist of some marshy area, a spring with several openings, and several ponds in various states of non-use and disrepair. The site had been active for many years, located in a heavy mining area in the Ibex Hills in the extreme southeast part of the monument. In 1877 B. Carter and T.W. McIntosh filed a claim for water with San Bernadino County for the use of the spring for a camp or lodge nearby the source. In 1907 W.A. Kelly also filed a claim for water with the county for the same purpose. Both of these developments disappeared shortly after they were established.

In 1908 A.W. Scott, Jr., and Harrold A. Hickman claimed water from the spring for their mining operation, and the following year A.W. Scott, Jr., Co. filed an application for a Land Patent for the area with the U.S. Land Office. On September 24, 1929, Land Patent # 433067 was issued to the company for the Saratoga Springs area.

This parcel was included in the boundaries of the monument when it was established in 1933. In 1934 Jack Renie, the sucessor to the company, filed Application 8183 to appropriate water from the springs for domestic and recreational use. In 1941 Renie filed another application (10171) for industrial purposes as well. By 1952 Renie had assigned part of his interests in the area to George A. McKinney. Included in this assignment were the two applications. McKinney's interests were purchased by the Park Service in 1956 and the monument assumed control over the sources. Since the use of the springs could be covered by a riparian right (based on the sucessorship of the land patent) as well as pre-1914 appropriative rights, it was determined that a state license would not be necessary for consumptive purposes. However the applications were kept active in the event that a change in the place of use off the riparian tract occurred. In 1960 License 6343 was issued for Application 8183, and the following year Application 10171 was revoked as unnecessary.

Currently the springs are used only for wildlife preservation.

Compiled by T. Kern

Approved by

[FINAL SUBMITTED VERSION]

REPORT OF LICENSEE FOR 2011

Primary Owner: U S NATIONAL PARK SERVICE
Application Number: A008183
License Number: 006343
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	Yes
Description of noncompliance with terms and conditions	

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	Water is now being used for recreational purposes and for the support of wildlife.
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4. Purpose of Use	
Recreational	Visitation
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 (Gallons)**	**Amount used (Gallons)**
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

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
The United States gives this information to the State 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

CALIFORNIA Water Boards

DEVA

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: A008183 **License No.** 006343

First three Sources listed:	Counties:
SARATOGA SPRINGS	San Bernardino

Direct Diversion Rate: 4800.000 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): **A008183**
Password (Reporting Identifier): **560303**

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: A008183
License Number: 006343

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	Yes
Description of noncompliance with terms and conditions	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	

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

Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	3000.0	3000.0
February	3000.0	3000.0
March	3000.0	3000.0
April	3000.0	3000.0
May	3000.0	3000.0
June	3000.0	3000.0
July	3000.0	3000.0
August	3000.0	3000.0
September	3000.0	3000.0
October	3000.0	3000.0
November	3000.0	3000.0
December	3000.0	3000.0
Total	36000	36000

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

June	
July	
August	
September	
October	
November	
December	

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
The United States gives his 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

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

Linda S. Adams
Acting Secretary for Environmental Protection

Edmund G. Brown Jr.
Governor

NOTICE TO WATER RIGHT LICENSEE

Application ID: A008183 **License No.** 6343 **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): SARATOGA SPRINGS in San Bernardino County

Direct Diversion Rate: 4800 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: **A008183**
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/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) 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: A008183
License Number: 006343

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit	Yes
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	

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

Month	Amount directly diverted or collected to storage (Gallons)	Amount beneficially used (Gallons)
January	3000.0	3000.0
February	3000.0	3000.0
March	3000.0	3000.0
April	3000.0	3000.0
May	3000.0	3000.0
June	3000.0	3000.0
July	3000.0	3000.0
August	3000.0	3000.0
September	3000.0	3000.0
October	3000.0	3000.0
November	3000.0	3000.0
December	3000.0	3000.0
Total	36000	36000

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
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: A008183
License Number: 006343

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit	Yes
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	

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

Month	Amount directly diverted or collected to storage (Gallons)	Amount beneficially used (Gallons)
January	3000.0	3000.0
February	3000.0	3000.0
March	3000.0	3000.0
April	3000.0	3000.0
May	3000.0	3000.0
June	3000.0	3000.0
July	3000.0	3000.0
August	3000.0	3000.0
September	3000.0	3000.0
October	3000.0	3000.0
November	3000.0	3000.0
December	3000.0	3000.0
Total	36000	36000

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
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: A008183
License Number: 006343

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit	Yes
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	

Purpose of Use	
Recreational	Visitation.
Fish and Wildlife Protection and/or Enhancement	Amoutns are estimates.

Month	Amount directly diverted or collected to storage (Gallons)	Amount beneficially used (Gallons)
January	3000.0	3000.0
February	3000.0	3000.0
March	3000.0	3000.0
April	3000.0	3000.0
May	3000.0	3000.0
June	3000.0	3000.0
July	3000.0	3000.0
August	3000.0	3000.0
September	3000.0	3000.0
October	3000.0	3000.0
November	3000.0	3000.0
December	3000.0	3000.0
Total	36000	36000

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
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

"A008183%L%2009"

Or file Report online at: http://ciwqs.waterboards.ca.gov/ewrims/ewrims_online_reporting/login.jsp
For assistance 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: A008183

LICENSE NO: 006343
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
SARATOGA SPRINGS		San Bernardino

MAX DIRECT DIVERSION RATE: 4,800 Gallons per Day
MAX COLLECTION TO STORAGE AMOUNT: 0 AC-FT
WATER RIGHT FACE VALUE: 5.4 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)
Recreational	0.0	1/1 to 12/31	
Fish and Wildlife Protection and/or Enhancement	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: A008183

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. A008183

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)

Application : A008183
Permit : 004513 **Issued on** April 6, 1935
License : 006343 **Issued on** July 6, 1961

Primary Owner : U S NATIONAL PARK SERVICE
Mail To Owner : U S NATIONAL PARK SERVICE
DEATH VALLEY NATIONAL PARK
Address : 1201 OAK RIDGE DR STE 250, FORT COLLINS, CO 80525-5596

POD Information :
IN SW¼ of NW¼ of Section 2, T18N, R5E, MDB&S (San Bernardino County)
Water to be diverted from SARATOGA SPRINGS
Tributary AMARGOSA RIVER thence DEATH VALLEY

Amount :
Maximum Application DD : 4800 gallon/day

Purpose of Use : Fish & Wildlife Protection and/or Enhancement
Diversion Season : January 1 to December 31

Purpose of Use : Recreational
Diversion Season : January 1 to December 31

12-12-1995: enclosed please find the completed report of licensee forms ; december 12, 1995

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: A008183

LICENSE: 006343

TELEPHONE NUMBER:
(970)225 - 3500

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

SOURCE:		COUNTY:
SARATOGA SPRINGS		SAN BERNARDINO
PURPOSE:	**DIVERSION/STORAGE SEASON:**	**ACRES/HP:**
WILDLIFE	JAN 01 TO DEC 31 /	0 AC
RECREATIONAL	JAN 01 TO DEC 31 /	0 AC

AMOUNT: 4800 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?	n/a	n/a	n/a
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 picnicking	x	x	x
11. Industrial - nature of use			
12. Municipal - approximate population			
13. Power generation - K.W.			
14. Other _____			

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)

12-23-1993: dear mr. wright: enclosed are completed reports of licensee forms ; december 23, 1993

December 23, 1993

L54(479)
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 6343 (Application A008183) Saratoga Spring
License 10580 (Application A008423) Unnamed Spring

Dear Mr. Wright:

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

As Denise Newberry of my staff discussed with you earlier this year, the National Park Service (NPS) is updating the status of its water rights in California park units. The NPS requested orders correcting the purpose of use for the following water license in a February 3, 1993 letter, copy enclosed, as indicated below:

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

Please contact Denise Newberry at (303) 225-3525 if this is not acceptable or you have any other questions regarding these Reports of Licensee.

Sincerely,

Paul K. Christensen

Owen R. Williams
Chief, Water Rights Branch

Enclosures

cc: WR - Kolipinski
DEVA - Superintendent (w/ enclosures)
479 - Johns

bcc: Docket 17 and 24

United States Department of the Interior

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

IN REPLY REFER TO

February 3, 1993

L54(479)
PINN/Water Rights
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 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

06-30-1992: dear ms. newberry: in regard to your letter dated june 30, 1992 ; 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

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

916/657-2046

FAX: 916/657-2388

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

State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST SACRAMENTO, CA
(916) 324-5626

REPORT OF LICENSEE FOR 1988, 1989, 1990

OWNER OF RECORD:

DEATH VALLEY NATL MONUMENT
C/o National Park Service
Water Resources Division
1201 Oakridge Dr., Suite 250
Fort Collins, CO 80525

APPLICATION: A008183

LICENSE: 006343

TELEPHONE NUMBER:
( ) -

... OR MISSING, PLEASE CORRECT.

SOURCE:
SARATOGA SPRING

COUNTY:
SAN BERNADINO

(17)

PURPOSE:	DIVERSION/STORAGE SEASON:	ACRES/HP:
RECREATION	JAN 01 TO DEC 31	.0 AC
FISH & WILDLIFE	JAN 01 TO DEC 31	.0 AC

AMOUNT: 4800.000 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 [X]. JO [ ]. I am complying with the conditions of my license: YES [X] 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 naintaining 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 [X]

:OMPLETE 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
1988	X	X	X	X	X	X	X	X	X	X	X	X	
1989	X	X	X	X	X	X	X	X	X	X	X	X	
1990	X	X	X	X	X	X	X	X	X	X	X	X	

OMPLETE FOR STORAGE PROJECTS	1988	1989	1990
3. Did your reservoir spill this year?	N/A	N/A	N/A
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. picnicking	X	X	X
1. Industrial — nature of use			
2. Municipal — approximate population			
3. Power generation — K.W.			
4. Other			

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 be developed, conserved, and utilized in the public interest as required by the Water Code. Please answer tho 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 detectic program [ ]; (2) Lining canals [ ]; (3) Phreatophyte and aquatic vegetation control [ ]; (4) Other (describe "Remarks") [ ].

18. What measures are used to encourage consumers to conserve water in agricultural use? (1) Program to encourage mo efficient irrigation systems (sprinkler, drip, etc.) where applicable [ ]; (2) Return flow systems on individu farms [ ]; (3) Return flow system areawide [ ]; (4) Water pricing to encourage reduced use [ ]; (5) Charges fc 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 t control wasteful use [ ]; (2) Public education program on water conservation [ ]; (3) Pricing to encourage reduc 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 us 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 claime 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 int settling ponds [ ]; (4) Other [ ]. Describe: _____

25. Does or will water being discharged contain waste materials? YES [ ] NO [X].
(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 whic would impair the water for beneficial uses? YES [ ] NO [X]. Describe: _____

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

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

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

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

29. What is present availability or current potential for using reclaimed water from a wastewater treatment plant 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.)

29. No potential

30. No potential

31. N/A

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

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

08-16-1991: dear mr. pankratz: the national park service responds to your letter by agreeing to process license 6343, 5141, 3442,

Jeffrey C. Hughes JCH
Dan McGlothlin JCH
Owen Williams JA

August 16, 1991

L(54)479
DEVA/Water Rights
REDW/Water Rights

Mr. Jim H. Pankratz
Chief, Petition Unit
State of California
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95810

Re: License 6343 (Application 8183) Saratoga Springs in San Bernardino County
License 5141 (Application 12222) Unnamed Stream in Del Norte County
License 3442 (Application 12228) Unnamed Stream in Del Norte County
License 5125 (Application 14931) Smith River in Del Norte County
License 6740 (Application 18433) Goldbelt Spring in Inyo County
License 7577 (Application 19482) Ranger Spring in Inyo County

Dear Mr. Pankratz:

The National Park Service (NPS) responds to your letter of May 29, 1991, by agreeing to process License numbers 6343, 5141, 3442, 5125, and 6740 as ORDERS CORRECTING THE PURPOSE OF USE AND AMENDING THE LICENSE (Orders) rather than as PETITIONS FOR CHANGE IN PURPOSE OF USE as originally requested (For License number 7577 we also concur with processing the changes as Orders, as indicated in our July 11, 1991, letter). An August 15, 1991, telephone conversation between Jeff Hughes of my staff and Bert Parkinson clarified our concerns in this matter.

Upon further review of our water right files and after discussions with Park personnel, we have determined that the Purpose of Use for License 5141 (Application 12222) should be corrected as Recreation, Fish and Wildlife, in place of Domestic, Fish and Wildlife; and License 6740 (Application 18433) should be corrected as Recreational, Fish and Wildlife, in place of Domestic, Recreational, Fish and Wildlife uses. Please inform us as to the proper course for the NPS in regard to these changes.

If you have any questions, please contact either me or Dan McGlothlin at (303) 493-1441.

Sincerely,

Jeffrey Albright

Owen R. Williams
Chief, Water Rights Branch

bcc: SOL (San Francisco) - Kohn
WR - Kolipinski
DEVA - Superintendent
REDW - Superintendent
479 - Ponce, McGlothlin, Johns, Hansen, Hughes

Jeffrey C. Hughes JCH
Dan McGlothlin DM
Owen Williams ORW

July 31, 1991

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

Mr. Jim H. Pankratz
Chief, Petition Unit
State of California
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95810

Re: License 6343 (Application 8183) Saratoga Springs in San Bernardino County - DEVA
License 5141 (Application 12222) Unnamed Stream in Del Norte County - REDW
License 3442 (Application 12228) Unnamed Stream in Del Norte County - REDW
License 5125 (Application 14931) Smith River in Del Norte County - REDW
License 6740 (Application 18433) Goldbelt Spring in Inyo County - DEVA

Dear Mr. Pankratz:

As a result of a July 29, 1991, phone conversation between Dan McGlothlin of my staff and Bert Parkinson, an August 16, 1991 deadline was agreed upon for the National Park Service (NPS) to respond to the State's Orders for changing the purpose of use for the NPS water rights cited above.

Please contact either Dan McGlothlin or myself if this is not acceptable or you have any other questions.

Sincerely,

Owen Williams

Owen R. Williams
Chief, Water Rights Branch

bcc: SOL (San Francisco) - Mihan, Kohn
WR - Kolipinski
DEVA - Superintendent
REDW - Superintendent
479 - Ponce, McGlothlin, Johns

05-29-1991: dear mr. john d. cherry: thank you for your letter of june 29, 1988, regarding the water rights set forth above. ; may 29,

(1) send cc to Dan Watkins
(2) Kelly Instr.

STATE OF CALIFORNIA — Pete Wilson, *Governor*

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

(916) 324-5715

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

In Reply Refer
To:342:BHP:8183

MAY 29 1991

JUN 1991
RECEIVED
WRD - FT COLLINS

Redwood National Park
c/o National Park Service, Western Region
450 Golden Gate Avenue, Box 36063
San Francisco, CA 94102

Dear Mr. John D. Cherry:

LICENSE 6343 (APPLICATION 8183) SARATOGA SPRINGS IN SAN BERNARDINO COUNTY
LICENSE 5141 (APPLICATION 12222) UNNAMED STREAM IN DEL NORTE COUNTY
LICENSE 3442 (APPLICATION 12228) UNNAMED STREAM IN DEL NORTE COUNTY
LICENSE 5125 (APPLICATION 14931) SMITH RIVER IN DEL NORTE COUNTY
LICENSE 6740 (APPLICATION 18433) GOLDBELT SPRING IN INYO COUNTY
LICENSE 7577 (APPLICATION 19482) RANGER SPRING IN INYO COUNTY

Thank you for your letter of June 29, 1988, regarding the water rights set forth above. On further review of this matter it has been determined to handle the changes as corrections, which do not require a $100 petition fee. Enclosed are Orders correcting your water right licenses to describe the projects as they are. It is suggested that you retain the Orders with your copies of the licenses.

In some of the Orders domestic and/or irrigation uses have been deleted, therefore, I suggest that you review the Orders carefully. If you believe that the Orders are not consistent with the projects as they exist please inform the State Board within 30 days.

Please note that the State Board's continuing authority condition has been amended to reflect the current common law public trust doctrine as contained in Title 23, California Code of Regulations, Section 780(a).

If you have any questions, please write or call Bert Parkinson at (916) 324-5686.

Sincerely,

Jim H. Pankratz, Chief
Petition Unit

Enclosures

cc: County Recorder of San Bernardino
172 West Third Street, 2nd Floor
San Bernardino, CA 92415

County Recorder of Inyo
P.O. Drawer F
Independence, CA 93526

County Recorder of Del Norte
County Court House, Room 15
Crescent City, CA 95531

U.S. Death Valley National Monument
Death Valley, CA

DEVA WR#17

PETITION FOR CHANGE IN PURPOSE OF USE

Application 8183 Permit _____ License 6343

State Water Resources Control Board
Division of Water Rights
P. O. Box 2000
Sacramento, CA 95810

I request permission to change the purpose of use described in this permit or license as follows:

The water is used for fish and wildlife purposes.
(State all purposes for which water is to be used)

Give reason for proposed change: The water is no longer used for domestic and recreation purposes, only fish and wildlife purposes.

Does this change involve any place of use not described in the permit or license?

No. (yes or no). If answer is yes, give legal description:

THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.

Give names and addresses of persons known to you who may be affected by the proposed change:
None

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.

Dated: June 6, 1988, at Fort Collins, Colorado, ~~XXXXXXXXXX~~

O R Williams

Owen R. Williams, Acting Chief, Water Rights Branch, National Park Service

Section 1547 of the Water Code requires a $100 filing fee with petitions for changes.

WR 22e (11/85)

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 1985, 1986, 1987

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, CA 94102

APPLICATION: A008163
LICENSE: 006343
TELEPHONE NUMBER: ( ) -

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

SOURCE: SARATOGA SPRINGS

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.

COUNTY: SAN BERNARDINO

PURPOSE:	DIVERSION/STORAGE SEASON:	ACRES/HP:
~~XXXXXXXX~~	JAN 01 TO DEC 31	.0 AC
~~XXXXXXXXX~~	JAN 01 TO DEC 31	.0 AC
Fish and Wildlife		

AMOUNT: 4800.000 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 [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
1985	X	X	X	X	X	X	X	X	X	X	X	X	
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	

COMPLETE FOR STORAGE PROJECTS	1985	1986	1987
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			
garden area, etc.			
10. Recreational – nature of use			
11. Industrial – nature of use			
12. Municipal – approximate population			
13. Power generation – K.W.			
14. Other fish & 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.):
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 [X]; (4) Other [ ]. Describe: _____

25. Does or will water being discharged contain waste materials? YES [ ] NO [X].
(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 [X]. 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 [X].

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 [X]. 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.)

29. No potential

30. No potential

31. N/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.

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

Date: 3/1/88 Sign Here: Stanley E. Payne
(LICENSEE OR AGENT OR DESIGNEE)

TAPIA
WITUCKI
Cherry letter
Jacot 1/31

L54 (WR-RNW)
DEVA/WR #17, #24

January 29, 1985

State of California - Resource Agency
State Water Resources Control Board
Division of Water Rights
901 P Street
Sacramento, CA 95810

Gentlemen:

In reply to your request for an update regarding the Report of Licensee for Death Valley National Monument (1982, 1983, 1984), the enclosed is submitted.

If you have any questions or comments regarding this matter, please call Mr. Gerard Witucki at (415) 556-8660.

Sincerely,

(Sgd) Francis H. Jacot

For John D. Cherry
Associate Regional Director
Resources Management and Planning
Western Region

Enclosure

cc:
Superintendent, Death Valley, w/encl.

(WR-RNW):Tapia:Witucki:ml:01/29/85

bc:
Fort Collins

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 1982, 1983, 1984

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: A008183

LICENSE: 006343

TELEPHONE NUMBER:
(415)556-8660

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

SOURCE: SARATOGA SPRINGS

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.

COUNTY: SAN BERNARDINO

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

AMOUNT: 4800.000 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 [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
1982	x	x	x	x	x	x	x	x	x	x	x	x	
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	

COMPLETE FOR STORAGE PROJECTS	1982	1983	1984
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	10,000 annually	10,000 annually	10,000 annually
garden area, etc.			
10. Recreational – nature of use	campground	campground	campground
11. Industrial – nature of use			
12. Municipal – approximate population			
13. Power generation – K.W.			
14. Other fish & 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 (11-83)
3013

1984

(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.):
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 [X]; (4) Other [ ]. Describe: _____

25. Does or will water being discharged contain waste materials? YES [ ] NO [X].
(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 [X]. 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 [X].

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 [X].
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.)

29. No potential

30. No potential

31. N/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.

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

Date JAN 30, 1985 Sign Here: Gerard L. Petrucka
LICENSEE (OR AGENT OR DESIGNEE)

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

REPORT OF LICENSEE FOR 1979, 1980, 1981

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: A008183

LICENSE: 006343

TELEPHONE NUMBER:
( ) -

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

SOURCE: SARATOGA SPRINGS

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.

COUNTY: SAN BERNARDINO

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

AMOUNT: 4800.000 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. Do you need a copy of your license: Yes [ ] No [X]. If yes, please include a stamped, addressed envelope with your request.

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
1979	x	x	x	x	x	x	x	x	x	x	x	x	
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	

COMPLETE FOR STORAGE PROJECTS	1979	1980	1981
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	10,000 annually	10,000 annually	10,000 annually
garden area, etc.			
10. Recreational — nature of use	campground	campground	campground
11. Industrial — nature of use			
12. Municipal — approximate population			
13. Power generation — K.W.			
14. Other fish and 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 (8-80)
0489

(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.):
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 [X]; (4) Other [ ]. Describe: _____

25. Does or will water being discharged contain waste materials? YES [ ] NO [X].
(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 [X]. 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 [X].

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 [X].
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.)

29. No potential.

30. No potential.

31. N/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.

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

Date: MAR 2 1982 Sign Here: Donald L. Fortuna
LICENSEE (OR AGENT OR DESIGNEE)

04-25-1978: report of licensee 1975, 1976, 1977 ; april 25, 1978

State Water Resources Control Board
DIVISION OF WATER RIGHTS
77 Cadillac Drive Sacramento, CA 95825
(916) 322-9128

WR#17

REPORT OF LICENSEE FOR 1975, 1976, 1977

APPLICATION: 8183

LICENSE: 6343

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

If the information shown above is wrong, please correct.

SOURCE: SARATOGA SPRINGS

COUNTY: SAN BERNARDINO

AMOUNT: 4800 GAL/DAY

PURPOSE: ~~DOMESTIC & RECREATIONAL~~ Fish + Wildlife Preservation

Declaration: The United States gives this notification to the State in the interest of courtesy, but 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 ☒ NO ☐. I am complying with the conditions of my license: YES ☒ 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

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
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	
1977	x	x	x	x	x	x	x	x	x	x	x	x	

COMPLETE FOR STORAGE PROJECTS	1975	1976	1977
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	~~10,000 annually~~	~~10,000 annually~~	~~10,000 annually~~
garden area, etc.			
10. Recreational – nature of use			
11. Industrial – nature of use			
12. Municipal – approximate population			
13. Power generation – K.W.			
14. Other Fish and Wildlife Preservation			

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: April 25, 1978 Sign Here: (Sgd) Gerard S. Matowitz LICENSEE

SWRCB-17 (8-77)

1977 Chief, Div. of Water Resources (REPORT CONTINUES ON REVERSE SIDE)

REPORT OF LICENSEE FOR 1975, 1976, 1977--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 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 taking, have been taking, or can take to reclaim or indirectly reuse the water appropriated:

REMARKS

Please indicate the number of the item you are explaining:

No longer used for campground purposes.

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

93844-S1A R-77 5M ① OSP

03-21-1975: report of licensee 1972, 1973, 1974 ; march 21, 1975

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

REPORT OF LICENSEE FOR 1972, 1973, 1974

OWNER OF RECORD: **APPLICATION** 8183

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

WR#17

Telephone Number and Area Code

If the information shown above is wrong, please correct

SOURCE: SARATOGA SPRINGS

AMOUNT: 4800 GAL/DAY
PURPOSE: DOMESTIC & RECREATIONAL

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.

LICENSE 6343

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 my license: YES ☑ NO ☐. I am complying with the conditions under which my license has been issued: 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 establishing 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

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
1972	x	x	x	x	x	x	x	x	x	x	x	x	
1973	x	x	x	x	x	x	x	x	x	x	x	x	
1974	x	x	x	x	x	x	x	x	x	x	x	x	

STORAGE

	1972	1973	1974
3. Did your reservoir spill this year?			
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. Garden area, etc.	10,000 annually	10,000 annually	10,000 annually
10. Recreational – nature of use	campground	campground	campground
11. Industrial – nature of use			
12. Municipal – approximate population			
13. Power generation – K.W.			
14. Other ~~fish & wildlife preservation~~			

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: March 21, 1975 Sign Here: (SGD) GERARD S. WITUCKI
LICENSEE

SWRCB-17(9/74)

1974 Gerard S. Witucki (Report continues on reverse side)
Chief, Division of Water Resources

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 1972, 1973, 1974

OWNER OF RECORD: APPLICATION 8183

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

Telephone Number and Area Code

If the information shown above is wrong, please correct

SOURCE: SARATOGA SPRINGS

AMOUNT: 4800 GAL/DAY
PURPOSE: DOMESTIC & RECREATIONAL

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.

LICENSE 6343

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 my license: YES ☑ NO ☐. I am complying with the conditions under which my license has been issued: 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 establishing 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

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
1972	x	x	x	x	x	x	x	x	x	x	x	x	
1973	x	x	x	x	x	x	x	x	x	x	x	x	
1974	x	x	x	x	x	x	x	x	x	x	x	x	

STORAGE

	1972	1973	1974
3. Did your reservoir spill this year?			
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

	1972	1973	1974
7. Acreage irrigated Crops grown:			
8. Stockwatering – head Kind			
9. Domestic – number of persons Garden area, etc.	10,000 annually	10,000 annually	10,000 annually
10. Recreational – nature of use	campground	campground	campground
11. Industrial – nature of use			
12. Municipal – approximate population			
13. Power generation – K.W.			
14. Other ~~fish & wildlife preservation~~			

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: March 21, 1975 Sign Here: (SGD) GERARD S. WITUCKI
LICENSEE

SWRCB–17(9/74) Sent to State of Ca 7/11/75

1974 Gerard S. Witucki (Report continues on reverse side)
Chief, Division of Water Resources

It was learned in a telephone conversation with Pete Sanchez on July 23, 1975, that Saratoga Springs is no longer being used for camping purposes. When the next Report of Licensee is filed, this should somehow be incorporated. The only use at present is for wildlife preservation.

Thelma Ackerman
Legal Clerk 8/7/75

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 CENTRAL REGION FOR 1969, 1970, 1971

OWNER OF RECORD:

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

APPLICATION 8183

WR 17

TELEPHONE NUMBER

If the information shown above is wrong, please correct

SOURCE: SARATOGA SPRINGS

AMOUNT: 4800 GAL/DAY
PURPOSE: DOMESTIC & RECREATIONAL

LICENSE 6343

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
1969	x	x	x	x	x	x	x	x	x	x	x	x	1.75 milli
1970	x	x	x	x	x	x	x	x	x	x	x	x	"
1971	x	x	x	x	x	x	x	x	x	x	x	x	"

gallo

STORAGE	1969	1970	1971
1. Did your reservoir spill this year?			
2. How many feet below spillway vertically was the water level at maximum storage?			
3. Have you emptied the reservoir?			
4. How many feet below spillway vertically was it drawn down at end of season?			
USE			
1. Acreage irrigated			
Crops grown:			
2. Stockwatering—head			
Kind			
3. Domestic—number persons	10,000annually	10,000 annually	10,000 annually
Garden area, etc.			
4. Recreational—nature of use	recreational	recreational	recreational
5. Industrial—nature of use			
6. Municipal—approximate population			
7. Power generation—H.P.			
8. Other Irrigation, fish & wildlife preservation			

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)

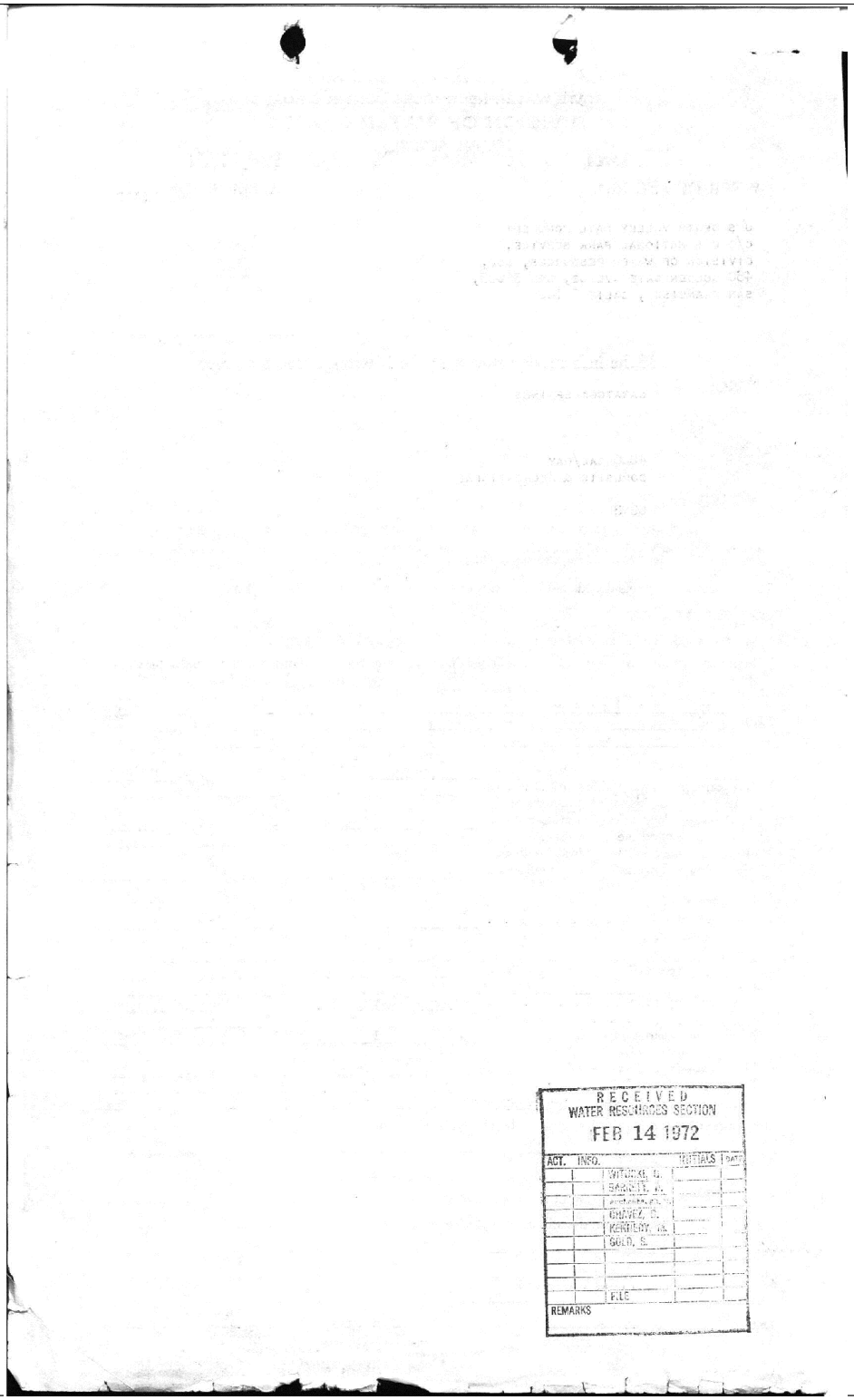
Date

Sign Here (SGD) GERARD S. WITUCKI
Licensee
Gerard S. Witucki
Chief, Division of Water Resources

1971

WRCB-17 (8-71)

02-14-1972: received stamp ; february 14, 1972



02-17-1969: enclosed are reports of licensee for 1966, 1967 1968 ; february 17, 1969

17 FEB 1969

L54 LWSSC YOSE - Wtr Docket No. 6
DEVA WTR DOCKET NOS. 1,3,4,5,6,9
17,21,22,24,25,26,27,28,31

State of California
Division of Water Rights
Resources Building, Room 1140
1416 Ninth Street
Sacramento, California 95814

Gentlemen:

Enclosed are Reports of Licensee for 1966, 1967, 1968, and Progress Reports by Permittee for 1968, as follows:

Reports of Licensee - Death Valley National Monument

Source	Application No.	License No.	Docket No.
Goldbelt Spring	18433	6740	26
Saratoga Springs	8183	6343	17
Mesquite Spring	19538	7578	28
Lower Emigrant Spring	15381	6110	9
Unnamed Tunnel	10119	7854	6
Ranger Spring	19482	7577	27

Progress Reports by Permittee - Death Valley National Monument

Tarantula Springs	16096	11421	21
Blue Cliff Springs	17839	11423	25
Chucker Spring	16138	11422	22
Unnamed Spring	8423	4645	24
Nevares Springs	18489	11924	1
Furnace Creek Wash	10001	5738	3
Furnace Creek Wash	10002	5739	4
Furnace Creek Wash	10118	5754	5
Surprise Spring	21646	14533	31

Progress Report by Permittee - Yosemite National Park

Moss Creek	19116	12387	6

Sincerely yours,

JOHN E. RITCHIE

John E. Ritchie
Chief, Office of Land
and Water Rights

Enclosures

cc: Chief, OLWR, WSC w/encl
Regional Director, Western
Superintendents, Death Valley; Yosemite
JWROBERTS:mlk 2/17/69

12-31-1968: enclosed are two copies each of the subject reports ; december 31, 1968

RECEIVED
San Francisco Planning and Service Center
Office of Land and Water Rights
NATIONAL PARK SERVICE
DEC 23 1968
ST. INFO. | INITIALS | DATE
CHIEF
ASST. CHIEF
STAFF ASST.
SUPV. RNGR.
PLANNING
P. LE
ENGINEER
SUPV. Hydraulic Engr.
DOCKET
FILE

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

IN REPLY REFER TO:
Dev
Docket #17

Death Valley National Monument
Death Valley, California 92328

December 31, 1968

L54 SSCLW

Memorandum

To: Supervisory Hydraulic Engineer, SSC

From: Superintendent, Death Valley

Subject: Report of Licensee for the years 1966, 1967, 1968.

Enclosed are two copies each of the subject reports for filing with the State Water Rights Board.

Application No:	License No:	Docket No:
18433	6740	26
8183	6343	17
19538	7578	28
15381	6110	9
10119	7854	6
-19482	7577	27

We have made a copy of each for our water dockets.

Robert J. Murphy

Robert J. Murphy

Enclosures

STATE OF CALIFORNIA—THE RESOURCES AGENCY

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

REPORT OF LICENSEE FOR 1966, 1967, 1968

OWNER OF RECORD:

APPLICATION 8183

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF 92328

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

SOURCE: SARATOGA SPRINGS

AMOUNT: 4800 GAL/DAY
PURPOSE: DOMESTIC & RECREATIONAL

LICENSE 6343

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.

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

1966: Was water used? Yes What was the maximum rate of diversion (if known)? Unknown

Purpose (irrigation, domestic, etc.) Recreational, Domestic

Number of units served approximately 10,000 visitors annually
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	

1967: Was water used? Yes What was the maximum rate of diversion (if known)? Unknown

Purpose Recreational, Domestic

Number of units served approximately 10,000 visitors annually

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	

1968: Was water used? Yes What was the maximum rate of diversion (if known)? Unknown

Purpose Recreational, Domestic

Number of units served approximately 10,000 visitors annually

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	

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

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

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 December 31, 1968

Sign Here Robert J. Murphy
Robert J. Murphy Licensee Superintendent

1968

WRCB 17 (8-68)

24252-885 8-68 5M ① OSP

REMARKS

12-15-1965: mr. hill: we are submitting the following progress reports for death valley 1963, 1964, 1965 ; december 15, 1965

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Western Region
450 Golden Gate Avenue, Box 36064
San Francisco, California 94102

IN REPLY REFER TO:
L54

December 15, 1965

Mr. L. K. Hill
Executive Officer
State Water Rights Board
Room 1140, Resources Building
1416 Ninth Street
Sacramento, California 95814

Dear Mr. Hill:

We are submitting the following Progress Reports for Death Valley National Monument for the years 1963, 1964 and 1965.

Saratoga Springs; Application 8183; License 6343

Lower Emigrant Springs; Application 15381; License 6110

Goldbelt Spring; Application 18433; License 6740

Sincerely yours,

H. A. Springer
Acting Hydraulic Engineer

Enclosures (3)

82

17

STATE OF CALIFORNIA—RESOURCES AGENCY
STATE WATER RIGHTS BOARD
RESOURCES BUILDING, ROOM 1140
1416 – 9TH STREET
SACRAMENTO, CALIFORNIA 95814

REPORT OF LICENSEE FOR THE YEARS 1963, 1964 AND 1965

OWNER OF RECORD: APPLICATION 8183

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY,
CALIF

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

SOURCE: (1) SARATOGA SPRINGS (2)
(3) (4)
(5) (6)
(7) LICENSE 6343

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:

1963: Was water used? yes Amount (if known) 4,300 gal. per day
Purpose (irrigation, domestic, etc.) domestic, recreational
Season of use (months) all 12 months
Number of units served (acres, persons or ?) used by approximately 10,000 annual visitors

1964: Was water used? yes Amount (if known) 4,300 gal. per day
Purpose domestic, recreational
Season of use all 12 months
Number of units served used by approximately 10,000 annual visitors

1965: Was water used? yes Amount (if known) 4,300 gal. per day
Purpose domestic, recreational
Season of use all 12 months
Number of units served used by approximately 10,000 annual visitors

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

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

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

REMARKS

Date November 19, 1965

Sign Here John A. Aubuchon

John A. Aubuchon, Superintendent
United States of America
National Park Service
Death Valley National Monument

YEAR 1965

SWRB 17 (REV. 7-65)

12-15-1965: mr. hill we are submitting the following progress reports for death valley 1963, 1964, 1965 ; december 15, 1965

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Western Region
450 Golden Gate Avenue, Box 36064
San Francisco, California 94102

IN REPLY REFER TO:
L54

December 15, 1965

Mr. L. K. Hill
Executive Officer
State Water Rights Board
Room 1140, Resources Building
1416 Ninth Street
Sacramento, California 95814

Dear Mr. Hill:

We are submitting the following Progress Reports for Death Valley National Monument for the years 1963, 1964 and 1965.

Saratoga Springs; Application 8183; License 6343

Lower Emigrant Springs; Application 15381; License 6110

Goldbelt Spring; Application 18433; License 6740

Sincerely yours,

H. A. Springer
Acting Hydraulic Engineer

Enclosures (3)

12-14-1962: mr. hill: attached is the report of licensee for the years 1960, 1961, 1962 ; december 14, 1962

Chief, W.O.D.C

W O D C
DEC 17 1962
CHF
ADM
PERS
P & P
ARCH
ENGR
L. A.
SPEC
CONT
SFTY
HABS
ACTION TAKEN - DATE
File
12/18

December 14, 1962

154

Mr. L. K. Hill
Executive Officer
State Water Rights Board
P.O. Box 1592
Sacramento, California

7017

Dear Mr. Hill:

Re: Application 8183, License 6343
Saratoga Spring
Death Valley National Monument

Attached is the Report of Licensee for the years 1960, 1961, and 1962 for License 6343, Saratoga Spring, Death Valley National Monument.

Sincerely yours,

(SGD) JAMES M. SILER

James M. Siler
Regional Chief of Lands

Enclosure

Copy to: Director, w/cy of Report
Docket 17, w/cy of Report
Chief, WODC, w/cy of Report (2)
Supt., Death Valley

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

Report of Licensee for the Years 1960, 1961 and 1962

OWNER OF RECORD:

Death Valley National Monument
Death Valley
California

APPLICATION 8183

Indicate Corrections Above If the Owner or Address Shown Are Incorrect

SOURCE: (1) Saratoga Spring (2)
(3) (4)
(5) (6)

LICENSE 6343

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:

1960: Was water used? Yes Amount (if known) 4,800 gallons per day
Purpose (irrigation, domestic, etc.) Domestic; recreational
Season of use (months) All 12 months
Number of units served (acres, persons or ?) Used by approximately 10,000 annual visitors.

1961: Was water used? Yes Amount (if known) 4,800 gallons per day
Purpose Domestic; recreational
Season of use All 12 months
Number of units served Used by approximately 10,000 visitors.

1962: Was water used? Yes Amount (if known) 4,800 gallons per day
Purpose Domestic; recreational
Season of use All 12 months
Number of units served Used by approximately 10,000 visitors.

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

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

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

REMARKS

Date December 11, 1962

Sign Here Willard W. Daniels

Willard W. Daniels, Acting Superintend
United States of America
YEAR 1962 National Park Service
Death Valley National Monument

FORM 91

68112 7-62 3M © SPO

07-06-1961: enclosed is a copy of the license which constitutes final confirmation ; july 06, 1961

File DEVA Docket 17

LSS 7/7

Edmund G. Brown
Governor

STATE OF CALIFORNIA
State Water Rights Board

KENT SILVERTHORNE, CHAIRMAN
RALPH J. McGILL, MEMBER
W. A. ALEXANDER, MEMBER

L. K. HILL
EXECUTIVE OFFICER

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

COPY

JUL 6 1961

Superintendent
Death Valley National Monument
Death Valley, California

Mailed 7/10/61

Subject: Application 8183, Permit 4513, License 6343

Dear Sir:

Enclosed is a copy of the license which constitutes final confirmation of the right initiated by the filing of the above-numbered application.

A copy of the license has been recorded in the office of the County Recorder of San Bernardino County.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

Enc.
Cert.

cc: Mr. Herbert Maier
Acting Regional Director
U. S. Department of the Interior
National Park Service, Region 4
180 New Montgomery Street
San Francisco 5, California

✓

74

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 8183 PERMIT 4513 LICENSE 6343

THIS IS TO CERTIFY, *That* U. S. - Death Valley National Monument
Death Valley, California

has made proof as of March 30, 1960, *(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of* Saratoga Springs in San Bernardino County

tributary to Amargosa River thence Death Valley

for the purpose of domestic and recreational uses *under Permit* 4513 *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* November 30, 1934 *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* four thousand eight hundred (4800) gallons per day to be diverted from January 1 to December 31 of each year

The point of diversion of such water is located:

North six hundred twenty (620) feet and east one hundred twenty-six (126) feet from SW corner of SW¼ of NW¼ of Section 2, T18N, R5E, SBB&M, being within SW¼ of NW¼ of said Section 2.

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

Within SW¼ of NW¼ of Section 2, T18N, R5E, SBB&M.

Rec'd w/memo 8-9-61 Orig 3 Part II

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.

This license is granted an[d] ensee accepts all rights herein confirmed sub[ject] 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: JUL 6 1961

SEAL

L. K. Hill
Executive Officer

LICENSE 6343

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO U. S. - Death Valley ~~National Monument~~

DATED JUL 6

12-20-1960: mr. hill: i am submitting the following documents, progress report, request for license, request for revocation ; decem

Spaulding
155
12/22
DEVA Docket 17

H

Death Valley National Monument
Death Valley, California

L54

December 20, 1960

AIR MAIL



Mr. L. K. Hill
State Water Rights Board
1401 21st Street
P. O. Box 1592
Sacramento 7, California

Dear Mr. Hill:

I am submitting the following documents:

Progress Report by Permittee for the year 1960, Application 8183, Permit 4513.

Request for License under Application 8183.

Request for Revocation of Permit 5773 issued in the matter of Application 10171.

Sincerely yours,

/s/ Granville B. Liles

Granville B. Liles
Superintendent

Attachments 3

Copy to: Regional Director, Region Four w/copy enclosures
Director w/copy enclosures
Chief, WODC w/copy enclosures

copy of memo & attachments given to Miss Singer for Regional Solicitor's files.
L. Spaulding
12-27-60

67

WO DC

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD
SACRAMENTO, CALIFORNIA

REQUEST FOR LICENSE

Application 8183 Permit 4513

Subject to approval by the State Water Rights Board

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

Having made proof as of March 30, 1960, (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 Saratoga Springs

in San Bernardino County

tributary to Amargosa River

for the purpose of domestic and recreational uses

under Permit 4513 the priority of which dates from November 30, 1934,

by beneficial use in the amount of four thousand eight hundred (4,800) gallons

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

The point of diversion of such water is located: North six hundred twenty (620) feet and east one hundred twenty six (126) feet from W¼ corner of Section 2, T18N, R5E, SBB&M, being within SW¼ of NW¼ of said Section 2.

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

Within SW¼ of NW¼ of Section 2, T18N, R5E, SBB&M.

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

Dated: June 8, 1960
Inspected by A. P. Cummings
Form 76C

UNITED STATES OF AMERICA
Signature By: Granville B. Liles
Date 6/10/60 Granville B. Liles
Superintendent,

WRB

STATE OF CALIFORNIA—STATE WATER RIGHTS 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 Saratoga Spring APPLICATION 8183

PERMIT 4513

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, 180 New Montgomery Street, San Francisco, California

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

3. Has all construction work been completed? ~~No~~ Yes If not, give estimated date of completion xxxxx

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? [redacted]

6. Has use of water commenced? Yes State amount used if known 4800 gallons per day

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 ____ Number of persons ____ Area of garden, lawn, etc.

(e) ☐ Municipal ____ Approximate population

(f) ☐ Mining ____ Method of water use

(g) ☒ Recreational ____ Nature of use

(h) ☐ Power ____ Installed horsepower capacity

(i) ☐ Other xxxxxxxxxxxxxxxx

7. During what months was water used in 1960? All 12 months

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?* Yes

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

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? Does not apply How much of the stored water has been used?

Have you emptied the reservoir? ~~No~~ 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? Does not apply

UNITED STATES OF AMERICA

Sign Here Granville B. Liles

By: Granville B. Liles, Superintendent
Permittee Death Valley National Monument

Date Dec 19, 1960

Rec'd w/memo 12-20-60

(OVER)

YEAR 1960

FORM 67

08-23-1960: mr. horne: in accordance with your request, please be advised that no further action on the app will be taken ; august

File DEVA
Docket 17

Spaulding LSS 8/30

Edmund G. Brown
Governor

STATE OF CALIFORNIA

State Water Rights Board

KENT SILVERTHORNE, Chairman
W. P. ROWE, Member
RALPH J. McGILL, Member

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

L. K. HILL
Executive Officer

COPY

August 23, 1960

Mr. Frank B. Horne
Regional Solicitor
U. S. Department of the Interior
P. O. Box 4291 - T&C
Sacramento 21, California

Subject: Applications 8183 and 10171
Saratoga Springs, San Bernardino County

Dear Mr. Horne:

In accordance with your request contained in your letter of August 16, in connection with water right Application 8183 (Permit 4513), and Application 10171 (Permit 5773), please be advised that no further action on the applications will be taken by this office until after January 1, 1961, in order that you may have sufficient time within which to complete your consideration of this matter.

Very truly yours,

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

cc: Regional Director
National Park Service
San Francisco, California

Mr. Granville B. Liles
Superintendent
Death Valley National Monument
Death Valley, California

NATIONAL PARK SERVICE
RECEIVED
AUG 24 1960
REGION FOUR OFFICE

51

08-16-1960: attached is a copy of a communication from this office to the state water rights board ; august 16, 1960

File DEVA
Docket 17

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
SACRAMENTO REGION
P. O. BOX 4291 - T&C
SACRAMENTO 21, CALIFORNIA

August 16, 1960

Memorandum

To: Regional Director, Region Four, National Park Service

From: Regional Solicitor

Subject: Water Right Applications 8183 and 10171, Saratoga Springs, Docket 17, Death Valley

Attached is a copy of a communication from this office to the State Water Rights Board bearing today's date.

We have reviewed the material submitted with the Regional Chief of Operation's memorandum of July 26. It is indicated in the memoranda from the Chief, Water Resources Section, dated August 6, 1959, and May 12, 1960, that information bearing upon the background of condemnation of the patented tract is to be found in this docket. It appears that material of this nature may be located in Parts I, III, and IV of the docket. We would appreciate the opportunity of reviewing this material before submitting our recommendations.

In response to the final paragraph of the July 26 memorandum, we might suggest that no action by way of amendment of county filings is necessary. This seems to be the import of Section 1706 of the Water Code of the State of California, the only limitation being that others not be injured by the changes.

For the Regional Solicitor
Sacramento Region

Joseph E. Taylor
Assistant Regional Solicitor

In duplicate

Attachment

NATIONAL PARK SERVICE
RECEIVED
AUG 18 1960
REGION FOUR OFFICE

08-16-1960: we are currently giving consideration to the adoption of appropriate procedures in connection with the subject applicati

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
SACRAMENTO REGION
P. O. BOX 4291 - T&C
SACRAMENTO 21, CALIFORNIA

August 16, 1960

Subject: Applications 8183 and 10171, Saratoga Springs in San Bernardino, California

State of California
State Water Rights Board
P. O. Box 1592
Sacramento 7, California

Gentlemen:

We are currently giving consideration to the adoption of appropriate procedures in connection with the subject applications. We find that it is necessary to procure additional data bearing upon the background of water uses in the vicinity of Saratoga Springs, Death Valley National Monument. We are requesting the National Park Service to furnish this information.

We have been furnished with a copy of Mr. Hill's letter of June 24 to the Regional office of the National Park Service at San Francisco. It is our initial impression that action may be taken on each of these applications without the necessity of a hearing. However, in the absence of a review of additional material we are calling for, we are reluctant to advise the National Park Service in relation to your proposal. Accordingly, may we suggest that action toward setting a hearing be suspended for a reasonable time pending our final recommendations to the National Park Service.

Very truly yours,

Frank B. Horne

Frank B. Horne
Regional Solicitor

In duplicate

Copy to: Regional Director, National Park Service, San Francisco
(In duplicate)

57

06-24-1960: mr. hill: we have your letter of june 24 suggesting that we take certain action concerning the subject applications ; july

~~Spaulding~~ 65
Whitworth
Wosky

REGION FOUR
180 New Montgomery Street
San Francisco 5, California

L 54

July 26, 1960

Mr. L. K. Hill, Executive Officer
State Water Rights Board
P. O. Box 1592
Sacramento 7, California

Re: Applications 8183 and 10171
Saratoga Springs in
San Bernardino County

Dear Mr. Hill:

We have your letter of June 24 suggesting that we take certain action concerning the subject applications.

The matter is under study with the expectation that our answer will be ready within the ninety day period.

Sincerely yours,

(SGD) JOHN B. WOSKY

John B. Wosky
Regional Chief of Operations

FILE COPY

Copy to: Director (2)
Supt., Death Valley

LSSpaudding:lq

03-30-1960: reference is made to the march 30, 1960, inspection by an engineer of this office of your project covering diversion ; j

Edmund G. Brown
Governor

STATE OF CALIFORNIA

State Water Rights Board

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

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

RECEIVED
NPS REGION FOUR OFFICE
JUN 29 '60

	SURNAME	DATE
REG. DIR.	L. K. HILL	
ASST. R.D.	EXECUTIVE OFFICER	
✓ OPERATIONS		7/5
ADMIN.		
RECREATION		
INTERP.		
RANGER ACT.		

has copy ~~Spaulding~~ LSS 6/30
✓ ~~Whitworth~~
✓ ~~Manbeck~~ BFM
See memo to Dir of 7/1

June 24, 1960

U. S. Department of Interior
Regional Office
180 New Montgomery Street
San Francisco, California

Subject: Applications 8183 and 10171
Saratoga Springs in San Bernardino County

Gentlemen:

Reference is made to the March 30, 1960, inspection by an engineer of this office of your project covering diversion from Saratoga Springs in Death Valley National Monument under the above-numbered water right applications. At the time of inspection, Superintendent Granville B. Liles stated that he believed further time would be desirable to complete a public campground at Saratoga Springs.

The report of the inspection indicates that 4,800 gallons per day have been taken under control at the spring house for beneficial use for domestic and recreational purposes. There is no present or contemplated industrial use. Although your completion schedule indicates a public campground will be finished in 1966, it is not apparent that more water will be taken under control by that time. Since there is no provision in the Water Code wherein a water right may be acquired for the preservation of a pond in its natural state, we propose to issue a license in the matter of Application 8183, Permit 4513, for 4,800 gallons per day and, since this use is entirely covered under the earlier filing, it is proposed to revoke Application 10171, Permit 5773. If you concur with our thoughts in the matter, please sign the enclosed Form 76C, Request for License, and Form 87, Request for Revocation of Permit, and return the original copies to this office. The carbon copies may be retained for your files.

4 8

03-30-1960: reference is made to the march 30, 1960, inspection by an engineer of this office of your project covering diversion co

Unless the above requests are received within ninety days, this office will have no alternative than to set a hearing in the matter. At the hearing you will be required to show cause, if any exists, why the above course of action should not be taken.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

cc: Mr. Granville B. Liles
Superintendent
Death Valley National Monument
Death Valley, California

48

03-22-1960: this is to inform you that mr. cummings, an engineer of this office, will make an inspection of the construction work ; ma

File DEVA Docket 17

Edmund G. Brown
Governor

STATE OF CALIFORNIA
State Water Rights Board

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

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

L. K. HILL
EXECUTIVE OFFICER

RECEIVED
NPS REGION FOUR OFFICE
MAR 24 '60

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		3/24
ADMIN.		
RECREATION		
INTERP.		
RANGER ACT.		

March 22, 1960

Applications 8183 and 10171
Saratoga Spring in Death Valley National Monument

COPY

Superintendent
Death Valley National Monument
Death Valley, California

Dear Sir:

This is to inform you that Mr. Cummings, an engineer of this office, will make an inspection of the construction work and use of water under the above-numbered applications and will be at Death Valley National Monument Headquarters on March 30 at 9:00 a.m.

It is requested that you have a representative present who is familiar with the project and who can supply the necessary information relative to the use of water.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

cc: Mr. John B. Wosley
Regional Chief of Operations
U. S. Department of the Interior
180 New Montgomery Street
San Francisco, California

42

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
1001 21st STREET
P. O. BOX 1981
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 Saratoga Spring APPLICATION 5183

PERMIT 4513

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, 180 New Montgomery Street, San Francisco, Calif.

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

3. Has all construction work been completed? No If not, give estimated date of completion 1966

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? Construction of diversion works, reservoir and distribution system

6. Has use of water commenced? Yes State amount used if 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 — Number of persons; Area of garden, lawn, etc.

(e) ☐ Municipal — Approximate population

(f) ☐ Mining — Method of water use

(g) ☒ Recreational — Nature of use

(h) ☐ Power — Installed horsepower capacity

(i) ☒ Other Fish and Wildlife

7. During what months was water used in 1959? All 12 months

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?* Yes

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

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?

NOV 30 1959 (SGD) JOHN B. WOSKY

Signature: John B. Wosky
Regional Chief of Operations

Date Nov. 30, 1959

COVERING YEAR 1959

06-29-1959: orders have been entered granting extensions of time until december 1, 1960 ; june 29, 1959

Edmund G. Brown
Governor

554
Face
DeLee

STATE OF CALIFORNIA

State Water Rights Board

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

L. K. HILL
EXECUTIVE OFFICER

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

JUL 29 '59

See ltr 8-6-59 to Reg. 4

Applications 8183, Permits 4513
10171 5773
Death Valley Docket 17
Saratoga Springs

Director, National Park Service
Branch of Lands
Room 2227 Interior Building
Washington 25, D.C.

Attention: A. van V. Dunn, Chief
Water Resources Section

Dear Sir:

Orders have been entered granting extensions of time until December 1, 1960, within which to complete construction work and application of water to the proposed use under the above-numbered permits.

It is suggested that the enclosed copies of the orders be attached to your copies of the permits.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

Enc. N
Cert.

STATE OF CA[illegible]ORNIA—STATE WATER RIGHT[illegible] BOARD

Death Valley Docket 17 Part II

ORDER

APPLICATION 8183 PERMIT 4513 LICENSE

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

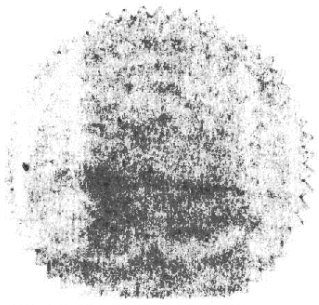
The State Water Rights Board having determined that good cause has been shown for an extension of time within which to complete construction work and application of water to the proposed use under Permit 4513 ; said Board having approved such extension and having directed that this order be issued;

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

L. K. Hill
Executive Officer



Spaulding

L 54

~~Spaulding~~ LSS

McLellan

~~Whitworth~~

~~Carter~~

Sumner 6/8

~~Member~~ DFM

Wosky JBW

June 8, 1959

Mr. L. K. Hill, Executive Officer
State Water Rights Board
P. O. Box 1592
Sacramento 7, California

Applications 8183 and 10171
Saratoga Springs, Death Valley

Dear Mr. Hill:

Mr. A. van V. Dunn, Chief, Water Resources Section, National Park Service, forwarded a copy of your letter of May 14 for our reply supplementing his of May 20.

Our primary concern is to preserve Saratoga Springs for fish and wildlife and to protect the area from conflicting use. In this regard it is essential that the present pond and surrounding vegetation be maintained, forestalling the diversion of more than a small amount of water for other uses.

We are currently studying how public use of the area can be made without conflict with the primary purpose. Although we plan to continue to make water available to visitors for filling containers and radiators at the existing spring house, our plans for increased domestic use in the immediate area are not yet formulated.

We concur with Mr. Dunn in that we have no objection to your prescribing general conditions for the provision of water for the public and wildlife at Saratoga Springs.

Sincerely yours,

(SGD) JOHN B. WOSKY
John B. Wosky
Acting Assistant Regional Director

Copy to: Director
Superintendent, Death Valley

LSSpaulding:kp

FILE COPY

33

05-20-1959: receipt is acknowledged of your letter of may 20, 1959 enclosing a print of your drawing nm-dv 6966 ; may 26, 1959

Edmund G. Brown
Governor

Sale DEVA docket 17
L54

STATE OF CALIFORNIA
State Water Rights Board

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

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

Price
D. E. Lee

L. K. HILL
EXECUTIVE OFFICER

May 26, 1959

Applications 8183, 10171

Mr. A. van V. Dunn, Chief
Water Resources Section
U. S. Department of the Interior
National Park Service
Washington 25, D. C.

Re: L54-OBL

Dear Sir:

Receipt is acknowledged of your letter of May 20, 1959 enclosing a print of your Drawing NM-DV 6966, Exhibit A, Patented Land at Saratoga Springs, and setting forth your partial answer to our letter of May 14, 1959.

The matter will be placed before the Board for consideration within the near future.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

31

L54 OBL

May 20, 1959

WESTERN OFFICE
DESIGN & CONSTRUCTION
MAY 22 1959
CHIEF
ADMIN. ASSIST.
PERSONNEL
PLANS & PROG.
SAFETY
ARCHITECT
ENGINEER
LAND. ARCH.
ACTION TAKEN—DATE
None

Mr. L. K. Hill, Executive Officer
State Water Rights Board
1401 21st Street
P. O. Box 1592
Sacramento 7, California

Applications 8183 and 10171
Saratoga Springs, Death Valley

Dear Mr. Hill:

The enclosed print of our Drawing NM DV 6966, Exhibit A, Patented Land at Saratoga Springs, was used in connection with the Federal acquisition of the patented land and subject water rights. Your letter of May 14 is also being referred to Mr. Lawrence C. Merriman, Regional Director, Region Four, San Francisco, for detailed reply.

In partial answer to your letter, one of the purposes in acquiring the tract was to preserve the cyprinodonts, a type of small fish in the small pond near the spring house, and also in the larger pond to the north. It was also acquired as a measure to prevent poaching during duck migrations. It is also about the only site for a public campground in the southern portion of the Monument.

The Geological Survey has estimated there is an available water supply of approximately 200 acre feet per year, based on an analysis of the areas of free water and different types of vegetation. The technical staff of the Regional Office of the National Park Service in San Francisco, is now working on development plans to gain all of the desired objectives. There will doubtless be some changes in the allocation of water to fish, wildlife and public use; and in the general plan of development, to segregate the public use from the wildlife facilities.

We shall have no objection to your prescribing general conditions for the provision of water for fish and wildlife in the orders granting extensions of time under the subject applications. However, we believe that there should be no restrictive provisions which might limit our scientific planning without the Regional Director's recommendations.

Very truly yours,

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Enclosure

Copy to: Regional Director, Region Four, w/c incoming
Superintendent, Death Valley, w/c incoming
Chief, WODC (2), w/c incoming

30

05-14-1959: reference is made to permits 4513 and 5773 issued on the above numbered app ; may 14, 1959

Edmund G. Brown
Governor

1-5/19

L 54

STATE OF CALIFORNIA

State Water Rights Board

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

1401 21ST STREET
P. O. BOX 1892
SACRAMENTO 7, CALIFORNIA

L. K. HILL
EXECUTIVE OFFIC

May 14, 1959

Applications 8183, 10171

1 Encl
D. E. Lee
Files

Director, National Park Service
Branch of Lands
Room 2227 Interior Building
Washington 25, D. C.

Attention: A. van V. Dunn, Chief
Water Resources Section

Dear Sir:

Reference is made to Permits 4513 and 5773 issued on the above-numbered applications of the National Park Service. Petitions for further extensions of time under these permits were received on November 26, 1958, and came before our Board for consideration at its meeting of April 30, 1959.

You will recall that our letter of February 6, 1959, in regard to certain other water right permits indicated that our Board has adopted a policy requiring all applicants seeking permits to appropriate from Springs in the desert area of the State to give assurance that the development will not prevent use at the source of supply by wildlife or the public. The letter inquired as to your position in the matter and requested your plans and views in regard to applying the policy to applications of the National Park Service in desert areas of California.

In reply thereto, Mr. Price by his letter of March 11, 1959, stated that your agency is particularly interested in and sympathetic to the policy adopted by the Board, but that in effect, each appropriation should be given individual consideration. This letter also indicated that you will include a statement in future applications to describe wildlife facilities which are being reserved or provided.

Before taking action on your petitions for extensions on Permits 4513 and 5773, the Board requested that a letter be addressed to you

Reg. 4
25

inquiring as to your position with regard to installation of watering devices for wildlife and also with regard to your position as to access by the public to the source of water under Permits 4513 and 5773.

Will you please advise us as to the position of the National Park Service in connection with these two matters. Action on your petitions will be deferred temporarily pending receipt of your reply.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

29

11-21-1958: mr. hill: enclosed are petitions for extensions of time under the subject applications ; november 21, 1958

L54-OBL

November 21, 1958

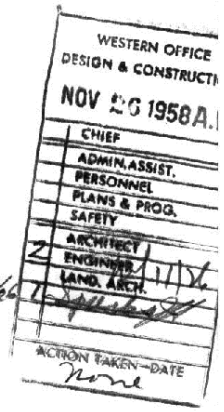
Mr. L. K. Hill, Executive Officer
State Water Rights Board
1401 - 21st Street
P. O. Box 1592
Sacramento 7, California

Applications 8183 and 10,171
Saratoga Springs, Death Valley

Dear Mr. Hill:

Enclosed are petitions for extensions of time under the subject applications.

Purchase Order 99-244 and a voucher to cover the fees of $5.00 for each extension were sent to you with my letter of October 20 and the 1958 Progress Reports. The signed voucher and the forms for the enclosed petitions were returned with your letter of October 27. The voucher has been placed in line for payment.



Very truly yours,

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Enclosures 2

Copy to: Regional Director, Region Four, w/c enclosures - Part II, Docket 17
Superintendent, Death Valley " " " "
Chief, WODC - Docket assembly to be submitted when compiled

L54-L

October 20, 1958

Mr. L. K. Hill, Executive Officer
State Water Rights Board
State of California
1401 21st Street, P. O. Box 1592
Sacramento 7, California

Re: Applications 8183 and 10171
Saratoga Springs, Death Valley

Dear Mr. Hill:

Enclosed are the 1958 Progress Reports under the subject water right applications. The reports are identical and comprehensive.

The United States appears to have acquired title to any valid interests under three county water right filings, the two applications, and the riparian rights which I believe the State recognizes as having accrued to the patented Placer Claim. We have reports that indicate that the large pond, formerly in two units, was constructed in 1908 or before. There is continuing use of all the water for domestic, irrigation, fish and wildlife, and scenic purposes which will be the Federal uses with increased domestic use at the expense of some irrigation and possible pondage.

Your letter of October 7 indicates that the subject applications and related permits will expire on December 1 if not extended, but the usual notices with forms for request of extension of time were not included. Accordingly, we enclose a voucher and purchase order to cover the fees for such extensions, and hereby request that the time be extended to as nearly 1966 as your laws and regulations will permit, for amendment of rights and reconstruction of the water system.

WESTERN OFFICE DESIGN & CONSTRUCTION
OCT 22 1958
CHIEF
ADMIN. ASSIST.
PERSONNEL
PLANS & PROG.
SAFETY
ARCHITECT
2 ENGINEERS
LAND. ARCH.
ACTION TAKEN—DATE

Sincerely yours,

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Enclosures 2

Copy to: Regional Director, Region Four, w/c enclosures & incoming letter
Superintendent, Death Valley, " " " "
Chief, WODC, w/c incoming letter-enclosures to be supplied with docket when prepared

COPY MADE IN MAIL ROOM

STATE OF CALIFORNIA - STATE WATER RIGHTS BOARD

Application 8183 Permit 4513

EXTENSION PETITION

NOTE: 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 sickness, lack of finances or other conditions incident to the person and not to the enterprise will not 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 fee of $5.00 is required for each permit petitioned.

A. If construction work has not commenced within the time allowed under the permit, an extension of such commencement date may be petitioned by completing Items 1, 2 and 3.

1. Approximate total amount of money spent in connection with the project to date $_____ What was the money spent for? _____

2. Estimated date of commencement of construction _____.

3. Reasons why construction was not begun within the time allowed by the permit _____

B. If construction work and/or use of water is proceeding but is not fully complete, an extension of time may be petitioned by completing Items 4, 5, 6, 7, 8 and 9.

4. A (~~request for one year~~), (3-year) extension of time is requested for completion of construction work and/or beneficial use of water. (Indicate period of time desired.)

5. Approximate total amount spent on project to date **$ 17,900 plus**.

6. Approximate per cent of construction work complete to date **See ques. 9**.

7. Estimated date of completion of construction work **1965**.

8. Estimated year in which full use of water will be made **1966**.

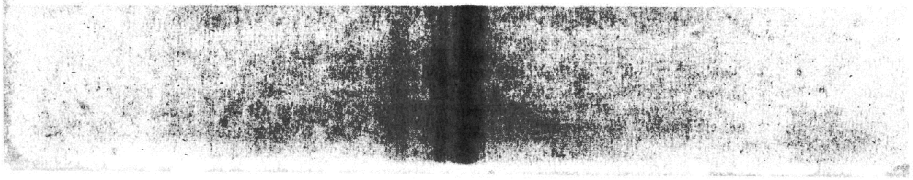
9. Reasons why construction and/or use of water was not completed within time previously allowed: **See Progress Report of Oct. 20 by Permittee. All development has been completed as described in Applications 8183 and 10,171, at claimed cost of $2,500. Approximately 2200 ft. of earth dike from 3 to 8 ft. in height, and excavation of small pond, were also completed under prior county filings. Water has been used continuously since prior to 1925, and periodically since about 1877. The United States now claims successorship interest by condemnation and declaration of taking at cost of $15,500. The National Park Service also spent $2,809.20 for appraisals, and water quantity studies and testimony by the Geological Survey, and the Department of Justice and Park Service spent unspecified sums for**

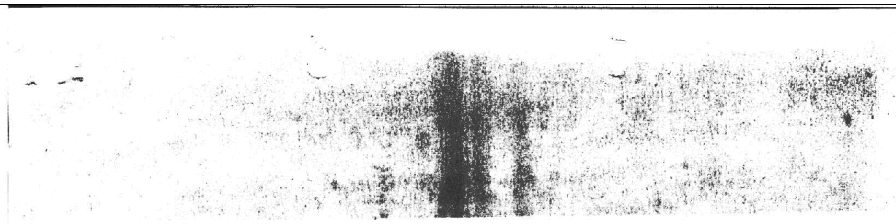
(continued on reverse)

Date Oct 20, 1958 Signature A. Ward Dorn

THIS COMPLETED PETITION MUST BE ACCOMPANIED BY A FEE OF $5.00

Form 67-H





travel and personal services in connection with said contamination. These activities and expenditures were completed in January 1958. The area and water using facilities are now to be redeveloped to provide better facilities for recreational purposes in accordance with outline in 1958 Progress Report, as part of Hanford 66 program to be completed about 1966.

09-29-1958: attention: a. van v. dunn: on september 29 1958 attorney michael lavelle informed this office that the property formerly

L 07

STATE OF CALIFORNIA

State Water Rights Board

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

1401 21st STREET
P. O. BOX 1388
SACRAMENTO 7, CALIFORNIA

B. E. Lee
L. K. HILL
EXECUTIVE OFFICER

October 7, 1958

Applications 8183, 10171

Water Resources Section
U. S. Department of the Interior
National Park Service
Washington 25, D. C.

Attention: A. van V. Dunn, Chief

Gentlemen:

On September 29, 1958, Attorney Michael Lavelle informed this office that the property formerly held by the Estate of George A. McKinney was acquired by the United States Government by condemnation proceedings. Our records will therefore be changed to show the United States of America, Department of Interior, National Park Service, Washington 25, D. C., as being the present owners of the permits providing no word to the contrary is received within 30 days of the date hereof.

For your information, Permit 4513 covers diversion of 16,000 gallons per day from Saratoga Springs for domestic and recreational purposes within the SW¼ of NW¼ of Section 2, T18N, R5E, SBB&M, and Permit 5773 covers diversion of 54,000 gallons per day from Saratoga Springs for domestic, industrial and recreational purposes within the SW¼ of NW¼ of said Section 2.

The time previously allowed within which to complete the projects under both permits expires on December 1, 1958. Progress Reports are annually required of all permittees in connection with each permit. Forms for this purpose are enclosed in connection with each of the permits.

Very truly yours,

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

DEVA

Enc.
copy to A. van V. Dunn
cc: Estate of Geo. A. McKinney
Los Angeles, Calif.

03-22-1956: mr. lavelle: based upon the information contained in the 1955 progress reports ; march 22, 1956

Harvey O. Banks,
A. D. EDMONSTON, STATE ENGINEER
CHIEF OF DIVISION

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
P. O. BOX 1078
SACRAMENTO 5
PUBLIC WORKS BUILDING
1120 N STREET

MAR 22 1956

Applications 8183, 10171

Permits 4513, 5773

COPY

Estate of George A. McKinney
c/o Michael Lavelle, Attorney
1315 Westwood Blvd.
Los Angeles 24, Calif.

Dear Mr. Lavelle:

Based upon the information contained in the 1955 Progress Reports, orders have been entered granting extensions of time until December 1, 1958, to apply the water to complete beneficial use under the above numbered applications and permits.

It is suggested that the enclosed copies of the orders be attached to your copies of the permits.

Very truly yours,

HARVEY O. BANKS, STATE ENGINEER

By L. C. Jopson
L. C. Jopson
Assistant State Engineer

Enc.
Cert.

cc: Water Resources Section
Wash. D. C.

11-04-1955: mr. lavelle: this will acknowledge receipt of your letter of november 4 1955 in connection with app 8183 and 10171 ; n

CHIEF OF DIVISION

FRANK B. DURKEE
DIRECTOR

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

November 10, 1955

Applications 8183, 10171

COPY

Mr. Michael Lavelle
Attorney at Law
1315 Westwood Boulevard
Los Angeles 24, California

Dear Mr. Lavelle:

This will acknowledge receipt of your letter of November 4, 1955, in connection with Applications 8183 and 10171, Permits 4513 and 5773, respectively, indicating that Mr. George A. McKinney is deceased, that the United States has commenced condemnation proceedings for the land covered by the permit, that such condemnation action is still pending, and that Mr. McKinney's devisee of the land cannot therefore complete the projects. It is also noted from your letter that the source under the permits originates on springs located upon the land covered by permit and flows into a lake without any outlet, also located thereon, and that you inquire as to whether this department has therefore jurisdiction over the water.

At such time as the decree of the distribution of the estate has been entered, please inform this office of the successors in order that our records may be corrected. Our records at present will show the estate of George A. McKinney as present owner of the permit. Please be advised that as long as litigation affecting the ownership of the land covered by the permit is actively pressed, this office will consider additional extensions of time within which to complete the project.

It is noted that the time previously allowed within which to complete beneficial use of water under both permits expires on December 1, 1955. The law provides that additional time for completion of a project may be allowed upon a showing of good cause. The information contained in your letter appears to show adequate good cause for an additional extension of time. It will be necessary however to submit a fee of $5.00 for each application (a total of $10.00) for the extension order covering those filings. Further consideration of an order granting an additional extension of time will await receipt of the $10.00 fee.

In response to your question regarding jurisdiction of this department, in a stream such as you have described in your letter, please be advised that this department has jurisdiction over waters as described in the enclosed booklet entitled Rules, Regulations and Information Pertaining to Appropriation of Water in California. Your particular attention is directed to Pages (33) to (37).

It may be that the land covered by the permits may also have other rights of which this office has no records, such as old appropriative rights or riparian rights. It would appear to be desirable to maintain the filings in good standing until such time as the condemnation proceedings have been determined.

If this office can be of any further assistance to you, please do not hesitate to call upon us.

Very truly yours,

HARVEY O. BANKS
ACTING STATE ENGINEER

By_____
L. C. Jopson
Principal Hydraulic Engineer

Enc.

cc: Mr. A. van V. Dunn, Chief
Water Resources Section
U. S. Department of the Interior
National Park Service
Washington 25, D. C.

AAC:ig

06-23-1954: mr. dunn: in reply to your inquiry of june 23 please be advised that app 8183 and 10171 are in good standing ; june 3

A. D. EDMONSTON, STATE ENGINEER
CHIEF OF DIVISION

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
P. O. BOX 1079
SACRAMENTO 5
PUBLIC WORKS BUILDING
1120 N STREET

June 30, 1954

Applications 8183, 10171

L54-L

Mr. A. van V. Dunn, Chief
Water Resources Section
U. S. Department of the Interior
National Park Service
Washington 25, D. C.

COPY

Dear Mr. Dunn:

In reply to your inquiry of June 23 please be advised that Application 8183, Permit 4513 and Application 10171, Permit 5773, are in good standing upon our records. Application 8183 was originally filed by Jack J. Renie and notice of assignment to Renie Enterprises, Incorporated was received on February 27, 1941. Application 10171 was originally filed by Renie Enterprises, Incorporated. Notice of assignment of both water rights to Michael Lavelle was received on May 23, 1949, and on the same date notice of further assignment of both water rights to George A. McKinney was received. Both applications presently stand in the name of Mr. McKinney.

There does not appear to be any reference to early county filings in correspondence in connection with these applications and to the contrary a letter from Jack J. Renie dated January 12, 1935, indicates that the springs have lain idle "through all these centuries". If we can be of further assistance, do not hesitate to call upon us.

Very truly yours,

A. D. EDMONSTON, STATE ENGINEER

By JUN 3 0 '54 L.C.
L. C. Jopson
Principal Hydraulic Engineer

06-23-1954: mr. edmonston: we obtained copies of app 8183 and 10171 appurtenant to the patented saratoga springs tract ; june

In reply refer to:
L5b-L

Office of
Chief Western Office
Div. of Design and Const.
Supv. Architect
Supv. Engineer
Supv. Landscape Arch.
Safety Engineer

June 23, 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:

Re: Applications 8183 and 10,171

We obtained copies of Applications 8183 and 10,171, appurtenant to the patented Saratoga Springs Tract, Death Valley, a number of years ago. At the time they were in good standing in the name of Jack J. Ronie and Ronie Enterprises, Inc., respectively. We are now in the process of acquisition of the property from a Mr. George McKinney, whose title has been established in a friendly condemnation.

Our investigation now shows that the land was claimed and developed between 1907 and September 24, 1914, and the patent was granted on the latter date, implying possible county filings for certain water developments and use which are not covered by the designated applications. The applications also show that Mr. Ronie claimed land title under mining claims recorded December 29, 1934.

Please advise whether the water right applications are still in good standing on your records, whether you have any records of assignment, and whether you have any reference to early county filings in correspondence concerning the filing of the applications and granting of permits 4513 and 5773 thereon.

Sincerely yours,

(SGD.) A. VAN V. DUNN

A. van V. Dunn
Chief, Water Resources Section

Copy to: Regional Director, Region Four (2)
Chief, Western Design and Construction Office

05-23-1949: mr. mc kinney: on may 23, 1949 there was received from michael lavello a statement to the effect that he has assigne

EDWARD HYATT, STATE ENGINEER
CHIEF OF DIVISION

DEATH VALLEY NATIONAL MONUMENT
JUN 2 1949
Superintendent's Office

ADDRESS REPLY TO
DIVISION OF WATER RESOURCES
PUBLIC WORKS BUILDING
P. O. Box 1079
SACRAMENTO 5

EARL WARREN
GOVERNOR OF CALIFORNIA

C. H. PL
DIREC

STATE OF CALIFORNIA
Department of Public Works
SACRAMENTO

R. Rvr.	Ogata
at.	
nvr.	Engineer
V ..rk	
eno	
Whse.	
C. Clerk	

May 25, 1949

Applications 8183 and 10171

660.05.1
#17 Water Right

George A. Mc Kinney
c/o Michael Lavelle
Attorney at Law
10572 Ashton Ave.
Los Angeles 24, Calif.

COPY

Dear Mr. Mc Kinney:

On May 23, 1949, there was received from Michael Lavello a statement to the effect that he has assigned Application 8183, Permit 4513 and Application 10171, Permit 5773, to you and our records have been changed accordingly. Included with the statement were the 1948 progress reports in connection with these filings.

It is assumed that copies of the permits were delivered to you by Mr. Lavelle. If not, we will be pleased, at your request, to have copies forwarded to you for the cost of preparation.

Very truly yours,

EDWARD HYATT, STATE ENGINEER

By_____
Walter E. Stoddard
Supervising Hydraulic Engineer

cc: Michael . Lavelle, Attorney at Law

Superintendent, Death Valley National Monument

Docket 17 LS

05-25-1949: order granting extension of time within which to complete construction and use ; may 25, 1949

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

ORDER

Notice of Assignment (Over)

APPLICATION 8183 PERMIT 4513 LICENSE

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

WHEREAS good cause has been shown wherefore an extension of time should be allowed for the completion of construction work and the application of the water to complete beneficial use under Application 8183, Permit 4513.

NOW THEREFORE it is hereby ordered that an extension of time be and the same is hereby granted until December 1, 1942 within which to complete construction work and to apply the water to complete beneficial use under said application and permit.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 23rd day of October, 1939.

EDWARD HYATT, State Engineer

By Harold Conkling
Deputy

OCT 24 '39

02-20-1935: application to appropriate unappropriated water; february 20, 1935

(See regulations of the Division of Water Resources Governing the Appropriation of Water.)

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

Application No. 8183 Filed Nov. 30, 1934 at 10:02 A.M.
(Applicant must not fill in the above blanks)

AMENDED APPLICATION RECEIVED 2/13/35 2/20/35

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

This application involves in no way the right to construct a dam

I, Jack J. Renie
Name of applicant

of 3723 Brilliant Place, Los Angeles 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 Saratoga Spring
(Give name of stream, lake, or spring. If unnamed, so state and give tributary to named stream.)
located in San Bernardino County, tributary to Zevada Valley

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) For diversion to be directly applied to use as stored without storage 10,00 gal. per day
(Cubic feet per second equals 448.8 gallons per minute)
XXXXX to be diverted from January 1st to December 31st of each season.
(Insert dates, if limited)

(b) For diversion to be stored temporarily and later applied to beneficial use acre-feet
(1 acre-foot equals 325.9 gallons)
per annum, to be collected between and of each season.
(Insert dates, if limited)

(Specify whether (a) or (b) or both (a) and (b) are to be used. Where water is to be diverted to offstream storage, state the estimated capacity of the reservoir. Where water is to be diverted from storage already established, state the number of the permit, license or decree under which such storage was established, and the name of the reservoir. 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 Domestic and Recreational purposes
(Irrigation, power, municipal, mining, industrial, recreational, or other use. Recreational use refers to demand on reservoir for such uses as fishing, boating, bathing, etc.)

NOTE.—A separate application must be made for each use except that incidental domestic use may be included with any other use.

4. The point of diversion is to be located 920' N. and 180' E. from the S.W. corner of SW¼ NW¼ of Section 2
(If not located by reference to a U. S. Government survey, give distances from two boundaries of the ranch on which the point of diversion is located.)
being within the SW¼ of NW¼
(Smallest legal subdivision of U. S. Government survey in which point of diversion is located)
of Section 2, Tp. 1S N., R. 5 E. S.B.B.& M., in the County of San Bernardino

5. The main conduit terminates in SW¼ of NW¼ of Sec. 2, Tp. 1S N., R. 5E, SB M.
(State if other than shown on U. S. Government survey or if projected)

Description of Diversion Works

NOTE.—An application can not be approved for an amount greatly 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 Four feet in height (stream bed to level of overflow); Eight feet long on top; and constructed of Rock and cement

(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

7. **Storage Reservoir** Name

The storage reservoir will flood lands in
(Indicate whether on main stream or tributary, and if on tributary, name stream unless it is unnamed)
It will have a surface area of acres and a capacity of acre feet

FEB 20 1935

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

FEB 20 1935

8. Conduit System (describe main 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** _____

(b) **Pipe line: Diameter** 2 inches; **length** 300 feet; **grade** 13 feet per 1,000 feet; **total fall from intake to outlet** 4 feet; **kind** Iron

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 18 g.p.m.

The estimated cost of the diversion works proposed is $1000.00

Completion Schedule

10. **Construction work** will begin within 2 months after approval of this application.

Construction work will be completed within 1 year after approval of this application.

The water will be completely applied to the proposed use within 2 years after approval of this application.

Description of Proposed Use

11. **Place of Use.** SW¼ of NW¼ Section 2, T 18 N, R 5 E, S.B.B.&M.

NOTE.—If irrigation use is proposed, state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing 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? Yes

By virtue of mining claims recorded December 29, 1934.

12. **Domestic Use.** [If incidental to one of the major uses described in Paragraphs 13, 14, 15, 16, 17 or 18 domestic use may be included in the same application with any one thereof, and Paragraph 12 should be filled out. If the domestic use is not incidental to some major use a separate application is required.]

Domestic use is proposed as follows: general domestic usaa, gardans, etc.

The amount for which application is made was determined by yield of spring

13. **Irrigation Use.** (See marginal note.) The area to be irrigated is _____ acres.

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

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.** (See marginal note.) The total fall to be utilized is _____ feet.

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.

The use to which the power is to be applied is _____

The nature of the works by means of which power is to be developed is _____

The water will / will not be returned to _____ in _____ of

Sec. _____, Tp. _____, R. _____, _____ M.

DO NOT WRITE IN THIS SPACE

IF ONE OF PARAGRAPHS 13, 14, 15, 16, 17 and 18 is to make the irrigation, power, municipal, mining, industrial and reservoir use, or to some other major use may be included on the same application.

2/27/41 ASSIGNMENT TO Renie Estate mine Inc

DO NOT FILL IN MORE Applications must be filed upon Domestic use when tional uses.

15. **Municipal Use.** (See marginal note.) This application is made for the purpose of serving ..... Name city or cities, town
..... having a present population of .....
(Give name) Urban area only
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.** (See marginal note.) The name of the mining property to be served is ..... Name of claim
..... and the nature of the mines is ..... Gold placer, lead quartz, etc.
The method of utilizing the water is .....
It is estimated that the ultimate water requirement for this project will be ..... Cubic feet per second, gallons per minute State basis of estimate
The water will / will not be polluted by chemicals or otherwise ..... Explain nature of pollution, if any
and it will / will not be returned to ..... Name stream in ..... State 40-acre subdivision of
Sec. ....., Tp. ....., R. ....., ..., M.

17. **Industrial Use.** (See marginal note.) 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.** (See marginal note.) Water will be used for general resort purposes, swimming pool, etc. Describe nature and method of use
The amount for which application is made was determined by yield of spring 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? Yes Yes or No. If not, state what steps have been taken to secure right of access thereto .....

21. What is the name of the post office most used by those living near the proposed point of diversion?
Baker, Calif.

22. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? None
.....
.....
.....

Jack J Renie
Signature of Applicant

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 4513

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 in addition to those enumerated in Chapter 586, Statutes 1913, as amended.

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed **sixteen thousand (16,000) gallons per day from January 1st to December 31st of each season.**

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 **July 1st, 1935,** 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 1st, 1938.**
Extended by order of 10/23/39

5. Complete application of the water to the proposed use shall be made on or before **December 1st, 1939.**
Extended by order of 10/23/39

Application 8183
Permit 4513

Witness my hand and the seal of the Department of Public Works of the State of California this 6th *day of* April, 1935.

EDWARD HYATT
State Engineer

By Harold Conkling
Deputy

15893 10-36 6M
CALIFORNIA STATE PRINTING OFFICE

Land History

04-09-1958: to: director; from: acting assistant solicitor: subject condemnation proceedings for the acquisition of 160 acres ; april

In rep. refer to:
33-5-1726

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
WASHINGTON 25, D. C.

APR 9 1958

Memorandum

To: Director, National Park Service

From: Acting Assistant Solicitor, National Parks

Subject: Condemnation Proceedings for the Acquisition of 160 Acres of Land in San Bernardino County, California, for Use in Connection with Death Valley National Monument

There are attached, for your information and files, five copies of the final opinion of the Attorney General, dated April 4, 1958 (Justice file reference: RJL:CMacM 33-5-1726), the receipt of the Clerk of the Court, dated January 17, 1958, covering payment of the deficiency in the sum of $10,080.00, an affidavit executed by Helen A. Hyland, and the title report prepared by Pioneer Title Insurance Company, all relating to the condemnation proceeding entitled United States of America v. Herbert J. Thomas, et al., Civil No. 15,475.

As the acquisition appears to be completed, we are sending you the contents of our file on the matter.

Christopher Mullady
Acting Assistant Solicitor
National Parks

Attachments

04-09-1958: unreadable; april 09, 1958

Office of the Attorney General
Washington, D. C.

April 4, 1958

INTERIOR DEPT.
APR 5 - 1958
SOLICITOR

Honorable Fred A. Seaton
Secretary of the Interior
Washington, D. C.

My dear Mr. Secretary:

I have examined the certificate of title, transcript of record and other related papers in the condemnation proceeding entitled United States of America v. Herbert J. Thomas, et al., No. 15,475-TC Civil, in the United States District Court for the Southern District of California, concerning the acquisition of 160 acres of land in San Bernardino County, California, for use in connection with the Death Valley National Monument, more fully described in the declaration of taking.

The certificate of title, prepared by the Pioneer Title Insurance Company, is in satisfactory form.

In the judgment dated December 13, 1957, the just compensation for said land was determined to be in the amount of $14,500.00, together with interest. The sum of $5500.00 was deposited into the registry of the court as the estimated compensation at the time of the filing of the declaration of taking and the deficiency award in the total amount of $10,080.00 was deposited on January 17, 1958.

The proceeding has been regularly conducted, the judgment is satisfied and a valid title to said land has heretofore vested in the United States of America, as stated in the opinion of this Department dated March 15, 1956.

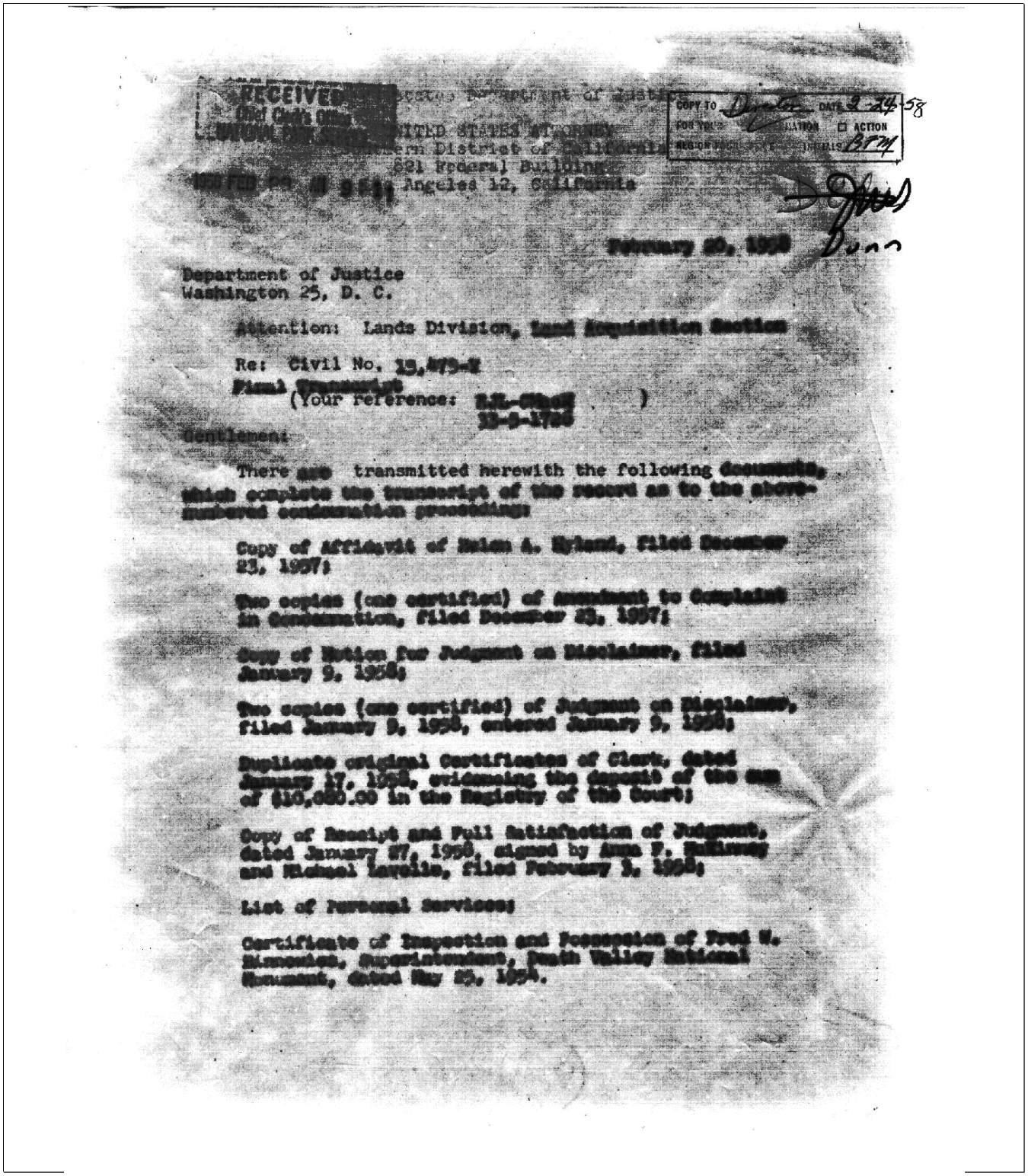
Enclosed are the receipt of the clerk of the court showing the deposit of the deficiency award, the certificate of title and other related papers.

Sincerely yours,

William P. Rogers

Attorney General

02-20-1958: there are transmitted herewith the following documents, which complete the transcript of the record as to the above nu



RECEIVED
Civil Suits Office
UNITED STATES ATTORNEY
Southern District of California
821 Federal Building
Los Angeles 12, California

COPY TO [illegible] DATE 2-24-58
FOR YOUR [illegible] ☐ ACTION
REMARKS BTM

February 20, 1958

Department of Justice
Washington 25, D. C.

Attention: Lands Division, Land Acquisition Section

Re: Civil No. 13,479-C
Final Transcript
(Your reference: [illegible])

Gentlemen:

There are transmitted herewith the following documents, which complete the transcript of the record as to the above-numbered condemnation proceeding:

Copy of Affidavit of Helen A. Hyland, filed December 23, 1957;

Two copies (one certified) of Amendment to Complaint in Condemnation, filed December 23, 1957;

Copy of Motion for Judgment on Disclaimer, filed January 9, 1958;

Two copies (one certified) of Judgment on Disclaimer, filed January 9, 1958, entered January 9, 1958;

Duplicate original Certificates of Clerk, dated January 17, 1958, evidencing the deposit of the sum of $10,000.00 in the Registry of the Court;

Copy of Receipt and Full Satisfaction of Judgment, dated January 27, 1958, signed by Anna P. [illegible] and Michael Lavelle, filed February 3, 1958;

List of Personal Services;

Certificate of Inspection and Possession of Fred W. Simonton, Superintendent, Death Valley National Monument, dated May 25, 1954.

02-20-1958: there are transmitted herewith the following documents, which complete the transcript of the record as to the above nu

15,473-H Civil
Department of Justice
Washington 25, D. C.

February 20, 1958

-2-

It is believed that the above-listed documents, together with those forwarded to the Department in transmittals dated May 10, 1953, February 17, 1956, and December 17, 1957, complete the complete record with respect to the subject matter.

Respectfully,

[redacted]
United States Attorney

EWM/sf
Enclosures

cc: Department of the Interior
National Park Service
150 New Montgomery Street
San Francisco, California
(w/o Certificate of Clerk)

LAUGHLIN E. WATERS
United States Attorney
Lands Division
821 Federal Building
Los Angeles 12, California
Madison 9-8411, Extension 841

Attorney for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

[illegible] ACRES OF LAND IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, etc., et al.,

Defendants

No. 15,475-Y Civil

CERTIFICATE OF CLERK

I, JOHN A. CHILDRESS, Clerk of the United States District Court for the Southern District of California, do hereby certify that on January [illegible], 1958, I received from the United States of America, plaintiff herein, and deposited in the registry of the above-entitled court, Check No. [illegible] of the Treasurer of the United States, dated January [illegible], 1958, in the sum of $10,[illegible].

DATED: January 17, 1958.

JOHN A. CHILDRESS, Clerk
United States District Court
Southern District of California

By E. THOMPSON
Deputy

SEAL

[illegible]

WR Copy

11425-L

January 8, 1958

Hon. William P. Rogers
The Attorney General
Department of Justice
Washington 25, D. C.

Dear Mr. Attorney General:

Enclosed is Treasurer's Check No. 13,775,423 in the amount of $10,080, to be deposited in the Registry of the Court as deficiency judgment in the condemnation proceeding entitled United States v. 160 acres of land in the County of San Bernardino, California, et al., Civil No. 15475-Y, Death Valley National Monument. The check includes interest on the deficiency through January 31, 1958.

Please acknowledge receipt by signing and returning the copy of this letter.

Sincerely yours,

SIGNED

James H. Siler
Acting Chief of Lands

Enclosure

Receipt acknowledged:

_____
Date

_____

Copy to: Regional Director, Region Four (2)
Assistant Solicitor, National Parks
Mr. Dunn
Lands
LPTindal:lt 108-58
Rewritten:hh 1-8-58

12-27-1957: mr. bennett: enclosed are a certified and two plain copies ; december 27, 1957

UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

Address Reply to the Division Indicated and Refer to Initials and Number

December 27, 1957

Elmer F. Bennett, Esquire
Solicitor
Department of the Interior
Washington 25, D. C.

Dear Mr. Bennett

Enclosed are a certified and two plain copies of findings of fact, conclusions of law, and judgment and decree in condemnation entered December 13, 1957, in the condemnation proceeding entitled United States v. 160 acres of land in the County of San Bernardino, California, et al., Civil No. 1975-Y, Death Valley National Monument.

The above-mentioned judgment provided for the payment of just compensation in the amount of $14,500.00 together with interest. The sum of $5,500.00 has heretofore been deposited into the registry of the court leaving a deficiency in the sum of $9,000.00, together with interest on said sum at the rate of 6% per annum from February [illegible], 1957, until the date of said deposit.

Kindly take the necessary action to secure the issuance of a check in satisfaction of the deficiency award including interest thereon, as more fully set forth in the deficiency judgment.

Sincerely,

PERRY W. MORTON
Assistant Attorney General
Lands Division

By

RALPH J. MITSELL
Chief, Land Acquisition Section

Enclosures
cc: United States Attorney

12-17-1957: attached are copies of memo of december 17 from assistant u. s. attorney weiser ; december 20, 1957

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

IN REPLY REFER TO:

L1425

December 20, 1957

AIR MAIL

Memorandum

TO: Director

From: Regional Chief of Lands, Region Four

Subject: Acquisition by condemnation of Saratoga Springs (Civil No. 15475Y), Death Valley

Attached are copies of memorandum of December 17 from Assistant U. S. Attorney Weiser to the Office of the U. S. Attorney General, and of the "Findings of Fact, Conclusions of Law, and Judgment and Decree in Condemnation" in the above action.

It is of interest to note that while the amount of the award was set at $14,500, there is still question as to whom it will be paid. There has recently been discovered the sister of Herbert J. Thomas (now proved to be deceased) and it appears likely her claim to be his sole heir may be recognized. This will make no difference in the amount of payment by this Service.

B. F. Manbey.

B. F. Manbey
Regional Chief of Lands

Attachments
2

Copy to Death Valley

DEVA

11-27-1957: pursuant to request contained in the department' letter of november 27, 1957 ; december 17, 1957

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

HMM/sf

TO : Attorney General, Lands Division DATE: December 17, 1957
Attention: Ralph J. Luttrell, Chief, Land Acquisition Section

FROM : Herbert M. Weiser, Assistant United States Attorney (Lands)

SUBJECT: Civil Action No. 15,475-Y, Intermediate Transcript
Your Reference: RJL-CMacM 33-5-1726

Pursuant to request contained in the Department's letter of November 27, 1957, there is attached hereto the intermediate transcript in the subject action, consisting of the following documents:

1. Copy of Notice of Appearance of George A. McKinney, filed June 10, 1953;

2. Copy of Disclaimer of Michael Lavelle and Ethel Mae Lavelle, filed June 10, 1953;

3. Copy of Disclaimer of the County of San Bernardino, filed June 16, 1953;

4. Copy of Notice of filing of Complaint in Condemnation, dated September 11, 1953, with Return of Service of Writ thereon;

5. Copy of Certificate for Service by Publication, filed September 14, 1953;

6. Copy of Certificate of Publication, filed December 1, 1953;

7. Copy of Petition for Payment of Funds Deposited in Registry of Court upon Declaration of Taking, filed April 13, 1956;

8. Copy of Order for payment of funds deposited in Registry of Court upon Declaration of Taking, filed May 1, 1956;

9. Copy of Receipt and Partial Satisfaction of Judgment executed by Anna F. McKinney, filed June 15, 1956;

10. Copy of Receipt and Partial Satisfaction of Judgment executed by Michael Lavelle, filed June 15, 1956;

11. Copy of Notice of Filing of Complaint in Condemnation, dated October 19, 1956, with Affidavit of Mailing thereof;

12. Certificate for Service by Publication, filed October 22, 1956; (Copy)

13. Copy of Certificate of Publication and Mailing, filed November 19, 1956;

14. Copy of Answer of Michael Lavelle and Anna F. McKinney to Complaint, filed February 26, 1957;

15. Copy of Motion for Order to Show Cause Reference Existence of Defendants' Compensable Interest, and Order Thereon, with Affidavit of Mailing thereof, filed October 25, 1957;

16. Copy (certified) of Jury Verdict, filed November 7, 1957;

17. Four copies (one certified) of Findings of Fact, Conclusions of Law, and Judgment and Decree in Condemnation, with Affidavit of Mailing thereof, filed December 13, 1957;

18. Preliminary Report as to title, prepared by Pioneer Title Insurance & Trust Company, Order No. 249096, dated November 8, 1951;

19. Letter from Pioneer Title Insurance and Trust Company re Order No. 249096, dated August 24, 1954;

20. Amended Preliminary Report as to title, prepared by Pioneer Title Insurance Company, San Bernardino, California, dated October 24, 1957.

Please be advised that taxes on the property acquired by virtue of the filing of Declaration of Taking in this action were cancelled by the County of San Bernardino on February 28, 1956 (Cancellation No. 3225, dated February 27, 1956).

Initial transcripts were forwarded to the Department on May 12, 1953, and February 17, 1956, and it is believed that the attached documents complete the transcript of the record to date with respect to this acquisition.

It will be necessary to hold a hearing on the question of ownership of this property, so that the Court can make an adjudication to cure the failure of the Title Company to validate the quiet title action in the state courts as noted in the above-mentioned title reports. The date for such hearing is as yet indefinite, and this intermediate transcript is being forwarded so that the deficiency check may be deposited to stop the running of interest.

12-17-1957: blank office memorandum; december 17, 1957

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO :

DATE:

FROM :

SUBJECT:

Attorney

LAUGHLIN E. WATERS
United States Attorney
HERBERT M. WEISER
Assistant U. S. Attorney
GEORGE F. HURLEY
Assistant U. S. Attorney
821 Federal Building
Los Angeles 12, California
MAdison 5-7411, Ext. 646

Attorneys for Plaintiff

LODGED
December 6,
1957

ENTERED
December 13,
1957

FILED
December 13,
1957

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
CENTRAL DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. 160 ACRES OF LAND IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, et al., Defendants.	No. 15,475-Y Civil FINDINGS OF FACT, CONCLUSIONS OF LAW, AND JUDGMENT AND DECREE IN CONDEMNATION

The above entitled eminent domain proceeding with respect to one tract of 160 acres as described in the Complaint in Condemnation and in the Declaration of Taking on file herein came on for hearing before the Honorable Leon R. Yankwich, Chief Judge of the above entitled court, to determine who were the owners of the property on the date of taking, February 1, 1956, entitled to compensation therefor. The court, ruling that the hearing on the question of title be reserved until a later date, ordered that the jury trial on the question of compensation commence. The matter then regularly proceeded to trial on November 5, 1957, continuing through November 7, 1957, before the court and a jury of twelve duly qualified persons empaneled and sworn to try the issues upon the pleadings herein. The plaintiff appeared by its attorney LAUGHLIN E. WATERS, United States Attorney, by HERBERT M. WEISER, Assistant United States Attorney, and GEORGE F.

MW:IH
1/15/57

GPO 16—00005-2

HURLEY, Assistant United States Attorney. The defendants, Anna F. McKinney and Michael Lavelle, appeared by their attorneys FRANCIS H. O'NEILL and W. SUMNER HOLBROOK, Jr. Witnesses on behalf of the plaintiff and defendants were sworn in the case, and evidence, both oral and documentary, was introduced upon the issues. The matter was argued by counsel for the respective parties and the jury was instructed by the court. Thereupon the jury retired and deliberated and subsequently returned into court and rendered the following verdict:

"We, the jury in the above entitled cause, find the just compensation for the 160 acres of land in this action as of the date of taking, i.e., February 1, 1956, to be Fourteen Thousand Five Hundred Dollars ($14,500.00), and that this amount be paid to the owners thereof, Michael Lavelle and Anna F. McKinney, as shown in the title record.

"DATED: This 7th day of November, 1957.

Edgar H. Donaldson
Foreman of the Jury."

The court having examined the verdict and finding it in due form of law, orders said verdict enrolled in the records of this cause. And the court upon the pleadings, evidence, and verdict of the jury, and good cause appearing therefor, hereby makes and files the following

FINDINGS OF FACT

1. This action was regularly commenced by plaintiff on May 6, 1953, by filing its Complaint in Condemnation wherein the property is more fully described. On February 1, 1956, plaintiff filed its Declaration of Taking to acquire title to the property therein described, and simultaneously with the filing of the Declaration of Taking plaintiff deposited into the registry of this court the sum of $5,500.00 as the estimated just

GPO 16—00000-2

compensation for said taking.

2. Defendants Anna F. McKinney and Michael Lavelle are successors in interest to George A. McKinney, deceased. Personal service was made upon the Pacific National Bank of San Francisco, Edward McKinney, Ethel Mae Lavelle, Renie Enterprises, Inc., also known as Reine Enterprises, a California corporation.

3. Service by publication was made upon Herbert J. Thomas, the Estate of Herbert J. Thomas, and the Heirs, Devisees and Successors in Interest to Herbert J. Thomas, if he be deceased, and Unknown Owners. The court having examined the certificate of the attorneys for the plaintiff and the affidavit of the publisher, finds that due notice has been given to the defendants so served by publication, and that said proceedings were in due form of law, and that the defendants Herbert J. Thomas, the Estate of Herbert J. Thomas, and the Heirs, Devisees and Successors in Interest to Herbert J. Thomas, if he be deceased, and Unknown Owners have been properly joined.

4. None of the defendants served in this matter have made an appearance except for Michael Lavelle, Anna F. McKinney, and George A. McKinney.

5. On April 30, 1956, the court, pursuant to the petition of the defendant Anna F. McKinney, as executrix of the Estate of George A. McKinney, and defendant Michael Lavelle, filed April 13, 1956, ordered the $5,500.00 deposited at the time of the filing of the Declaration of Taking to be distributed to the aforementioned defendants in the following proportions: Two-thirds to Anna F. McKinney, as executrix of the Estate of George A. McKinney, and one-third to Michael Lavelle. Following such order by the court, the deposit of $5,500.00 was paid to said defendants in the above mentioned proportions.

6. The fair market value for the taking of the property more fully described in the Complaint in Condemnation and the

GPO 16—20005-2

Declaration of Taking on file herein is $14,500.00.

7. The court expressly reserves making a finding of fact as to who were the owners entitled to just compensation as of the date of taking until such later date when this matter can be heard fully before the court.

Based upon the preceding Findings of Fact, the court makes the following

CONCLUSIONS OF LAW

1. At the time of filing of the said Declaration of Taking on February 1, 1956, the full fee simple title to said property, subject to existing easements for roads, highways, and public utilities, if any, vested in plaintiff United States of America. The uses and purposes for which the plaintiff acquired said property are public uses authorized by law.

2. The just compensation for the taking of said property is the sum of $14,500.00, together with interest at the rate of 6% per annum on the sum of $9,000.00 computed from February 1, 1956, to the date of deposit by plaintiff of said sum of $9,000.00 plus said interest into the registry of this court.

3. The sum of $5,500.00 deposited into the registry of this court at the time of the filing of the Declaration of Taking shall be credited against the said just compensation for the subject property.

Based upon the preceding Findings of Fact and Conclusions of Law, it is hereby

ORDERED, ADJUDGED AND DECREED that

1. Title to the subject property as described in the Declaration of Taking and Complaint herein vested in plaintiff, United States of America, upon the filing of said Declaration of Taking on February 1, 1956.

2. Just compensation for the taking of the subject

GPO 16—29095-2

property as of the date of taking, February 1, 1956, is the sum of $14,500.00, of which the sum of $5,500.00 has heretofore been paid into the registry of this court.

3. Plaintiff, United States of America, shall deposit into the registry of this court with respect to the taking of the subject property the deficiency in the amount of the deposit heretofore made, that is, the sum of $9,000.00, together with the interest on said sum at the rate of 6% per annum computed from February 1, 1956, until the date of said deposit.

4. The property affected by this judgment is all that property described in the Complaint in Condemnation and the Declaration of Taking hereinabove referred to.

5. The court reserves jurisdiction herein to make such other and further orders, judgments and decrees as may be necessary and proper.

DATED: This 13th day of December November, 1957.

LEON R. YANKWICH
Chief Judge, United States
District Court

Presented by:

LAUGHLIN E. WATERS
United States Attorney

HERBERT M. WEISER
Assistant U. S. Attorney

GEORGE F. HURLEY
Assistant U. S. Attorney

By HERBERT M. WEISER
Attorneys for Plaintiff

GPO 16—20905-2

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

AFFIDAVIT OF MAILING

SALOME FIELD, being first duly sworn, deposes and says:

That she is a citizen of the United States and a resident of Los Angeles County, California; that her business address is 821 Federal Building, Los Angeles 12, California; that she is over the age of eighteen years, and not a party to the above-entitled action;

That on December 6, 1957, she deposited in the United States mails in the post office at Temple and Main Streets, Los Angeles, California, in the above-entitled action, in an envelope bearing the requisite postage, a copy of FINDINGS OF FACT, CONCLUSIONS OF LAW, AND JUDGMENT AND DECREE IN CONDEMNATION, addressed to

Holbrook, Tarr, Carter & O'Neill
Attorneys at Law
740 Rowan Building
458 South Spring Street
Los Angeles 13, California

at which place there is delivery service by United States mail from said post office.

SALOME FIELD

Subscribed and sworn to before me
this 6th day of December, 195 7.

MARGARET M. COLLINS
Notary Public in and for said County and State

(SEAL) My Commission Expires Feb. 25, 1961

IN REPLY REFER TO:

L1425

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

December 3, 1957

Memorandum

DEC 9 AM 10 21

To: Director

From: Regional Chief of Lands, Region Four

INTERIOR DEPT.
DEC 10 1957
SOLICITOR

Subject: Transmittal of Amended Preliminary Title Report covering Saratoga Springs land (249096A), Death Valley

L-57-2054.18

This acknowledges Mr. Dunn's memorandum of November 12 regarding the above Amended Preliminary Title Report. The only reason a copy was not sent before to your office was that the copy received by this office was so poor that we could not obtain a copy immediately. We had been asked to try to secure this report by the Department of Justice since the Title Company had not complied with the U. S. Attorney's several requests for an amended report.

As far as we know this is the only preliminary title report that has not been furnished to your office, and the reasons for not doing so are as indicated above. As good a copy as we can make is now attached.

B. F. Manbey

B. F. Manbey
Regional Chief of Lands

Attachment

Copy to Death Valley

11-13-1957: mr. bennett enclosed is a copy of a letter dated november 13, 1957 from the united states attorney to this department

UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

Address Reply to the Division Indicated and Refer to Initials and Number

RJL-CMacM
33-5-1726

33-5-1726

November 21, 1957

INTERIOR DEPT.
NOV 22 1957
SOLICITOR

Elmer F. Bennett, Esquire
Solicitor
Department of the Interior
Washington 25, D. C.

Dear Mr. Bennett:

Enclosed is a copy of a letter dated November 13, 1957, from the United States Attorney to this Department containing a report of the trial of the condemnation proceeding entitled United States v. 160 acres of land in Inyo County, California, et al., Civil No. 15475-Y, Death Valley National Monument.

You will note from the above-mentioned correspondence that the verdict returned by the jury was in the amount of $14,500.00. The United States Attorney has indicated that no prejudicial errors were committed during the course of the trial and recommends no appeal.

Upon considering the United States Attorney's recommendation, you are advised that he has been authorized to conclude the proceeding upon the basis of the present award.

Sincerely,

PERRY W. MORTON
Assistant Attorney General
Lands Division

By: Ralph J. Luttrell
RALPH J. LUTTRELL
Chief, Land Acquisition Section

Enclosure

11-04-1957: in your recent correspondence you have pointed out that the final award my be between $20000 and $100000 ; nove

SUPT.	
CH. R.S.S.	
[illegible]	
[illegible]	
ADM. ASST.	
SUP. CLK.	

L54-L

November 4, 1957

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Condemnation of Saratoga Springs Tract, Death Valley

In your recent correspondence you have pointed out that the final award may be between $20,000 and $100,000, payable from Account 347. A deposit of $5,500 has already been made, and $3,500 is earmarked for appraisals. We have also budgeted $10,064 in 1958, of which small sums have been paid for the Robinson water resources study. We have budgeted at least $30,000 for other purchases which may not be practical until 1959 or later, and will have a carry-over of between $20,000 and $50,000 from 1958 to 1959. The carry-over is increasing as some regions continue to find it impossible to fill hydraulic engineering positions such as that of Mr. Spaulding.

Accordingly, we have nominally anticipated a final award of not to exceed about $25,000, and can meet awards up to about $50,000 in 1958 with only minor changes in program. We would have to curtail other proposed regional and WO programs during 1958 and 1959 if the award were $100,000, particularly if we do not obtain 1959 over-ceiling appropriations.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley
Chief, WODC

Docket 17 LS

10-24-1957: amended preliminary report ; october 24, 1957

PIONEER TITLE INSURANCE COMPANY

LAS VEGAS, NEVADA
125 SOUTH FOURTH STREET
PHONE DUDLEY 4-8000

MAIN OFFICE
SAN BERNARDINO, CALIFORNIA
440 COURT STREET
PHONE TURNER 9-2811

EL CENTRO, CALIFORNIA
[illegible] MAIN STREET
PHONE ELGIN 2-4061

San Bernardino, California
October 24, 1957

AMENDED PRELIMINARY REPORT

United States Department of Justice
Lands Division
821 Federal Building
Los Angeles 12, California

Attention: Loughlin B. Waters, United States Attorney

Application No. SL0956-A
and Civil No. 1575-SD
Saratoga Springs, South Valley SD

Dear Sirs:

In connection with the above numbered application for a title insurance policy, this Corporation having caused the title searches to the property hereinafter described to be made and completed to include October 22, 1957, reports that it will issue a policy of title insurance to the United States, in the form approved by the Department of Justice, insuring the assured against loss or damage, not exceeding the amount set forth in our policy, which the assured may sustain by reason of defects in the title of

MICHAEL LAVELLE,
as to an undivided one-third (1/3) interest;
ANN F. McKINNEY,
as to an undivided two-thirds (2/3) interest

to the hereinafter described land, on said date, subject to the following:

1st: Rights or claims of parties in possession not shown of record and questions of survey.

2nd: Mechanics' liens where no notice thereof appears of record.

3rd: Defects, liens, or encumbrances created subsequent to the date hereof.

4th: General and Special taxes for the fiscal year 1957-58, Code Area 11702, Book 85, Page 30, Line 40, First Installment $9.96; Second Installment $9.95. (Affects West half of West half of NW¼ of Section 2, Township 10 North, Range 5 East).

General and Special taxes for the fiscal year 1957-58, Code Area 11702, Book 65, Page 50, Line 100, First Installment $9.96, Second Installment $9.95. (Affects East half of NE¼ of Section 3, Township 18 North, Range 5 East).

Line 140, First Installment $9.96; Second Installment $9.95. (Affects East half of West half of NE¼ of Section 3, Township 18 North, Range 5 East).

Sale to the State of California for the delinquent taxes for the fiscal year 1956-57, Sale Nos. 303128, 303129 and 303130. The County Auditor estimates it will require $66.93 to redeem during November, 1957.

5th: Reservations, conditions and stipulations contained in the Patent from the United States of America to The A. W. Scott, Jr. Co., dated September 8th, 1914, and recorded October 30, 1914, in Book "J" of Patents, page 238, covering the property described in this report known as Saratoga Mining Claim, as follows:

(1) That the grant hereby made is restricted in its exterior limits to the boundaries of the said mining premises, and to any veins or lodes of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper or other valuable deposits, which may have been discovered within said limits subsequent to and which were not known to exist on March 10, 1910.

(2) That should any vein or lode of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper or other valuable deposits, be claimed or known to exist within the above described premises at said last named date, the same is expressly excepted and excluded from these presents.

(3) That the premises hereby conveyed shall be held subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by authority of the United States.

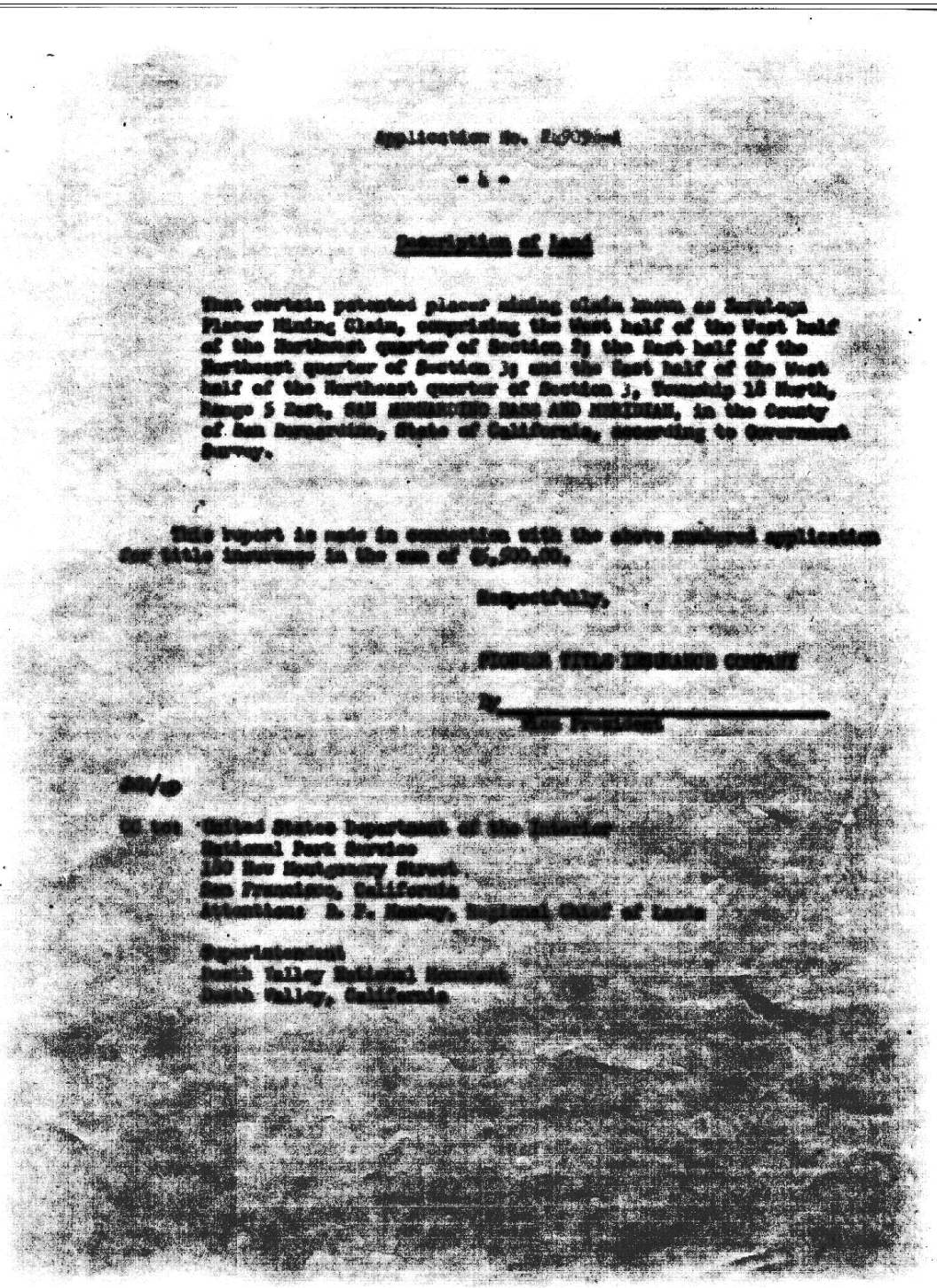
(4) That in the absence of necessary legislation by Congress, the Legislature of California may provide rules for working the mining claim or premises hereby granted, involving easements, drainage, and other necessary means to the complete development thereof.

6ths A Deed of Trust dated June 5, 1954, executed by Herbert J. Thomas, a single man, to California Pacific Title & Trust Company, a corporation, Trustee, to secure an indebtedness of Three Thousand Two Hundred Fifty Dollars, ($3,250.00), in favor of PACIFIC NATIONAL BANK OF SAN FRANCISCO, and any other amounts payable under the terms thereof, recorded June 14, 1954 in Book 974 of Official Records, Page 10, to which reference is made for further particulars.

7ths Title as herein shown descends through a Decree of the Superior Court of the State of California in and for the County of San Bernardino, numbered 76981 wherein Geo. A. McKinney, plaintiff, quieted title against Herbert J. Thomas, the then record owner; California Pacific Title Insurance Company, formerly California Pacific Title and Trust Company, a corporation, as Trustee; and Pacific National Bank of San Francisco, a corporation, Decree being dated March 9, 1954, entered in Book 124 of Judgments, page 353, and recorded in the office of the County Recorder of San Bernardino County on March 11, 1954 in Book 3343 of Official Records, page 515. This Decree appears to be regular on its face. However, the Judgment was obtained by default after service of summons by publication on Herbert J. Thomas, and we have no authentic information with respect to whether or not Herbert J. Thomas, at the date of said Decree, was living or dead.

8ths The pendency of that certain action in the United States District Court, Southern District of California, Central Division, numbered 15475-MH Civil, wherein the United States of America seeks to condemn the property herein described in fee simple in connection with the administration and development of Death Valley National Monument. Lis Pendens in the above action was recorded in the office of the County Recorder of San Bernardino County April 22, 1954 in Book 3369 of Official Records, page 593. We are advised that Declaration of Taking was filed in this proceeding February 1, 1956.

9ths Our policy will not cover rights to water rising on, developed from or flowing through the property herein described, and particularly rights or appropriations from that certain spring commonly known as Saratoga Springs should such springs be located on the land herein described, reference being made to a claim of water appropriation by Wm. A. Sharpe and Jack J. Ramis, recorded April 9, 1935 in Book 1055 of Official Records, page 15, abstract of which instrument is attached hereto. No search has been made to determine the present claimants with respect to such water right.



Application No. [illegible]

- 4 -

Description of land

That certain patented placer mining claim known as Santiago Placer Mining Claim, comprising the East half of the West half of the Northeast quarter of Section 2; the East half of the Northwest quarter of Section 2; and the East half of the West half of the Northeast quarter of Section 3, Township 18 North, Range 5 East, Mt. [illegible] and MERIDIAN, in the County of San Benigno, State of California, according to Government Survey.

This report is made in connection with the above numbered application for title insurance in the sum of $5,000.00.

Respectfully,

[illegible] TITLE INSURANCE COMPANY

By _____
[illegible] President

RW/e

CC to: United States Department of the Interior
National Park Service
[illegible] Montgomery Street
San Francisco, California
Attention: A. E. Demay, Regional Chief of Lands

Superintendent
Death Valley National Monument
Death Valley, California

10-24-1957: abstract joint adventure agreement ; october 24, 1957

ABSTRACT

JOINT ADVENTURE AGREEMENT

WM. A. SHARPE AND
JACK J. REMIE, Parties of
First Part

HENRY F. KING, Party of
Second Part

DATE: March 16, 1935

INSTRUMENT NO: 64

RECORDED: April 9, 1935

BOOK: 1095 of Official Records,
Page 15

WITNESSETH: Whereas, Parties of the First Part are joint owners of certain mining claims, both lode and placer, together with claims for water, and locations for mill site filling station, restaurant, hotel, mineral water spring or medicinal and recreation purposes, being further known as Saratoga Springs Mining Group in Section 2, Township 18 North, Range 5 East, and Section 35, Township 19 North, Range 5 East, San Bernardino Base and Meridian as located and recorded under the mining laws made and provided in the County of San Bernardino, State of California, and

WHEREAS, First Parties are desirous of extending their operations and getting capital to develop their holdings, it is understood and agreed by and between First and Second Parties as follows, to-wit:

For and in consideration of the sum of $10.00 in hand paid by Second Party to First Parties receipt whereof is hereby acknowledged, and the further consideration of services rendered and to be rendered one to the other, does by these presents grant, transfer and set over unto the said HENRY F. KING, Party of the Second Part, an undivided 1/3rd interest in and to all claims now located and recorded in the names of the Parties of the First Part as herein described.

It is further understood that together with the above claims any additional claims, whether for mining or other development purposes are located and recorded shall be the property of this Joint Adventure Agreement, and they shall share equally the ownership as follows:

WM. A. SHARPE, 1/3; JACK J. REMIE, 1/3; HENRY F. KING, 1/3.

It is further understood that all profits and/or losses shall be borne equally; that is to say,

WM. A. SHARPE, 1/3; JACK J. REMIE, 1/3; HENRY F. KING, 1/3.

It is further understood that this Joint Adventure Agreement does not include any of the other properties or claims owned or controlled by Wm. A. SHARPE in San BernardinoCounty, and are not included in this Joint Adventure Agreement.

It is further understood that upon the signing of this Joint Adventure Agreement any property heretofore acquired, whether it be in the nature of real estate, mining leases or personal property or the conduct of any business adventure entered into prior to the date of the signing of this contract, or hereafter acquired in the Saratoga Springs District as above described, shall be and is hereby recognized as the joint property of those signing this Joint Adventure Agreement.

It is further understood that all expenditure hereinafter to be made shall be made in the name of this Joint Adventure Agreement and shall be mutually agreed upon by all of the parties hereto.

It is further understood by the parties hereto that this Joint Adventure Agreement is not to be considered a partnership, and those transacting business with the signatories of this Joint Adventure Agreement must look to the property owned and controlled by this Joint Adventure Agreement.

It is further understood that all of the parties hereto are to devote whatever time is necessary to promote, and to perform such duties as are mutually agreed upon between the parties to the end that a harmonious, profitable working organization may be established.

It is further understood that no signed reports as to the mineral content or the geology of these claims shall be made except with the OK of WM. A. SHARPE.

It is further understood that JACK J. ROMIG shall have charged and conduct the surveying and the map making of the properties and HENRY F. KING shall have charge of the finances and the business management of the property.

It is further understood that no debts shall be contracted against the property unless concurred in by all of the members of this Joint Adventure Agreement.

SIGNED BY Wm. A. Sharpe, Jack J. Romig, Henry F. King.

ACKNOWLEDGED by Henry F. King, before Ida M. Murphy, Los Angeles Notary Public.

Returned to: Henry F. King, 269 Loma Drive, Los Angeles, California.

154-L

Memorandum

13 AUG 1957

To: Director, Geological Survey

From: Assistant Director, National Park Service

Subject: Report "Determination of the flow of the Saratoga Spring in Death Valley National Monument, California", by T. W. Robinson

We appreciate receipt of the subject report, which was received with the memorandum of August 7 from Acting Director Arthur A. Baker. Mr. Robinson's conclusions confirm the belief of Mr. A. van V. Dunn, Chief of our Water Resources Section, that there is considerably more flow than has been recognized by the land appraisers.

As explained in the memorandum of April 22 to Dr. John C. Reed, Staff Coordinator, from Mr. Dunn, the specific conclusion that the average annual flow supports consumption of 200 acre-feet is needed for an appraisal to be used by the U. S. Attorney in a condemnation. Attached is a copy of a memorandum to our Regional Director, Region Four, requesting that he obtain the clearance for, and date when the report can be placed in your open file.

We have also received the memorandum of July 24 from Dr. Reed with Form 1081 covering the charges for the report, and have placed the bill in line for payment.

Jackson E. Price

Assistant Director

Attachment

Copy to: Regional Director, Region Four
Superintendent, Death Valley
Chief, WODC (2)

Docket 17 CS

154-L

Memorandum

13 AUG 1957

To: Regional Director, Region Four

From: Assistant Director

Subject: Report on Flow of Saratoga Springs, Death Valley

Attached are the original and four copies of the report by Mr. T. W. Robinson, of which only the original and one copy have the supporting photograph and map. We are retaining one complete copy, and understand that the condemnation of the Saratoga Springs tract is suspended until Mr. C. D. Carll supplies the U.S. Attorney with an appraisal based on the quantity of spring flow which Mr. Robinson has determined.

Also attached are four copies of the memorandum of transmittal of August 7 from the Acting Director, Geological Survey, and our reply, concerning open file release by the Geological Survey. In Mr. Dunn's memorandum of April 22 to Dr. John C. Reed, Staff Coordinator, Geological Survey, it was specified that clearance for public release would be authorized by the U. S. Attorney, which was acknowledged by memorandum of May 10 from Dr. Reed. We shall appreciate the clearance of U. S. Attorney Laughlin E. Waters, or advice as to when it should be released.

Copies of the report will be needed by Appraiser C. D. Carll, the U. S. Attorney, Death Valley, WODC, and your Office. To complete three of the attached reports, Mr. Robinson can probably supply extra prints of the photograph, and you or WODC have the tracing of Drawing NM-DV-6968 from which to make more maps.

Assistant Director

Attachments 10

Copy to: Superintendent, Death Valley, w/c letter of August 7
Chief, WODC, w/c letter of August 7

Docket 17 LS

03-17-1956: l1425. reference civil no. 15475 tc-saratoga springs ; march 17, 1956

Region Four Office, National Park Service

INTERIOR DEPT. Director

MAY 22 1956

PRS TT

SOLICITOR X

May 17, 1956

U. S. Attorney Laughlin Waters
Department of Justice
821 Federal Building
Los Angeles, California

L1425. Reference Civil No. 15475 TC-Saratoga Springs, Death Valley.

Have now secured death certificate Herbert Thomas who died Nevada County 1942.

May not be Herbert J. Thomas. Forwarding air mail today.

Merriam
Regional Director

CONFIRMATION

Copy to Director
Death Valley

DEVA

03-15-1956: mr secretary: i have examined the initial transcript in the condemnation proceeding entitled united states of america v.

L 1425
Docket
Part IV 8
17
Gladden
Landers
981 Cambria 3/26

Office of the Attorney General
Washington, D.C.

1956 MAR 23 AM 9 12

March 15, 1956

INTERIOR DEPT.
MAR 26 1956
SOLICITOR
33-5-1726

Price
Lands notified
3/26/56

Honorable Douglas McKay
Secretary of the Interior
Washington, D. C.

My dear Mr. Secretary:

I have examined the initial transcript in the condemnation proceeding entitled United States of America v. Herbert J. Thomas, et al., No. 15,475-TC Civil, in the United States District Court for the Southern District of California, concerning the acquisition of 160 acres of land in San Bernardino County, California, for use in connection with the Death Valley National Monument.

The land is more fully described in the declaration of taking.

The sum of $5,500.00 was deposited into the registry of the court as the estimated compensation at the time of the filing of the declaration of taking.

From my examination of the above-mentioned documents I am of the opinion that a valid fee simple title vested in the United States of America on February 1, 1956, pursuant to the provisions of an Act of Congress approved February 26, 1931 (46 Stat. 1421), subject to existing easements for roads, highways and public utilities, if any.

Enclosed are a certified copy of an order authorizing immediate possession of the land as of February 15, 1956, and the Clerk's receipt showing the deposit of the estimated compensation.

Sincerely yours,

Herbert Brownell, Jr.

Attorney General

02-20-1956: order of possession filed for saratoga springs property ; february 20, 1956

RECEIVED
Chief Clerk's Office
NATIONAL PARK SERVICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

In reply refer to
L1425

February 20, 1956

1956 FEB 21 AM 8:35

INTERIOR DEPT.

MAR 6 - 1956

SOLICITOR

Memorandum

To: Director

From: Regional Chief of Lands, Region Four

Subject: Order of Possession filed for Saratoga Springs property - Death Valley

I-55-2169.8

Attached are copies of U. S. Attorney Waters' letter of February 16, 1956 together with copy of Order of Immediate Possession, filed February 15, 1956.

The Declaration of Taking, we understand, was filed on February 1, 1956. It appears that Mr. Michael Lavelle, before Mr. George A. McKinney's death, received from the latter a one-third interest in the property. Mr. Waters says Mr. Lavelle will be made a beneficial owner by an appropriate motion.

B. F. Manbey

B. F. Manbey
Regional Chief of Lands

Attachments

Copy to Death Valley
w/copy memo & order of poss.

DEVA

02-16-1956: no objection having been interposed, judge thurmond clarke granted the government's motion for an order of immedia

JMcP:dc

February 16, 1956

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

Attention: Mr. B. F. Manbey
Regional Chief of Lands

Re: No. 15,475-TC Civil - Saratoga Springs,
Death Valley (Your No. L2223)

Gentlemen:

No objection having been interposed, Judge Thurmond Clarke granted the Government's motion for an order of immediate possession as of 2:00 p.m. yesterday, February 15, of the property involved in the captioned proceeding. A copy of the order is enclosed. The declaration of taking was filed February 1, 1956, and the sum of $5,500 was deposited into the registry of the court.

In a recent conversation with Mr. Michael Lavelle, we learned that George A. McKinney, before his death, had made a declaration of trust in favor of Lavelle of an undivided one-third interest in the property condemned. Mr. McKinney is now deceased and his estate is in probate. An appropriate motion will be made to substitute the administratrix and also to join Mr. Lavelle as a beneficial owner.

Very truly yours,

LAUGHLIN E. WATERS
United States Attorney

Enclosure

02-15-1956: order of immediate possession ; february 15, 1956

LAUGHLIN E. WATERS
United States Attorney
JOSEPH P. McPHERSON
Assistant U. S. Attorney
821 Federal Building
Los Angeles 12, California
MAdison 5-7411, Ext. 644

Attorneys for Plaintiff

FILED

FEB 15 1956

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY C. T. FISHER

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
CENTRAL DIVISION

UNITED STATES OF AMERICA, Plaintiff, v. 160 ACRES OF LAND, MORE OR LESS, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA; HERBERT J. THOMAS, et al., Defendants.	No. 15,475-TC Civil ORDER OF IMMEDIATE POSSESSION

This cause coming on to be heard on plaintiff's motion for an order of immediate possession, pursuant to notice, Laughlin E. Waters, United States Attorney, and Joseph P. McPherson, Assistant United States Attorney, appearing for plaintiff, United States of America, and

Upon the record in this proceeding and the evidence adduced it appearing to the court that the condemnation and taking of the estates and interests in the property described in the Complaint in Condemnation and in the Declaration of Taking filed herein are fully authorized by the several Acts of Congress, set forth in the Complaint in Condemnation and in the Declaration of Taking, adequate provision having been made to secure payment to the defendants of the just compensation to which they may be entitled as a result of the said condemnation, and a deposit of the estimated compensa-

JMcP:da
2/15/56

tion having been made into the registry of this court with the Declaration of Taking,

IT IS ADJUDGED, ORDERED AND DECREED:

1. That plaintiff be and is hereby granted the right to immediate possession of the lands described in the Complaint in Condemnation and in the Declaration of Taking on file herein.

2. That all persons having or claiming the right to possession of said lands or any part thereof be and they are hereby ordered and directed to deliver up and surrender possession thereof forthwith.

3. That the defendants' rights to just compensation for the taking of said lands are not waived or affected hereby, but are expressly reserved to the defendants.

DATED: This 15 day of February, 1956, at 2:00 .M.

Thurmond Clarke
United States District Judge

Presented by:

LAUGHLIN E. WATERS
United States Attorney

JOSEPH P. McPHERSON
Assistant United States Attorney

By Joseph P. McPherson
Attorneys for Plaintiff

A TRUE COPY, ATTEST, ETC.
FEB 15 1956
John A. Childress, Clerk, U. S. District Court,
Southern District of California
By Wayne E. Sayre, Deputy

02-03-1956: the plaintiff's motion for an order of immediate possession in the captioned proceeding has been tentatively set ; febru

COPY

February 3, 1956

Superintendent
DeathValley National Monument
Death Valley, California

Re: Civil No. 15,475-TC (Saratoga Springs, Death Valley)

Dear Sir:

The plaintiff's motion for an order of immediate possession in the captioned proceeding has been tentatively set, before the Honorable Thurmond Clarke, at Los Angeles, at 2:00 p.m. on February 15. It is essential that someone familiar with the property, the state of occupancy, and the present use, if any, be present at that time and place.

We are informally advised that George A. McKinney, the only defendant who has answered in the proceeding, has recently died. There is some probability that a motion will be made to substitute the administrator of his estate, the heirs at law, or some other succeeding defendant, in which event there may be a slight variation in the hearing date. We shall inform you promptly if such occurs.

Very truly yours,

LAUGHLIN E. WATERS
United States Attorney

cc: Regional Director
180 New Montgomery Street
San Francisco, California
(Attention B. F. Manbey)

LAUGHLIN E. WATERS
United States Attorney
Lands Division
821 Federal Building
Los Angeles 12, California
MAdison 5-7411, Extension 641

Attorney for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
CENTRAL DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. 160 ACRES OF LAND, MORE OR LESS, IN SAN BERNARDINO COUNTY, CALIFORNIA; HERBERT J. THOMAS, et al., Defendants.	No. 15,475-TC Civil CERTIFICATE OF CLERK

I, JOHN A. CHILDRESS Clerk of the United States District Court for the Southern District of California, do hereby certify that on **February 1, 1956**, I received from the United States of America, plaintiff herein, and deposited in the registry of the above-entitled court, Check No. **11,264,401** of the Treasurer of the United States, dated **January 17, 1956**, in the sum of **$5,500.00**

DATED: **February 1, 1956.**

JOHN A. CHILDRESS, Clerk
United States District Court
Southern District of California

By Wayne E. Payne Deputy

JMcP:dc
2/1/56

COPY

In reply refer to:
L1425-L

January 17, 1956

(Saratoga Springs, Death Valley)

Hon. Herbert Brownell, Jr.
The Attorney General
Department of Justice
Washington 25, D. C.

My dear Mr. Attorney General:

Enclosed is Treasurer's Check No. 11,264,401 in the amount of $5,500, covering the amount to be deposited in the Registry of the Court, covering the estimated compensation for the tract of land described in the declaration of taking in the condemnation proceeding entitled United States of America v. 160 Acres of Land, More or Less, in the County of San Bernardino, State of California, Herbert J. Thomas, et. al., and Unknown Owners, Civil Action No. 15475-HW.

Sincerely yours,

/s/ Jackson E. Price

Jackson E. Price
Chief of Lands

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

160 ACRES OF LAND, MORE OR LESS, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA; HERBERT J. THOMAS; PACIFIC NATIONAL BANK OF SAN FRANCISCO; GEORGE A. McKINNEY; EDWARD McKINNEY; MYCHAEL LAWLOR; HENRY MAR LAWLOR; MARIN IRRIGATING, INC., also known as Marin Enterprises, a California corporation; COUNTY OF SAN BERNARDINO in the State of California, a body politic and corporate; and UNKNOWN OWNERS,

Defendants.

In the matter of the acquisition by the United States of America of a parcel of land situated in the County of San Bernardino, State of California, for use in connection with the Death Valley National Monument of the National Park Service, United States Department of the Interior.

DECLARATION OF TAKING

Pursuant to the authority delegated by the Secretary of the Interior under Section 2 of Reorganization Plan No. 3 of 1950 (15 F. R. 3174), to the Solicitor of the Department of the Interior in section 28 of Order No. 2509, as amended (17 F. R. 6795), I, the undersigned, do hereby make and cause to be filed this Declaration of Taking under and in accordance with an act of Congress approved February 26, 1931 (46 Stat. 1421; 40 U.S.C., 1952 ed., sec. 258a), and acts supplementary thereto and amendatory thereof, and declare that:

[illegible] (a) The lands are taken in connection with the administration, protection and development of Death Valley National Monument, California, as established by Proclamation of the President of the United States of February 11, 1933 (47 Stat. 2554), and enlarged by Proclamation of March 26, 1937 (50 Stat. 1823), both issued under authority contained in section 2 of the act of June 8, 1906 (34 Stat. 225; 16 U.S.C., 1952 ed., sec. 431), and the water rights appurtenant thereto are to be acquired under the authority contained in the act of August 7, 1946 (60 Stat. 885; 16 U.S.C., 1952 ed., sec. 17j-2), funds for the acquisition of the said lands and water rights having been appropriated by the Interior Department Appropriation Act, 1952 (66 Stat. 445).

(b) These lands have been selected by me for acquisition by the United States in connection with the Death Valley National Monument, administered by the National Park Service, Department of the Interior, and are required for immediate use.

(c) In my opinion, it is necessary, advantageous, and in the interests of the United States that said lands be acquired by judicial proceedings as authorized by the act of August 1, 1888 (25 Stat. 357; 40 U.S.C., 1952 ed., sec. 257), and acts supplementary thereto and amendatory thereof.

(d) The public uses for which said lands are taken are as follows:

The lands are situated within the boundaries of Death Valley National Monument, California, which has been dedicated and set apart as a public park for the benefit and enjoyment of the people of the United States, and are needed for the administration, protection and development

[illegible] the [illegible] of the Secretary of the Interior [illegible] Federal Statutes [illegible], and [illegible] thereto, and pursuant to law, I have selected for acquisition for the purposes of the Acts of Congress cited above, certain lands and premises located in the County of San Bernardino, State of California, more particularly described as follows:

San Bernardino Base and Meridian

T. 18 N., R. 5 E.,
sec. 2, W½W½NW¼;
sec. 3, S½NE¼, and E½W½NE¼;

together with all water rights and other rights appurtenant thereto.

A plat of the said lands is attached hereto as Exhibit "A".

THIRD: The estate taken for such public use is the full fee simple title to the lands, SUBJECT to easements for roads, highways, and public utilities.

FOURTH: The sum estimated by me as just compensation for said lands, with all buildings and improvements thereon and all appurtenances thereunto belonging, is the sum of FIVE THOUSAND FIVE HUNDRED AND NO/100 Dollars ($5,500.00), which sum I hereby deposit in the Registry of this Court for the use and benefit of the parties entitled thereto. I am of the opinion that the ultimate award for said lands will probably be within the limits of allocations and allotments made and provided for the purposes of acquiring said lands.

IN WITNESS WHEREOF, I have signed this Declaration of Taking this 19th day of [illegible], 1955, in the City of Washington, District of Columbia.

Solicitor of the Department of the Interior of the United States of America

09-22-1955: declaration of taking in acquisition of saratoga springs tract ; september 22, 1955

INTERIOR DEPT
I-55-216 4.18
SEP 23 1955
SOLICITOR

In reply refer to:
L2223-L

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

SEP 22 1955

Memorandum

To: Acting Assistant Solicitor, Parks

From: Acting Assistant Director

Subject: Declaration of Taking in Acquisition of Saratoga Springs Tract, Death Valley

Request is hereby made that a Declaration of Taking be filed in accordance with the attached memorandum of September 2 from Acting Regional Director Maier.

The initial $5,500 check should be charged to Appropriation 14X1035 as follows:

$4,500 to Account 347.01 to liquidate an established obligation for the purpose.
$1,000 to Account 347
Additional awards which may be made by the court should be charged to Account 347.

Henry Langley
Acting Assistant Director

Attachment

06-28-1955: in assistant director allen's memo of june 28 on the above subject ; september 02, 1955

RECEIVED
Chief Clerk's Office
NATIONAL PARK SERVICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

In reply refer to
L2223

September 2, 1955

Golden
Files

1955 SEP 6 AM 10:35

Memorandum

To: Director

From: Acting Regional Director, Region Four

Subject: Declaration of Taking in acquisition of Saratoga Springs property, Death Valley

In Assistant Director Allen's memorandum of June 28 on the above subject, there were listed various reasons for the filing of Declaration of Taking. That memorandum was in reply to ours of June 13 mentioning that Assistant U. S. Attorney J. McPherson strongly recommended filing of Declaration of Taking.

In the last paragraph of Mr. Allen's above memorandum he had concluded with the statement, "However, if you agree with this discussion and the new appraisal is not over $15,000 and or $16,000, we will provide the funds for such action when requested by Mr. Waters."

Attached are copies of Mr. Waters' memorandum of August 25 and of Mr. Wakefield's letter of August 15 to Mr. Waters. It will be seen that the Appraisers adhere to their original appraised value of $5500. In the circumstances, it is our recommendation that Declaration of Taking now be filed without further delay. However, it is our feeling that we must expect that any settlement or jury award will be higher than the $5500 reappraised value, and we should probably make allowance for that possibility.

Herbert Maier
Acting Regional Director

Attachments 3

Copy to Death Valley
Laughlin E. Waters,
U.S. Attorney, Dept of Justice

08-25-1955: mr. waters: this acknowledges your letter of august 25 enclosing the wakefield and hopper reappraisal ; september 0

RECEIVED
Chief Clerk's Office
NATIONAL PARK SERVICE
1955 SEP 6 AM 10:35

In reply refer to
L2223

180 New Montgomery Street
San Francisco 5, California

September 2, 1955

Laughlin E. Waters Esq.
U. S. District Attorney
Department of Justice
Lands Division
821 Federal Building
Los Angeles 12, California

Dear Mr. Waters:

Attention: J. McPherson Esq.
Asst. U.S. Attorney

Re: Civil No. 1547SJ
Saratoga Springs, Death Valley

This acknowledges your letter of August 25 enclosing the Wakefield and Hopper reappraisal of the above property. You mention that the appraisers "adhere to their previously expressed opinion of value of $5500."

In our letter to you of July 18 on this subject, we had enclosed a copy of Assistant Director Allen's memorandum of June 28, from which it appeared that, should the new appraisal show a value not over $15,000 to $16,000, funds would be provided for Declaration of Taking when requested by the Department of Justice.

We are therefore writing to the Director informing him of the fact that the reappraisal makes no change from the original value of $5500, and that therefore this office recommends the early filing of a Declaration of Taking. Copy of that communication is attached.

Sincerely yours,

Herbert E. Maier
Acting Regional Director

Attachment

Copy to Director
Death Valley
McClellan

08-25-1955: there is transmitted herewith a copy of reappraisal by messrs. c. k. wakefield ; august 25, 1955

JMcP:fbp

August 25, 1955

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

Attention: Mr. B. F. Manbey
Regional Chief of Lands

Re: No. 15,475-J Civil Saratoga Springs,
Death Valley (Your No. L2223)

Gentlemen:

There is transmitted herewith a copy of reappraisal by Messrs. C. K. Wakefield and James A. Hopper of the properties condemned in the captioned proceeding, from which you will observe that they adhere to their previously expressed opinion of value as $5,500.

The appraisals have been examined and appear to be prepared in accordance with instructions given the appraisers. In view of the result it is not likely that a settlement can be made in this case and it will accordingly be noticed for setting for trial.

Very truly yours,

LAUGHLIN E. WATERS
United States Attorney

Enclosure

07-20-1955: this refers to the proposed letter from mr. herbert maier ; july 20, 1955

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
SACRAMENTO REGION
P. O. BOX 291 - T&C
SACRAMENTO 21, CALIFORNIA

INTERIOR DEPT.
JUL 26 1955
SOLICITOR

JUL 20 1955

Memorandum

To: Regional Director, Region 4
National Park Service

From: Acting Regional Solicitor

Subject: Civil No. 15,475-J Saratoga Springs - Death Valley -
Your reference L2223

This refers to the proposed letter from Mr. Herbert Maier, Assistant Regional Director, to the United States Attorney at Los Angeles, Attention Assistant United States Attorney McPherson, a copy of which (dated July 18) was sent to this office, concerning the filing of a decleration of taking in the above action.

I have reviewed the letter and believe it very adequately covers the situation. I recommend that it be sent.

For the Acting Regional Solicitor

Thomas J. Clark
Assistant Regional Solicitor

Copy to Field Solicitor, San Francisco

DEVD

06-02-1955: mr. waters: this is in reply to yours of june 2 suggesting that the national park service give consideration to the filing of

Director

L2223

180 New Montgomery Street
San Francisco, California

July 18, 1955

Golden

United States Attorney
Department of Justice
Lands Division
821 Federal Building
Los Angeles 12, California

Attention J. McPherson Esq.
Assistant U. S. Attorney

Dear Mr. Waters: Re: Civil No. 15,475-J Saratoga Springs
Death Valley

This is in reply to yours of June 2 suggesting that the National Park Service give consideration to the filing of a declaration of taking in the above action.

We wrote to our Washington Office regarding your suggestion on June 13 and sent you then a copy of that memorandum. The matter was also discussed in Washington by Mr. Manbey when he was in that office recently.

There is now attached copy of Assistant Director Allen's reply of June 28. It will be seen that Mr. Allen makes a comparison of values between the Nevares tract(also located in Death Valley) and the Saratoga Springs property, from which you will note that it is indicated that Mr. Dunn, of our Water Resources Branch, looks for a revised appraised value of between $10,000 and $14,000 on the Saratoga Springs property, and perhaps somewhat higher. Mr. Dunn feels that the Nevares tract with its greater volume of water and larger acreage has a considerably higher value than the Saratoga Springs tract.

It appears that if the new Hopper Appraisal shows a value of not over $16,000 that our Washington Office, upon notice, will be prepared to consider formally recommending that the Department of Justice be asked to file a Declaration of Taking.

Sincerely yours,

(SGD) HERBERT MAIER
Herbert Maier
Assistant Regional Director

Attachment

Copy to Director
Death Valley
Asst Reg Director Clark
McClellan

DEV/A

Director

COPY

Michael Lavelle
Attorney at Law
1315 Westwood Blvd.
Los Angeles 24, California

Attorney for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN BERNARDINO

GEO. A. McKINNEY, Plaintiff, -vs- HERBERT J. THOMAS, CALIFORNIA PACIFIC TITLE INSURANCE COMPANY, formerly CALIFORNIA PACIFIC TITLE AND TRUST COMPANY, a corporation, as Trustee, PACIFIC NATIONAL BANK OF SAN FRANCISCO, a corporation, Defendants.	NO. 76981 J U D G M E N T QUIET TITLE

The above-entitled action came on regularly for trial on the 3rd day of March, 1954, at the hour of 1:30 o'clock P.M., in Department 2, before the Court sitting without a Jury, Honorable CARL B. HILLARD, Judge presiding; Michael Lavelle appearing as attorney for Plaintiff Geo. A. McKinney; and the defendant California Pacific Title Insurance Company, a corporation, formerly named California Pacific Title and Trust Company, a corporation,

and the defendant Pacific National Bank of San Francisco, a corporation, having duly and regularly been personally served with process, having failed to appear; and the defendant Herbert J. Thomas having been duly and regularly served with process by publication as heretofore ordered, and having failed to appear; and the default of said California Pacific Title Insurance Company, a corporation, Pacific National Bank of San Francisco, a corporation, and Herbert J. Thomas having been duly and regularly entered; and the action having been dismissed as to all the other defendants named in plaintiff's complaint; and evidence both oral and documentary having been introduced in open session of this Court

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that plaintiff or his predecessors and grantors in interest have been the owners in fee simple and entitled to the possession of that certain real property situated in the County of San Bernardino, State of California, referred to and described in plaintiff's complaint on file herein, ever since the 1st day of January, 19 39, and that plaintiff, Geo. A. McKinney is now and ever since February 2, 1948, has been the owner in fee simple and entitled to the possession thereof; that the claims of the defendants California Pacific Title Insurance Company, Pacific National Bank of San Francisco and Herbert J. Thomas, and all who claim under them, in and to said real property, are without any right whatever, and they, and each of them, have no right, title, interest, claim, or estate whatsoever, in or lien upon said real property, or any part thereof, and said defendants and all persons claiming under them are hereby enjoined and debarred from claiming or asserting any estate, title, interest in, or claim or lien upon said real property, or any part thereof.

That said real property is situated in the County of San Bernardino, State of California, and is described as follows, to wit:

West one-half (½) of West one-half (½) of Northwest quarter (¼) of Section Two (2); and the East one-half (½) of the northeast quarter (¼) of Section Three (3) and the East one-half (½) of the West one-half (½) of the Northeast quarter (¼) of Section Three (3), in Township Eighteen (18) North of Range Five (5) East, San Bernardino Base and Meridian, according to United States Government Township Plat thereof, as recorded in Book "J" of Patents, Page 238, records of San Bernardino County.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff recover no costs of suit herein incurred.

Done in open Court this 2nd day of March, 1954.

Carl B. Hillard
JUDGE OF THE SUPERIOR COURT

(Endorsed)
FILED
1954 Mar 9 A.M. 11:44
Harry L. Allison, Co. Clerk
By Edith Campell,
Deputy

ENTERED Mar. 9, 1954
Book 124 Page 353
Harry L. Allison, Clerk
By Ruby Rice,
Deputy

RECORDED:
Mar. 11 - 8:54 A.M.'54
Book 3343, Page 515
Official Records
San Bernardino County, Calif.
Ted R. Carpenter, Recorder.
Chas A. Ferguson,
Deputy

05-06-1953: mr. wirth: enclosed for your information and files is a certified copy of a complaint filed on may 6, 1953 ; may 22, 195

COPY

RJL:CMacM

33-5-1726

ec

May 22, 1953

Mr. Conrad L. Wirth
Director
National Park Service
Department of the Interior
Washington 25, D. C.

Dear Mr. Wirth:

Enclosed for your information and files is a certified copy of a complaint filed on May 6, 1953, in the condemnation proceeding entitled United States v. 160 acres of land, more or less, in the County of San Bernardino, State of California, et al., Civil No. 15475-HW.

Sincerely,

J. EDWARD WILLIAMS
Acting Assistant Attorney General

Enclosure
No. 166120

COPY

FILED

May 6 - 1953

Edmund L. Smith, Clerk

By Charles A. Seitz
Deputy Clerk

WALTER S. BINNS
United States Attorney
T. KEISTER GREER
Special Attorney, Lands Division
DEPARTMENT OF JUSTICE
807 Federal Building
Los Angeles 12, California
MAdison 7411, Station 641

Counsel for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
CENTRAL DIVISION

UNITED STATES OF AMERICA, Plaintiff, v. 160 ACRES OF LAND, MORE OR LESS, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA; HERBERT J. THOMAS; PACIFIC NATIONAL BANK OF SAN FRANCISCO; GEORGE A. McKINNEY; EDWARD McKINNEY; MICHAEL LAVELLE; ETHEL MAE LAVELLE; RENIE ENTERPRISES, INC., also known as Reine Enterprises, a California corporation; COUNTY OF SAN BERNARDINO in the State of California, a body politic and corporate; and UNKNOWN OWNERS, Defendants.	Civil Action No. 15475-HW COMPLAINT IN CONDEMNATION

NOW COMES the plaintiff, United States of America, by Walter S. Binns, United States Attorney in and for the Southern District of California, and T. Keister Greer, Special Attorney, Lands Division, Department of Justice, and represents to the Court as follows:

I

This is an action of a civil nature brought by the United States of America at the request of the Solicitor of the Department of the Interior for the taking of property under power of eminent domain and for the ascertainment and award of just compensation to the owners and parties in interest.

II

The authority for the taking is contained in the Acts of Congress approved August 1, 1888, as amended (62 Stat. 986; 40 U.S.C., 1946 ed., Supp. V,

TKG:rml
5/4/53

sec. 257), June 8, 1906 (34 Stat. 225; 16 U.S.C., 1946 ed., sec. 431), August 7, 1946 (60 Stat. 885; 16 U.S.C., 1946 ed., sec. 17j-2), and the Interior Department Appropriation Act, 1952 (Public Law 136, 82nd Congress).

III

The use for which the property is to be taken is for the administration and development of Death Valley National Monument, California.

IV

The interest in the property to be acquired is a fee simple title, subject to existing easements for roads, highways, and public utilities, if any.

V

The land in which said estate is to be taken is situate in the County of San Bernardino, State of California, and is more particularly described as follows:

The West 1/2 of the West 1/2 of the Northwest 1/4 of Section 2, the East 1/2 of the Northeast 1/4 of Section 3, and the East 1/2 of the West 1/2 of the Northeast 1/4 of Section 3, Township 18 North, Range 5 East, San Bernardino Base and Meridian, in the County of San Bernardino, State of California.

VI

The persons having or claiming an interest in the property whose names are ascertainable by reasonably diligent search of the records, and those whose names have otherwise been learned are:

Herbert J. Thomas; Pacific National Bank of San Francisco; George A. McKinney; Edward McKinney; Michael Lavelle; Ethel Mae Lavelle; Renie Enterprises, Inc., also known as Reine Enterprises, a California corporation.

VII

The County of San Bernardino may have or claim an interest in the property by reason of taxes and assessments due and exigible.

VIII

In addition to the persons named, there are or may be others who have or claim some interest in the property to be taken whose names are unknown to the plaintiff, and such persons are made parties to the action under the designation "Unknown Owners."

WHEREFORE the plaintiff demands judgment that the property be condemned and that just compensation for the taking be ascertained and awarded, and for such other relief as may be lawful and proper.

DATED: This 6th day of May, 1953.

UNITED STATES OF AMERICA

WALTER S. BINNS
United States Attorney
T. KEISTER GREER
Special Attorney, Lands Division
Department of Justice

By T. Keister Greer
Counsel for Plaintiff

Trial by jury of the issue of just compensation is demanded by plaintiff.

UNITED STATES OF AMERICA

WALTER S. BINNS
United States Attorney
T. KEISTER GREER
Special Attorney, Lands Division
Department of Justice

By T. Keister Greer
Counsel for Plaintiff

(SEAL)

May 6 - 1953

A TRUE COPY,
ATTEST, ETC.
Edmund L. Smith, Clerk U. S. District Court,
Southern District of California
By (Illegible) Deputy

REPORT OF STATUS OF PRIVATE LAND

AND APPRAISAL OF LAND & PHYSICAL IMPROVEMENTS

AT SARATOGA SPRINGS IN DEATH VALLEY NATIONAL MONUMENT

July 31, 1941

Status of Private Land:

It has been confirmed several times in the past that Herbert J. Thomas is the owner of the following described property:

Sec. 2 - W½, W½, NW¼ (440 acres)

Sec. 3 - E½, NE¼ (80 acres)

Sec. 3 - E½, W½, NE¼ (440 acres)

All in Township 18 North, Range 5 East, San Bernardino Base and Meridian.

Due to rumors reaching this office that the Renie Enterprises, Inc. had acquired ownership of the above described land, it was thought advisable that a check be made at the county recorder's and assessor's offices in San Bernardino, California. July 29, 1941, R. Neil Grunigen went to San Bernardino to check the ownership of the above described land. It was found in both the county recorder's and the assessor's offices that the land is still recorded in the name of Herbert J. Thomas, address unknown. The taxes have been paid up to and through 1938, but are now delinquent for 1939 and 1940.

July 24 and 25, 1941, E. E. Ogston and R. Neil Grunigen were at Saratoga Springs located on the above deserived property for the purpose of making an appraisal of the land and physical improvements located thereon. We were informed by Mr. J. M. Cantrell, caretaker and one of the parties interested in Renie Enterprises, Inc., that the property to the best of his knowledge was owned by Renie Enterprises, Inc. They have also covered the property by staking both lode and placer claims. We were shown a map of the claim locations. While in San Bernardino an effort was made to trace the recordings of these claims, but there was no record of the claims ever having been recorded with the County.

There have been several buildings erected on the property by Renie Enterprises, Inc., but they have not been declared or assessed for taxes.

The whole outcome of the search of the records in San Bernardino was that the county authorities had no knowledge of the existence or activities of the Renie Enterprises, Inc. From all the information that this office has been able to assemble, it appears that the Renie Enterprises, Inc. is occupying the land illegally.

APPRAISAL OF LAND & PHYSICAL IMPROVEMENTS:

The Renie Enterprises, Inc. have constructed the following small buildings: Restaurant, Bath house, spring house for bottling water, 6 tent cabins for sleeping quarters, an open and lathe frame garage, a stone dugout house with screen cage in front, another stone dugout house, two outhouses, and a storehouse.

The type of construction and appraisal value of the above structures will be shown on the following sheet.

There is no piping in place except 25 feet of 4" vitrified tile from the spring house, constructed directly over spring, to the pool.

Symbol on Map	Name	Type of Construction	Size	Sq.Ft.@	Value
"A"	Storehouse	Frame, 6" siding, comp.paper roof	7'3"x11'6"	83 @ 1.25	110.00
"B"	Outhouse	Frame, scrap siding	4'x5'		5.00
"C"	Outhouse	Frame, corrugated tin side & roof	3'7"x2'7"		5.00
"D"	Restaurant	Frame, cement stucco on 6" sheathing, comp.paper roof, pine finish on interior	24'x12' 16'x12'	480 @ 1.50	720.00
"E"	Garage	Frame, lathe sides & roof	12'x15'6"	186 @ .30	55.80
"F"	Screen cage	Frame covered with screen	11'x22'	242 @ .20	48.40
"G"	Stone house	Dugout & dry stone walls, sheathing & comp. paper roof	14'x16'	224 @ 1.00	224.00
"H"	Bath house	Frame, 6" siding, comp. paper roof, 4'x12' platform	8'x12'	96 @ 1.25	120.00
"I"	Spring house	Frame, cement stucco, comp. paper roof, cement floor - spring well & concrete retaining wall 5' high x 22'6" long x 8" thick	4'x5' 10'x10'	120 @ 1.50 Wall & cement work	180.00 90.00
"J" to"O"	Tent houses	T & G floor, plyboard sides, 4" high, canvas sides & roof	10'x12'	720 @ .85	612.00
"P"	Stone house	Dugout & dry wall, corrugated roof	12'x17'		204.00
			Total for physical improvements		2,374.20
			Land as appraised by San Bernardino County		960.00
			Total appraised value of property - - - - - -		$3,334.20

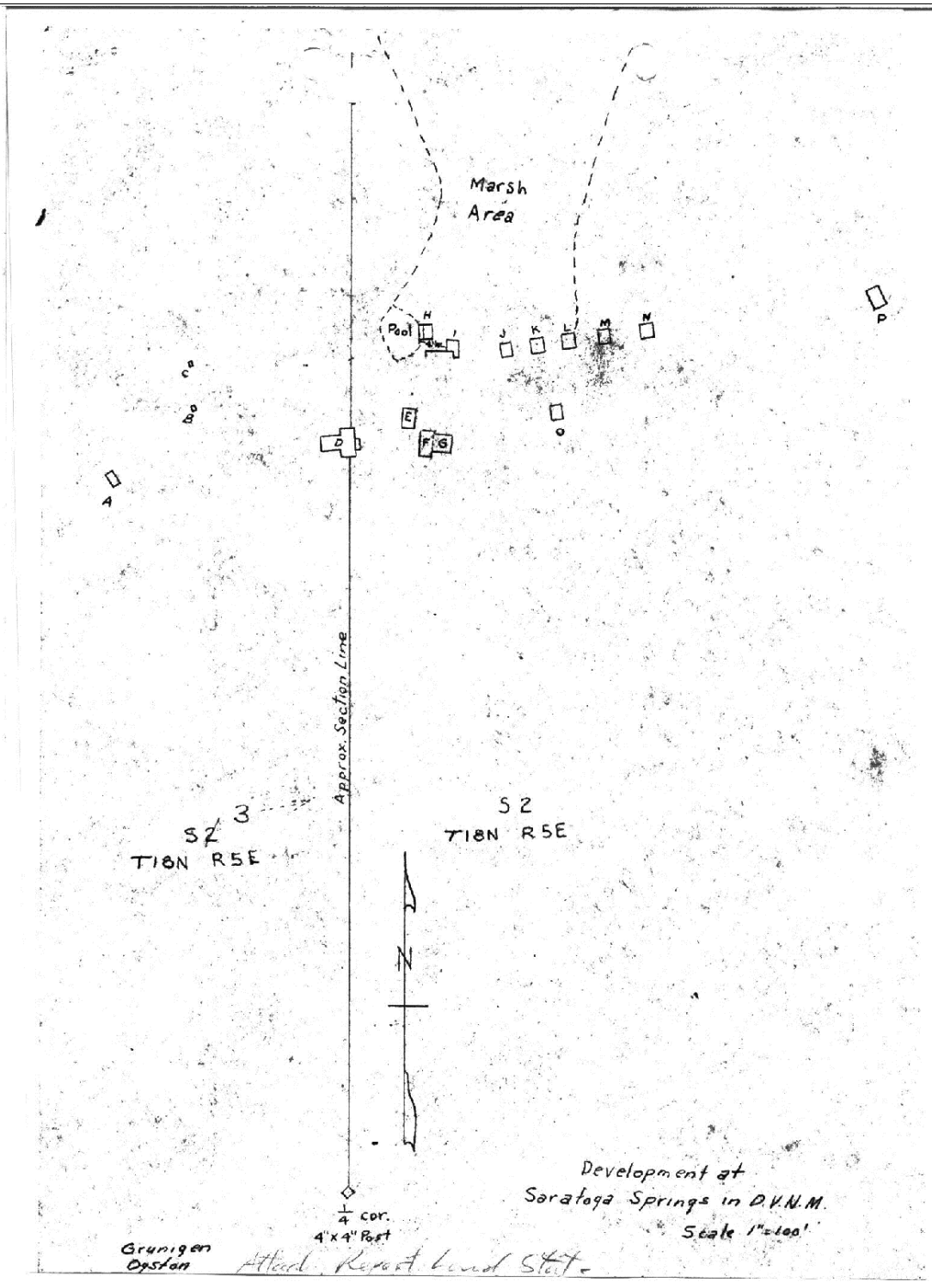
Appraisal and report by:

/s/ E. E. Ogston
E. E. Ogston
Asst.Chief Ranger

/s/ R. Neil Grunigen
R. Neil Grunigen
Transitman

Approved by:
/s/ T. R. Goodwin
T. R. Goodwin
Superintendent

07-31-1941: untitled map; july 31, 1941



04-07-1927: i have your letter of april 7, 1927 asking if our records show the issuance of a patent to t. m. buly ; april 21, 1927

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON APR 21 1927

IN REPLY PLEASE REFER TO
Independence 01278 "B" NVA
Patent 433067.

Mr. A. W. Scott, Jr.,
Matson Building,
215 Market Street,
San Francisco, California.

My dear Sir:

I have your letter of April 7, 1927 asking if our records show the issuance of a patent to T. M. Buly covering any portion of the N½NE¼, E½ W½ NE¼ Sec. 3, W½ W½ NW¼ Sec. 2, T. 18 N., R. 5 E., S. B. M.

Our records show the land described included in patent No. 433067 which issued to the A. W. Scott Jr., Company September 24, 1914 for Independence mineral entry 01278.

Upon examining our tract books I do not find any entry posted in the name of T. M. Buly for land in the sections, township and range given, and the records do not show the issuance of any patent to him for any portion of the land above described.

Very respectfully,

Acting Assistant Commissioner.

BRANCH OFFICE
330 BERRY ST.

STOCKTON BRANCH
12-14 WEST WEBER AVE.
TELEPHONE 5204-5205

CABLE ADDRESS
ATLASHAY
MANUFACTURERS OF
ATLAS BRANDS OF
EXPORT DOUBLE COMPRESSED HAY
ROLLED & CRUSHED FEED GRAINS
DAIRY & MILL FEEDS
ALFALFA MEALS & COMPOUNDS

IMPORT & EXPORT

ESTA[illegible]53
THE A. W. SCOTT CO.
WHOLESALE
HAY - GRAIN - MILL FEEDS.
SCOTT, [illegible] & MILLER

WAREHOUSES AND WHARVES
322 - 330 - 440 - 451 BERRY ST
328-334-448-450 CHANNEL ST
CORNER SIXTH AND BERRY STS

POSTAL TELEGRAPH
LONG DISTANCE
TELEPHONE
SAN FRANCISCO-STOCKTON
CODES:
A. B. C. 5TH IMP.
ROBINSON'S
WESTERN UNION 5 LETTER
BENTLEY'S

TELEPHONE: ALL DEPTS.
DOUGLAS 5150

San Francisco. April 7th, 1927.

Ans'd APR 21 1927 B-HVM

Commissioner of General Land Office,
Washington, D.C.

Dear Sir:

Kindly inform me if any patent has been issued to T. M. Buly covering the following described property, or any portion thereof:

The E ½ of the NE ¼ of Section 3;
The E ½ of the W ½ of the NE ¼ of Section 3;
The W ½ of the W ½ of the NW ¼ of Section 2,
Township 18 North, Range 5 East, San Bernardino
Base and Meridian, California.

Or if no patent has been issued to T. M. Buly, has any patent been issued to anyone which is in opposition to this property which was patented on September 24, 1914 to the A. W. Scott, Jr. Company.

Yours very truly,

A. W. Scott Jr.

RECEIVED
APR 18 1927
G. L. O.

ALL OVER THE WORLD

Independence

01279

X

03-17-1914: referring to your letter of march 17 1914 in the matter of mineral app independence 01278 ; march 31, 1914

IN REPLY PLEASE REFER TO Independence 01278 "N" URC.

1 x

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

March 31, 1914.

Information.

Mr. A. H. Ricketts,
40 California St.,
San Francisco, California.

My dear Sir:

Referring to your letter of March 17, 1914, in the matter of mineral application Independence 01278, filed March 10, 1910, by The A. W. Scott, Jr., Company, for the Saratoga placer, you state that on March 6th, 1914, applicant company, through its trustees, made entry; that subsequent to the date application for patent was filed, The A. W. Scott, Jr., Company forfeited its charter under Sec. 5 of the corporation license tax law of the State of California, and by operation of law its real property became vested in the directors then in office, who, on, or about, January 5, 1915, transferred and conveyed said placer claim to G. G. Crichton, who is now the sole owner, and you ask to have patent issue in the name of said Crichton, and request to be informed as to what documentary evidence will be required for that purpose.

You are advised that [illegible] made subsequent to the filing

Independence 01278 "B" USM.

of the application for patent are not considered by this office, but entry will be allowed and patent issue in the name of the applicant for patent, the title conveyed by the patent, of course, inuring, by operation of law, to the transferee of the applicant to the extent of the interest acquired by him, this action being in accordance with Par. 71 of the mining regulations. See 33 L. D. 127.

Very respectfully,

C. W. Bruce
Commissioner.

03-06-0000: i have the honor to inform you that on march 6th 1914 the a. w. scoot jr. company, duly made entry as independence ;

Ref/ reissuance Patent

M-8 01278 Independence

O.H. Richetts (atty)

San Francisco, Cal., March 17, 1914.

Hon. The Commissioner of the General Land Office,

Washington, D. C.

Sir:-

I have the honor to inform you that on March 6th, 1914, the A. W. Scott Jr. Company, through its trustees, duly made entry at Independence California (Receipt 1273688) for the Placer Mining Claim known as the Saratoga Placer No. 1, embracing the W. ½ of the W. ½ of the N. W. ¼ of Section 2, and the E. ½ of the N. E. ¼ and E. ½ of the W. ½ of the N. E. ¼ of Section 3, all in Township 18 North of Range 3 East S. B. M., and being Mineral Entry No. 01278, and the application for patent thereof is now pending in your office.

Subsequent to the application for patent for said mining claim and prior to the issuance of said final receipt, the said A. W. Scott Jr. Company forfeited its charter under Section 5 of the corporation license tax law of the State of California, and by operation of law its real property became vested in the directors then in office. On or about the 6th day of January, 1913, the trustees of said former corporation transferred and conveyed said placer mining claim to E. G. Crichton of this City who is now the sole owner thereof.

In view of these facts, may I be permitted to ask you to cause said patent to be issued in the name of said Crichton instead of said corporation not now in esse, and to advise me what documentary ev

RECEIVED MAR 27 1914

RECEIVED MAR 1914 G.L.O.

dence you will require to effectuate that end.

I am,

Very respectfully yours,

A. H. Ricketts

Attorney for the Trustees of said former corporation and its stockholders, and L. G. Crichton.

40 California St.

S.N. 01278
"N" UEG
January 31,
Report Made.

4—075.

DEPARTMENT OF THE INTERIOR
UNITED STATES LAND OFFICE

Independence, California.
March 6th, 1914.

A. W. Scott, Jr., Company
vs.

Mineral Entry 01278
Involving Saratoga Placer
in Secs. 2 & 3, T. 18 N.,
R. 5 E., S.B.M.

The Commissioner of the General Land Office.

Sir:

By letter "N" of January 31, 1914, you allowed the above named company thirty days from notice within which to furnish a statement of charges and fees, properly sworn to, and pay for the land embraced in mineral application No. 01278.

We have the honor to report that we notified the said company of the decision of your office, by registered letter at record address, 40 California St., San Francisco, Cal. on Feb. 5, 1914. The letter was receipted for Feb. 9, 1914.

The party has complied with the decision of your office within the time allowed him.

We herewith transmit evidence of service and statement of charges and fees, (sworn to) and application to purchase. Final Certificate to be transmitted with returns for this month. No adverse.

Respectfully, Valentine T. Garnaas, Register.

RECEIVED MAR 11 1914 G.L.O.

Vivian L. Jones, Receiver.

6—1917

8

DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY
WASHINGTON

OFFICE OF THE DIRECTOR

January 17, 1914.

The Commissioner,
General Land Office.

In reply to your letters of May 5, 1913, November 3, 1913, and December 1, 1913 ("M" Independence 01278 UEG), requesting information relative to the mineral character and power-site or reservoir possibilities of the following lands in California, San Bernardino Meridian, included in mineral application, Saratoga placer, made by the A. W. Scott, Jr., Company:

T. 18 N., R. 5 E., Sec. 2, W½ of W½ of NW¼;
Sec. 3, E½ of NE¼, E½ of W½ of NE¼.

The records of the Survey indicate that there are no deposits of coal, oil, gas, phosphate, or metalliferous minerals within the area specified.

Concerning the presence of saline minerals on the land specific data are not available and should definite information on this point become necessary an examination by your Field Service is recommended.

The land embraced in this mineral application is located near the south end of Death Valley on the flats in

RECEIVED JAN 20 1914

RECEIVED JAN 19 1914

The Commissioner.

the vicinity of Saratoga Springs at the foot of the Funeral Range and underlain by strata deposited on the floor of a now extinct lake.

In this locality valuable deposits of saline minerals are reported to occur. Concerning borax deposits here the following statements are made on page 65 of Bulletin No. 24 of the California State Mining Bureau.

> The borax occurs around the springs and in the flat as a crust mixed with soda compounds. The crusts are from 1 to 3 feet deep, the richest borates being found in "pools" and "basins" varying from a few feet to several acres in extent, making the beds as a whole quite spotted as all of the borax deposits are. Rich portions are also found along the shallow river channels that wind everywhere through the flats. Samples taken have varied from 7 to 40 per cent of borax, from 10 to 60 per cent of sulphate of soda, from a trace to 5 per cent of carbonate of soda, from 8 to 25 per cent of chloride of soda, and from 10 to 50 per cent of insoluble matter. There is present also more or less magnesia and some iodine.

On page 176 of the same bulletin the following statements are made concerning nitrates in the vicinity of Saratoga Springs.

> The Saratoga beds form the main portion of a partially eroded beach that lies at the junction of the Avawatz Range and Death Valley. These beds extend along the north flank of the range for some 6 miles and in some places are a mile in width. * * * The clay hills run from one to nearly 300 feet in height, and in general have the same soft rounded outlines as in the Canon district. The eastern end of the district contains

The Commissioner.

> unlimited supplies of salt in the form of salt crusts from 5 to 10 feet, and also beds of rock salt. * * * * The western end of the district contains less salt crust and the caliche is softer than at the east end. In the central portion there are large areas rich in the carbonates and sulphates of soda. This field promises to become one of the centers of activity not only on account of the niter, but also from the other valuable salines it contains. It is centrally located, and artesian wells in the valley promise abundant water, as well as that already supplied by the river and springs in the valley.

On page 182 of this bulletin is given a table showing the result of the analysis of a number of samples obtained in this locality not only from the earthy deposits or caliche but from the crystallized salts as well. The percentage of nitrate of soda contained in these various samples is given as follows:

Caliche	Salts
3.04	20.2
5.70	57.0
10.22	47.0
14.45	65.6
25.87	93.5
32.72	57.4
28.15	

Unfortunately the exact location at which these samples were taken is not recorded and although it is known they were obtained in the vicinity of this land their bearing upon the case is only general, showing that valuable nitrate deposits exist in the vicinity.

The Commissioner.

The Register of Mines and Minerals for San Bernardino County, California, issued by the State Mining Bureau, 1902, lists unpatented mining claims for borates and mixed sodas known as the Saratoga borax claims located in T. 18 N., R. 5 E., San Bernardino Meridian, more specific location not given, said to be located by the American Nitre Company of San Francisco. Whether or not these claims correspond with the Saratoga placer embraced in the pending mineral application of the A. W. Scott, Jr., Company, the Survey has no data to show.

The records of the Survey indicate that the land has no valuable power-site or reservoir possibilities.

Geo Otis Smith

Director.

B
WB

4-207c
(May 1954)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

JUN 18 1954

I hereby certify that the annexed copy of patent is a true and literal exemplification from the record which is in my custody in this office.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and caused the seal of this office to be affixed, at the city of Washington, on the day and year above written.

Oscar E Collins
Certifying Officer

INT.-DUP. SEC., WASH., D.C.

61358

Independence 01278.

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, In pursuance of the provisions of the Revised Statutes of the United States, Chapter Six, Title Thirty-two, and legislation supplemental thereto, there has been deposited in the General Land Office of the United States the Certificate of the Register of the Land Office at Independence, California, accompanied by other evidence, whereby it appears that The A. W. Scott, Jr., Co.

did, on March 6, 1914, duly enter and pay for that certain mining claim or premises, known as the Saratoga placer mining claim, situate in San Bernardino County, California, described as the west half of the west half of the northwest quarter of Section two and the east half of the northeast quarter and the east half of the west half of the northeast quarter of Section three in Township eighteen north of Range five east of the San Bernardino Meridian, and containing one hundred sixty acres,

RECORD OF PATENTS: Patent Number 433067

09-14-1914: i herby certify that the certified copy of patent is a true and literal specification cont. ;

NOW KNOW YE. That there is therefore, pursuant to the laws aforesaid, hereby granted by the United States unto the said

The A. N. Scott, Jr., Co.,

, the said placer mining premises hereinbefore described;

TO HAVE AND TO HOLD said mining premises, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature thereunto belonging, unto the said grantee above named and to its successors and assigns forever; subject nevertheless to the following conditions and stipulations:

FIRST. That the grant hereby made is restricted in its exterior limits to the boundaries of the said mining premises, and to any veins or lodes of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits, which may have been discovered within said limits subsequent to and which were not known to exist on March 10, 1910.

SECOND. That should any vein or lode of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits, be claimed or known to exist within the above-described premises at said last-named date, the same is expressly excepted and excluded from these presents.

THIRD. That the premises hereby conveyed shall be held subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local laws, customs, and decisions of the courts. And there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

FOURTH. That in the absence of necessary legislation by Congress, the Legislature of California may provide rules for working the mining claim or premises hereby granted, involving easements, drainage, and other necessary means to the complete development thereof

IN TESTIMONY WHEREOF, I, Woodrow Wilson President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWENTY-FOURTH day of SEPTEMBER in the year of our Lord one thousand nine hundred and FOURTEEN and of the Independence of the United States the one hundred and THIRTY-NINTH.

(SEAL)

By the President: Woodrow Wilson

By M. P. Le Roy Secretary,

S. G. Lamar Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number 433067

6—2204

2

MAR 10 1910 01278

In the United States Land Office at Independence, California.

In the matter of the application of
The A. W. Scott Jr. Co. for a United
States patent for its Saratoga
Placer No.1, (also known as Mitre Claim No.1)
situated in the County of San Bernardino,
State of California, and more particularly
described as the W. ½ of W. ½ of Sec. 2
and E. ½ of N. E. ¼ and E. ½ of W½ of N. E.
¼ of Sec. 3 Tp. 18 N. R. 5 E. S. B. M.
containing 160 acres.

Application
for
PATENT.

State of California #
County of San Bernardino # ss.

To the Register and Receiver of the United States Land Office at Independence, California:-

John A. Chesnut,

being first duly sworn, according to law, on his oath deposes and says:-

I

That he is a citizen of the United States, over the age of twenty one years, residing at Saratoga Springs, in the County of San Bernardino, State of California.

II

That he is the Superintendent and managing agent of The A. W.

Scott Jr. Co., the applicant for patent herein, and is duly authorized and empowered by it to verify and file this application, as will appear by a resolution of the Board of Directors of said Company, a copy whereof is hereto attached, marked Exhibit "A", and made a part hereof.

III

That the said A. W. Scott Jr. Co. is a corporation duly organized and existing under the laws of the State of California, having its principal place of business at the City and County of San Francisco, in the State aforesaid, as will appear by a certified copy of its Articles of Incorporation hereto attached, marked Exhibit "B" and made a part hereof.

IV

Deponent further says, that The A. W. Scott Jr. Co. in virtue of a compliance on the part of itself and its grantors with the laws of the United States and the laws of the State of California and the rules, regulation and customs of miners inSaratoga Springs Mining District, within said State of California, relating to taking up, locating and holding mining claims or mineral lands in the public domain, has become and now is the owner of, and in the actual possession of, and is entitled to so own and possess the said Saratoga Placer No.1,(also known as Nitre Claim No.1), situate, lying and being in the Saratoga Springs Mining District,in the County of San Bernardino, State of California, and more particularly described as follows, to-wit:-

The West ½ of the West ½ of the Northwest ¼ of Section 2 and the East ½ of the Northeast ¼ and the East ½ of the West ½ of the Northeast ¼ of Section 3, Township 18 North Range 5 East,S. B. M.

V

Deponent further says, that the facts relative to The A. W. Scott Jr. Co's. claim, title and right to possess said placer claim are substantially as follows:-

That on or about the 10th. day of January, 1909, the date of the location of said Saratoga Placer No.1 hereinafter mentioned the said premises were placer mineral land of the public domain and entirely vacant and unoccupied, and were not owned, held or claimed by any person or party as mining ground, or otherwise, and while the same were so vacant, unoccupied and unclaimed, to-wit:- on the day lastly hereinbefore aforesaid William G. Hyde, Harold Loudderback, Frederick Schmidt, William Holdrup, John Morrisey, Robert Kenney, H. G. Stindt and John Conway, each and all of them being citizens of the United States entered into and explored the premises discovered and located the said Saratoga Placer No.1, as will fully appear by reference to the notice of location thereof, a duly certified copy whereof is hereto attached, marked Exhibit "C" and made a part hereof.

VI

That the said locators, the said William G. Hyde and his said associates, upon the making of said location, entered into and took possession of the said Saratoga Placer No.1. located thereon such stakes and monuments as were necessary to point and designate the boundaries and extent thereof, did such work thereon and performed all such acts as were required by the mining laws of Congress and of the State of California, and the rules, regulations and customs of the miners of said Saratoga Springs Mining District and filed their said notice of location with the Recorder of the County of San Bernardino aforesaid, by whom the same was recorded on the 5th. day of April, 1909, at page 20 in Book 75 of Mining Records of the records of said County.

VII

That the said locators remained in the possession, occupation and enjoyment of the said placer mining claim and continued from the date of said location to work upon, prospect and develop the same until the 20th. day of March, 1909, on which date the said William G. Hyde and his said associates, the owners and possessors of said Saratoga Ppacer No.1, by their deed in writing, good and sufficient in the law, conveyed all of said placer mining claim mining ground and premises to Saratoga Springs Mining and Development Co. a corporation, and thereupon the said corporation entered into and took possession and control, and possessed, controlled, enjoyed, occupied and improved the same until, to-wit: the 16th. day of November, 1909, upon which said last na med date the said corporation, by its deed in writing, good and sufficient in the law, conveyed said mining ground and premises to this applicant for patent, which thereupon entered into, took possession, and ever since has had the exclusive and quiet possession thereof.

VIII

That the said locators and their said several successors in interest did and have complied with every provision of the Acts of Congress and the laws of the State of California in that behalf enacted, and with the rules, regulations and customs of the miners of said Saratoga Springs Mining District.

IX

That subsequent to the said date of the location of said Saratoga Placer No.1, to-wit: on or about the 12th. day of February, 1909 and while the said placer mining claim was so as aforesaid occupied possessed and enjoyed, one John A. Chesnut together with the said Harold Louderback, Frederick Schmidt, Wm. Holdrup, John Morrisey, Robert Kenney, H. G. Stindt, and John Conway located the said place mining ground, included within the said Saratoga Placer No.1, and called the same Nitre Claim No.1, as will appear by reference to the notice of location, a duly certified copy being hereto attached

marked Exhibit "D" and made a part hereof.

X

That said John A. Chesnut and his said associates, filed their said notice of location with the Recorder of the said County of San Bernardino by whom the same was recorded on the 3rd. day of March, 1909, at page 275 of Book 71 of Mining Records of the records of said County.

XI

That on the 5th day of March, 1909, the said Chesnut and his said associates, by their deed in writing, good and sufficient in the law, conveyed all of their right, title and interest of, in and to said premises so located by them as aforesaid, to said Saratoga Springs Mining and Development Co. ,which said corporation did thereafter convey the same to this applicant for patent as will more fully appear in the abstract of title herewith filed.

XII

That since the said 10th. day of January, 1909, the grantors of the applicant for patent herein have expended a large sum of money upon said premises , to-wit:-said Saratoga ~~Springs~~ Placer Mining Claim No.1, to-wit:- more than the sum of Five Hundred (500) Dollars in the performance of labor and improvements thereon, as folows,

In the construction of four ditches of a total length of 270 feet at a total cost of $380

In the laying of a pipe line 65 feet in length and 1½ inches in diameter, in connection with said ditches at a cost of 50

thereby conveying the water of seven springs having an average maximum flow of about forty (40) miners inches of water from their source to the place convenient and necessary for the erection of a chemical laboratory and tanks for the evaporating

of the valuable borate and nitre deposits situated upon said placer mining claim.

In the digging of 180 prospect holes or pits of an average depth of 3 feet and a diameter of 2 feet for the purpose of determing the surface extent of the borate and nitre deposits on the said placer mining claim $180.

Digging 2 tunnels of an average length of 35 feet; both 7 feet in height and 9 feet in width, at a cost of 350.

Erecting 1 mile of 4 strand barbed wire fencing around said placer mining claim, for the purpose of protecting said ditches and the water made to flow therein at a cost of 400.

Constructing a rock bulkhead 225 feet in length, for the purpose of erecting thereon buildings, tanks and a chemical laboratory, for the purpose of working said borate and nitre deposits, at a cost of 200.

Erecting 2 galvanized iron buildings, each 30 by 25 feet, for the use of the workmen employed on said mining claim in the working of said borate and nitre deposits, at a cost of 1,000

Erecting 1 tool house, 1 workshop, 1 stable, 1 assay office and 1 chemical laboratory, at an aggregate cost of 300.

Total cost of expenditures $2,860.

The said mining claim hereby sought to be patented is all placer ground. It contains valuable mineral deposits, not in vein or lode formation, and the title thereto is sought, not to control water courses or to obtain timber, but in good faith, because of the borate and nitre deposits therein. The borax crusts in said claim vary from 1 to 3 feet in depth; the richest borates being found in "pools" and "basins" varying from 3 feet to several acres in extent, and varying in value from 7% to 40% of borax; from 10 to 60% of sulphate of soda, from a trace to 5% of carbonate of soda, from 8% to 25% of chloride of soda, and from 10% to 50% of insoluble matter. Some magnesia and some iodine are also pres-

The general character of the surface of said borax crusts is shown by the photograph hereto attached, marked Exhibit "E" and made a part hereof.

The minimum thickness of the surface nitre in said claim is 6 inches and runs as far as present developments disclose from 3 to 6 feet in depth, and has a minimum value of about 5 %.

One acre of ground at 6 feet in depth contains 43,560 square feet; this at 70 pounds per cubic foot amounts to 1 524,600 pounds per acre, or say 750 tons of nitre to the acre.

The general character of the surface of said nitre deposits is shown by the photograph hereto attached, marked Exhibit "F" and made a part hereof.

Deponent further says that there is upon said property and within the West quarter of said Section 2 three shallow ponds of water, viz:

One pond about 200 feet in length and about 75 feet in width at the center, and running to a point in both an easterly and westerly direction. The average depth of the water in this pond during the Winter months is about 24 inches. This pond is marked "1" on the photograph hereto attached, marked Exhibit "G" and made a part hereof.

One pond about 200 feet in length and about 80 feet in width at the center and running to a point in both an North westerly and Southeasterly direction. The average depth of the water in this pond during the Winter months is about 12 inches. This pond is marked "2" on the photograph hereto attached, marked Exhibit "G" and made a part hereof.

Both of said ponds run dry during the Summer months, so exposing the bed of each thereof and the borate and nitre deposits contained therein.

One pond about 200 feet in length and about 200 feet in

width at the center. The average depth of the water in this pond is about 24 inches during the Winter months and about 12 inches during the Summer months, during which latter time it's area is decreased about 65 %. In this pond is a hole containing water to a depth of 10 feet in Winter months and of 6 feet during the remainder of the year. This pond is marked "3" on the photo graph hereto attached, marked Exhibit "G" and made a part hereof.

There are also 7 developed springs of water within said West quarter of said Section 2, basins of which have been opened by the grant ors of this applicant for patent, as follows, viz:-

1- 6 feet in diameter and about 18 inches in depth

2- 4 feet in diameter and about 24 inches in depth

3- 2 feet in diameter and about 8 inches in depth

4&5- (jointly) 1½ feet in diameter and about 12 inches in depth

6- 1½ feet in diameter and about 18 inches in depth

7- 1½ feet in diameter and about 6 inches in depth

The maximum flow from all of the above is, in Winter, about 40 miner's inches of water, and the minimum flow therefrom during the Summer is about 15 inches.

That all the waters of said ponds and springs, so developed by applicant's grantors, at their maximum depth and flow is essential to the proper development and leaching of said borate and nitre deposits upon and within said placer mining claim for which patent is hereby sought, and said water is also necessary for the domestic purposes of the workmen and others employed upon and at said premises.

XIII

That by reason of the facts aforesaid, the said The A. W. Scott Jr. Co., the applicant for patent herein, has become and is the rightful owner, except as against the paramount title of the

United States, and the lawful possessor of the aforesaid Saratoga Placer Mining Claim No.1 (sometimes called Nitre Claim No. One)

XIV.

That the abstract of title herewith presented, shows the various deeds of conveyance and transfers whereby the said The A. W. Scott Jr. Co., the applicant for patent herein, became and is vested with all the right, title and interest of the said locators in and to said placer mining claim, ground and premises, so located as aforesaid; in consideration of which facts and in conformity with the provisions of Chapter VI of Title XXII of the Revised Statutes, application is hereby made for and in behalf of the said The A. W. Scott Jr. Co. for a patent from the government of the United States for the said Saratoga Placer Mining Claim No.1

John A. Chesnut.

Subscribed and sworn to before me this 30th day of December, 1909, and I hereby certify that I consider the above named deponent a credible and reliable person, and the foregoing affidavit was read and examined by him before his signature was affixed thereto.

Robt. L. Jones
Notary Public in & for Inyo County, State of California.

My Commission Expires Aug. 24, 1913

A.H. Ricketts
40 California St.
Atty. for Applicant.

8

MAR 10 1910 01278

In the United States Land Office at Independence, California.

In the matter of the application of The A. W. Scott Jr. Co. for a United States patent for its Saratoga Placer No.1, (also known as Nitre Claim No.1)

Agreement of Publisher

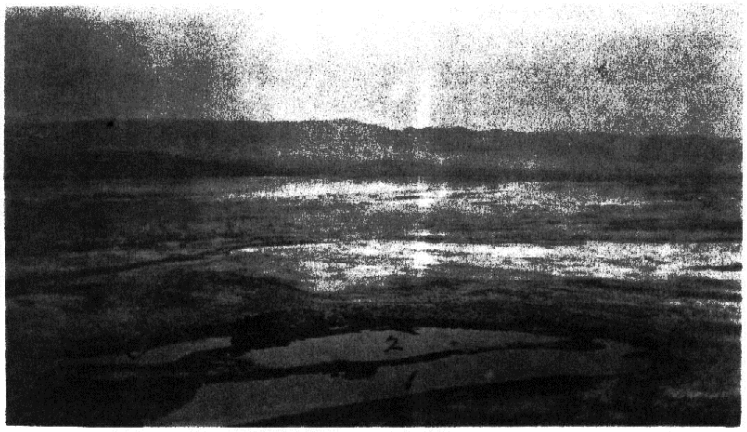
The undersigned, publisher and proprietor of the Santa Ana Independent, a newspaper published at Santa Ana County of Santa State of California does hereby agree to publish a notice dated United States Land Office MAR 10 1910 ~~1910,~~ required by the provisions of Chapter VI of Title XXXII Revised Statutes of the United States the intention of The A. W. Scott Jr. Co. to apply for a patent for its mining claim known as Saratoga Placer No.1. (also known as Nitre Claim No.1) situated in the County of San Bernardino, State of California, and to hold the said The A. W. Scott Jr. Co. alone responsible for the amount due for publishing the same,

And it is hereby stipulated and agreed, that no claim shall be made against the government of the United States or its officers or agents for such publication.

Witness my hand this 10th day of March, 1910.

Charles Walter

EXHIBIT "G"



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
WASHINGTON 25, D. C.

June 1957

Determination of the Flow of Saratoga Spring in Death Valley National Monument, California

By
T. W. Robinson
Engineer, Water Resources Division
U. S. Geological Survey

Prepared in cooperation with the National Park Service

Introduction

In connection with condemnation of a tract of land including Saratoga Spring, the National Park Service requested that the writer make a determination of the flow of the spring. The request was made by A. van W. Dunn, Chief, Water Resources Section, National Park Service, in a letter dated April 22, 1957, to Dr. John C. Reed, Staff Coordinator, Geological Survey. Approval of the request was contained in a reply by the Staff Coordinator to the Chief, Water Resources Section, dated May 10, 1957.

Description of Spring and History of Investigation

Saratoga Spring is in the SW¼ sec. 2, T. 18 S., R. 5 E., San Bernardino base and meridian, at the south end of Death Valley and on the north edge of the Amargosa River flood plain. The altitude of the spring is about 830 feet above sea level. The spring consists of a main orifice and many small seeps, some concealed, some visible. The main orifice and seeps occur along the base of a rock ridge that extends west from the south end of a much larger, north-south-trending rock mass.

Although water emerges on both sides of the rock ridge, by far the greater part emerges on the north side. The main orifice is on the north side near the west end of the ridge. Here a short tunnel has been dug into the rocky base of the ridge, and the water collected in a concrete trough. Water is discharged from the trough through six circular orifices on the north side near the top, and flows into a pool about 30 feet in diameter and about 10 feet deep, some 25 feet west. A small spring house encloses the tunnel entrance and concrete collecting trough.

The discharge from the springs is sufficient to maintain a combined water-surface area and vegetated area of water-loving plants of nearly 23 acres. It is not possible to measure the flow of the spring directly, so its flow must be arrived at indirectly by determining the combined discharge from the water-surface area and vegetated area.

Such a determination was made by Mr. Dunn in the fall of 1912. On October 25 of that year he made a stadia survey of the spring area from which he prepared a map showing the water-surface and vegetated areas. Later, in November, he prepared a report entitled "Water Resources on Saratoga Springs Tract, Death Valley National Monument," in which he estimated the flow of the spring. This report was later sent to the writer for review and comment. The results of the review are contained in a letter dated March 16, 1933, to Mr. B. F. Mackey, Regional Chief of Lands, National Park Service.

Method of Investigation

A field investigation of the springs and associated water-surface and vegetated areas was made on June 13, 1957, by the writer assisted by Messrs. Robert Sellers, Joe Rockwell, and Lian Spaulding of the National Park Service. In the course of the investigation nine test holes were bored to determine the depth to the water table, the water-surface and vegetated areas were mapped, and the flow of the developed spring at the spring house was measured. In mapping the water-surface and vegetated areas, the map prepared by Mr. Dunn in 1952 was used as the base.

It was apparent from an inspection of the spring-discharge area that the largest water losses occurred from the open water surface and the areas of dense reed growth in which the water stood from half a foot below to somewhat above the land surface. These areas constitute nearly 70 percent of the discharge area, and from them about 88 percent of the annual discharge of water occurs. (See legend.)

The vegetated areas were mapped according to species or associated species of plants, and water level. In most of the area the water level ranged from at or above the surface to 2 feet below the surface. Numerous small holes were dug with a shovel to determine the water level. Most of the vegetated area was mapped according to the following three positions of the water level: at or above the land surface, between the land surface and a depth of 0.5 feet, and between depths of 0.5 feet and 2.0 feet. Two parcels in which the depth to water was greater were mapped separately.

In mapping the vegetated areas, the density of plant growth was considered. With the exception of that in five parcels, all the vegetation was estimated as having a growth density of 100 percent. The density in these parcels, two of saltgrass, one of rushes, and

saltgrass, and two of saltgrass, weeds, and mixed grasses ranged from 50 to 75 percent (see map). In all, 25 parcels, including the free water surface, were mapped and are shown in color on the accompanying map. These 25 parcels were grouped into 11 categories. The categories and area of each are given in the following table.

Category	Depth to water (feet)	Area (acres)
Open water surface	-	6.80
Reeds, large; water level at or above land surface	0	6.65
Reeds, large	0.0 - 0.5	2.49
Saltgrass	.0 - .5	1.09
Saltgrass	.5 - 2.0	.75
Saltgrass, 75-percent density	.5 - 2.0	.38
Saltgrass, 50-percent density	.5 - 2.0	1.93
Reeds, rushes, and saltgrass	2.0 - 4.0	.38
Saltgrass, weeds, and mixed grasses	.5 - 3.0	2.21
Saltcedar (athel trees)	-	.17
Bare ground (seep area) a/	-	.14
Total		22.98

a/ In this parcel, upward-seeping spring water was discharged by evaporation from the wetted soil surface.

The location of the test holes, with notations as to the depth to the water level in each, also is shown on the map.

The discharge of the developed spring was measured volumetrically using a 5.4-gallon container and a stopwatch. It was not possible to

measure the discharge through all six orifices in the concrete trough at one time, but it was possible to measure the discharge by pairs of orifices. Following is a record of the measurement made at 12:30 p. m. on June 12, 1957:

Orifice	Time required to fill 5.4-gallon container (seconds)	Discharge (gallons a minute)
Two east orifices	90	3.6
Two middle orifices	112	2.9
Two west orifices	132	2.5
	Total	9.0

This rate is equivalent to a discharge of 12,960 gallons a day. It is considerably less than the 21,450 gallons a day obtained in the measurement by Hopper and Wakefield on May 27, 1951, or the 21,750 gallons a day measured by Mr. Dunn on October 23, 1952, as noted in Mr. Dunn's report. The decrease in flow of about 60 percent may be due to the drought that has persisted in this area for the past several years, or it may be due to the use of water by the phreatophytes at the spring, particularly the large saltcedars (Tamarix gallica). These trees are high water users, the use being greatest at midday when the air temperature is highest, and least in the early morning. As the measurement was made at 12:30 p. m. it is possible that draft by the saltcedars may have reduced the flow. The effect of use by the saltcedar trees on the flow of the spring could be determined by periodic measurements of the spring flow over a 24-hour period.

Unit values of evapotranspiration

In estimating the annual discharge of the spring the acreage in each of the categories of use was multiplied by a unit value of evaporation or transpiration for that category. The unit values are based on the best available information that would be applicable to the Saratoga Spring area. In selecting the values, consideration was given not only to data for other localities in the Southwest but also to the high temperature and low humidity that prevail in this part of Death Valley. Both these factors are conducive to high rates of evaporation and transpiration. The unit values of evapotranspiration for each of the categories will be discussed separately in the following pages.

Open water surface. The annual rate of evaporation is estimated as 120 inches a year. This estimate is based on records of pan evaporation at Silver Lake, Calif., about 30 miles south, and some 800 feet higher in altitude. In connection with a study to determine coefficients for converting pan evaporation to lake evaporation, pan-evaporation data were collected from May 1935 to April 1939 at a Class A Weather Bureau evaporation station (Blaney, 1957). The pan evaporation during this period was 130.58 inches. During the same period the evaporation from Silver Lake, a body of water about 7 miles long and 3 miles wide, having a maximum depth of 7 feet, was 79.46 inches. The evaporation from the pan is believed to be more nearly comparable with the evaporation of the open water at Saratoga Spring than that from Silver Lake. The open water surface at Saratoga Spring totals 6.8 acres and has a length of about 700 feet and a width of about 500 feet. In addition, it is quite shallow, the maximum depth being estimated as 2.5 feet and the average, about

1.5 feet. The high water level is believed to be about 1 foot above the water level on June 12, 1957, as indicated by the watermark on a post at the water's edge on the west side of the pond, shown on the accompanying photo. The post is about 100 feet east of the clump of saltcedar. The depth of the water in the pond was estimated as 1.0 to 1.5 feet at the time.

Mr. Dunn in his report used a coefficient of 0.85 to correct pan evaporation to evaporation from the open water surface. This was based on the recommendation of Mr. W. B. Langbein, of the Geological Survey, as a result of his study of stock-watering ponds. However, the conditions of high temperature, low humidity, and shallow depth of water at the pond favor a higher rate of evaporation than that from stock-water ponds in general. For this reason the correct coefficient is believed to be nearer 0.90 percent.

The evaporation during the period of record at Silver Lake, May 1938 through April 1939, probably represents fairly well the long-term average. This is shown by comparison of the long-term average of three evaporation stations in the Southwest, as shown in the following table.

Station	Long-term normal (inches)	1938-39 (inches)	Departure (percent)
Bacher Ranch, Calif.	116.6	121.3	+ 4.0
Boulder City, Nev.	120.3	120.2	- .1
Yuma Citrus Station, Arizona	115.4	115.2	- .1

On the basis of a coefficient of 0.90 and the pan evaporation of 130.58 inches at Silver Lake, the annual evaporation from the open pond at Saratoga Springs is computed as 117.5 inches, and rounded off to 120 inches.

Basin, large, water-level at or above land surface. The vegetation in this category is almost entirely the common reed Phragmites communis, often referred to in the Southwest as carrizo. It was growing very luxuriantly and ranged in height from 5 to 8 feet. In some places the growth was so dense that the stems would support the weight of a man.

There are no data on the use of water by Phragmites in the Southwest, so far as the writer is aware. However, there are data on tules and cattails, which are similar in habitat and, it is believed, in water use, at several places in the Southwest. As temperature is the most important climatological factor affecting transpiration, the mean monthly temperature records of all localities where water-use data were available for tules and cattails were examined. On this basis the locality most nearly comparable was Mesilla Dam, N. Mex., where on the average the temperature (Fahrenheit) was about 14° less than that computed for Saratoga Spring.

The mean monthly temperature for Saratoga Spring was computed by correcting the temperature at Silver Lake for the period May 1938 through April 1939 for departure from normal on the basis of the long-term record at Greenland Ranch in Death Valley, and using the average of the two localities. The computed mean monthly temperatures for Saratoga Spring are given below in degrees F.:

January	50	July	98
February	55	August	96
March	63	September	88
April	70	October	72
May	82	November	56
June	89	December	50

The use of water by Phragmites was computed for Saratoga Spring on the basis of the data for Mesilla Dam, N. Mex., using the Blaney-Criddle

method. In this method the differences in temperature and in daylight hours at the two localities are taken into account. On this basis the annual use of water was computed as 156 inches or 13 feet for these plants when the water level is at or above the land surface.

Reeds, large, depth to water 0 to 0.5 foot. In this category the common reed is the dominant vegetation, although some associated rushes also were included. However, they were neither as tall nor as luxuriant as in the parcels where the water level was at or above the land surface. The difference in density of growth was greater than was the difference in heights. The density ranged from about 50 percent to about 75 percent, and averaged about 67 percent of that of the category just discussed. Using the density of growth as a guide, the annual use of water by the reeds in this category was estimated as two-thirds of 156 inches. This amounts to 104 inches or 8-2/3 feet a year.

Saltgrass, depth to water 0 to 0.5 foot. The saltgrass in this category occurred for the most part on land adjacent to the water in the pond. It was dense and luxuriant. The use of water was estimated from a graph prepared by the writer (Robinson, 1957, in press) which shows the relation of evapotranspiration by saltgrass, grown in tanks, to depth to water table and the average temperature during the growing season. On the basis of this chart the use of water for this category was estimated as 6.5 feet a year.

Saltgrass, depth to water 0.5 to 2.0 feet. The saltgrass in this category was not as luxuriant as that just described, but was still considered to have a growth density of 100 percent. On the basis of the greater depth to water the use was estimated from the graph as 3.3 feet a year.

Saltgrass, depth to water 0 to 3.0 feet, density of growth 75 percent. The use of water by saltgrass in this category was taken from the graph, and on the basis of density reduced to about 75 percent of that for a 100-percent growth density. The use was estimated as 4.0 feet a year.

Saltgrass, depth to water 0 to 3.0 feet, density of growth 50 percent. The use here was estimated as 50 percent of that for 100-percent growth density for the same depth to water, or 2.75 feet a year. In a small part of this parcel, the depth to water was greater than 3 feet.

Reeds, rushes, and saltgrass. This was an association of the common reed, Phragmites communis, the Rush Juncus saximeri, and saltgrass, Distichlis spicata. The area occupied by the association was on the slope of the rock point. Several trenches had been dug to develop small seeps, in the bottom of a few of which water was observed. The depth to water estimated from the trenches ranged from 2 to 4 feet. The plant growth was spotty, ranging from dense to sparse. The range in density and in depth to water made it difficult to estimate water use; however, it is believed to be about equal to use by saltgrass of 75-percent density with a depth of water of .5-2.0 feet. On this basis the use is estimated as 4 feet a year.

Saltgrass, reeds, and mixed grasses. In these two parcels the depth to the water was from land surface to 3 feet. The average depth to water appeared to be about 2.5 feet. The color of the vegetation for the most part was brown, rather than green, and did not give the impression that much water was being transpired. Mr. Dunn in page 9 of his report refers to the area as "lacking almost all the green color of life." Some water is probably discharged by evapotranspiration but the amount is small. The use

Saltcedar. The use of water by the two small clumps of Tamarix gallica was estimated on the basis of temperature and studies in the Safford Valley, Ariz., as about 8 feet a year (Gatewood, Robinson, Colby, and others, 1950).

Bare ground, moist area. In this parcel of land, water seeping from the hillside kept the land surface moist. The loss by evaporation was estimated on the basis of soil evaporation as reported by Lee (1912) in Owens Valley, Calif. The loss by evaporation from two tanks in which the average water level was 1.34 and 1.94 feet below the surface was 3.29 and 3.56 feet, respectively. On this basis the evaporation for the parcel was estimated as 3.5 feet a year.

Using the unit values for evapotranspiration just described and the acreage for each category, the following table was prepared to show the estimated annual use of water, by categories, and for the area of discharge as a whole.

Category	Area (acres)	Annual rate of use (acre-feet per acre)	Annual use (acre-feet per year)
Open water surface	6.80	10	68.0
Reeds, large, water level at or above land surface	6.65	13	86.5
Reeds, large, depth to water level 0-0.5 foot	2.40	8.67	21.6
Saltgrass, depth to water 0-0.5 foot	1.09	6.5	7.1
Saltgrass, depth to water 0.5-2 feet	.75	5.5	4.1
Saltgrass, depth to water 0.5-2 feet, density 75 percent	.38	4.0	1.5
Saltgrass, depth to water 0.5-2 feet, density 30 percent	1.92	2.75	5.3
Reeds, rushes, and saltgrass	.38	4.0	1.5
Saltgrass, weeds, and mixed grasses	2.21	1.0	2.2
Saltcedar	.17	8.0	1.4
Bare ground, seep area	.14	3.5	.5
Totals	22.98		199.7
Say,	23	Say,	200

Seepage Loss

In the course of the field examination, the possibility of discharge of water underground by seepage from the spring or discharge area was given consideration. Any seepage likely is toward the west, for only in that direction does the land surface slope away from the area. The two test holes indicate that the water-bearing material to the west is fine grained, largely a mixture of clay and sand. The permeability of this type of material is low, and movement through it would be quite slow. The vegetation west of the mapped area, largely saltgrass with an occasional clump of rushes, was sparse and did not indicate a plentiful supply of water. On the basis of these observations, it is believed that there is little seepage loss from the spring or discharge area.

References

Blaney, Harry F., 1957, Evaporation study at Silver Lake in the Mojave Desert, Calif.: Am. Geophys. Union Trans., v. 38, no. 2, p. 209-215.

Robinson, T. W., In press, Phreatophytes: U. S. Geol. Survey Water-Supply Paper 1423.

Gatewood, J. S., Robinson, T. W., Colby, B. R., and others, 1950, Use of water by bottom-land vegetation in lower Safford Valley, Ariz.: U. S. Geol. Survey Water-Supply Paper 1103.

Lee, C. H., 1912, An intensive study of the water resources of a part of Owens Valley, Calif.: U. S. Geol. Survey Water-Supply Paper 294.

05-24-1955: memo to: regional director: from: chief, subject: acquisition of saratoga springs tract and appurtenant water rights ;

In reply refer to: 1222-L

L54

Office of Chief, Western Office Div. of Design and Construction
MAY 31 1955 A.M.
Supv. Architect
Supv. Engineer
Supv. Landscape Arch.
Safety Engineer
File (B)

Docket #17

May 24, 1955

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Acquisition of Saratoga Springs Tract and Appurtenant Water Rights, Death Valley

The memorandum of May 16, from Mr. Manbey, indicates that the U. S. Attorney has nominally the same views as I. The actual quantity of water available at Saratoga Springs is between the two limits I computed in 1952 and this spring, and is so little more than is needed to support ponds and native vegetation that refinement would not alter the property value materially. The commercial value will depend largely on the extent to which nonbeneficial water consumption might be reduced by reducing the size of the main pond and eliminating some vegetation without loss of scenic value, and how profitable a commercial venture could then be supported by the small residual water supply.

As a potential campground area, however, this Service should ultimately determine where the water sources are, what the available total flow is, and how to modify existing developments to serve the desired objectives. The studies may include groundwater investigations by the Geological Survey, or opening up of the buried water lines and springs by this Service. The estimates for desired studies should be prepared for budget purposes, as soon as practical.

As stated in previous correspondence, savings on some work in Region Three have made somewhat more than $1000 available for other investigations before June 30. Now that none of the money can be used at Saratoga Springs, we should like to know whether any portion may be used at Joshua Tree before that date, so we can determine the year's limits of obligations.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

In duplicate

Copy to: Superintendent, Death Valley
Western Office of Design and Construction

KW

WATER RESOURCES LABORATORY
2520 Marconi Avenue
Sacramento 21, California

Jan 1, 1955

Analyses by Geological Survey, United States Department of the Interior
(parts per million) and Equivalents per Million

UNPUBLISHED RECORDS SUBJECT TO REVISION Lab.No.	15116					
Date of collection	3-31-55					
	ppm	epm				
Silica (SiO_2)	41					
Iron (Fe), dissolved 1/	0.02					
Iron (Fe), total	0.05					
Manganese (Mn), dissolved 1/						
Manganese (Mn), total						
Calcium (Ca)	33	1.65				
Magnesium (Mg)	36	2.93				
Sodium (Na)	989	43.01				
Potassium (K)	40	1.02				
		48.61	Cation Totals			
Bicarbonate (HCO_3)	428	7.01				
Carbonate (CO_3)	0	0.00				
Sulfate (SO_4)	1,030	21.44				
Chloride (Cl)	680	19.18				
Fluoride (F)	2.8	.15				
Nitrate (NO_3)	3.4	.05				
TAF	4.18	47.83	Anion Totals			
Dissolved solids						
Sum	3,080					
Residue on evaporation at 180°C	3,070					
Hardness as $CaCO_3$	229					
Non-carbonate	0					
Specific conductance (micromhos at 25°C)	4,680					
pH	7.8					
Color	3					
Percent Sodium	88					
Boron	9.5					

1/In solution at time of analysis.

Location: Saratoga Springs, Calif., T15N, R5E, SB B&M San Bernardino County.
Source : Spring
Pt. of Collection: Spring House
Use: Domestic.
Appearance: Clear.
Agency: US Department of the Interior, National Park Service, Region 4, San Francisco, Calif.
Collector: M.Ryan, National Park Service, Death Valley National Mon., Death Valley, Calif.

Analyst: Robert Brennan,
Date: May 18, 1955

11-24-1952: the saratoga springs tract was appraised by james a. hopper and c. k. wakefield for the national park service ; novemb

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

November 24, 1952

Water Resources on Saratoga Springs Tract

Death Valley National Monument

by

A. van V. Dunn
Chief, Water Resources Branch

The Saratoga Springs Tract was appraised by James A. Hopper and C. K. Wakefield for the National Park Service in the spring of 1951. The inspection was made on May 27, in the company of the Chief Ranger, Edward R. Ogston, and the report on the appraisal was prepared under the date of June 5. In appraising the property, Messrs. Hopper and Wakefield took cognizance of a small pond and a lake with a surface area of approximately 7 acres, which was fed by ditch from the springs whose measured surface flow was 900 gallons per hour, or 0.03342 second-foot. Another dry spring was noted without further comment. The tamarack trees near the spring were noted, but no reference was made to the rushes, or tules, and other phreatophites growing in, and adjacent to the pond.

The Superintendent and the Chief of the Water Resources Branch both questioned whether the recognized spring flow was adequate to maintain the pond, lake, and vegetation. Accordingly, a further investigation of the water resources was made on October 25 by Sidney McClellan, Regional Attorney; L. T. Peterson, Engineer from the Regional Office; and the writer. The following analysis is based on that investigation.

A better understanding can be had by reference to some of the photographs in the appraisal, of which copies are on file in this Office and the Region. Accordingly, those photographs are here assigned the following numbers in the order in which they appear in the Director's copy:

1. North end of lake.
2. Looking across lake to east.
3. Looking northeast to lake.
4. Looking southwest across lake.
5. Facing east across property.
6. Facing south across property.
7. Facing west across property.
8. Facing north across property marker on south line.
9. Dry spring on east side of property.
10. Markers on north line and mine claim stake.
11. Old toilets on property.
12. Trench dug to prove work on mining claim.
13. Pond adjacent to spring.
14. Spring house and tamarack trees.
15. Mountains east of property.
16. Spring house.
17. Remains of old stone house.
18. Old dwelling facing west.
19. Old dwelling facing south.
20. Remains of old stone building.

The accompanying drawing, Water Resources Map, Saratoga Springs Area, was prepared from a stadia survey on October 25, with Mr. Peterson as instrumentman, the writer as rodman, and Mr. McClellan recording. Only distances and bearings were obtained, in order to measure areas. Although a somewhat more refined estimate might be obtained with better knowledge of the actual annual variation in water level, it did not seem possible to determine those elevations in the time allotted, because of the lack of residue to mark the probable upper water limit and the fact that the water had probably passed the summer minimum.

The water is confined in a bend, bounded on the south and east by the toe of adjacent mountains (the easterly mountains being shown in photographs 2 and 5, and the southern mountains being shown in photograph 6); and bounded on the west and north by the ditch from the pond, and an old man-made dike (shown in the distance, in photographs 1, 3, and 4). Photograph 3 was taken from the road on the edge of rush-covered area E, looking "approximately true north" as so designated on the drawing. The car, in photograph 6, is approximately adjacent to the west side of the dike near area G, and the northwesterly portion of the dike may be discerned through a fringe of mesquite, extending to the left of that photograph.

The land within the bowl slopes gradually downward toward the lake from the south and east edges, the steeper slope being from south to north. The ground level of exposed areas of aquatic and semi-aquatic vegetation varies in elevation by more than a foot, and semi-aquatic grass extends into the water for a horizontal distance of at least 10 feet, much of it in water more than a foot deep, around the edge of the lake. This suggests that the water level of the lake probably varies by about 2 feet during the year, and that the variation is probably not very noticeable to those who make only periodic inspections; because of the amount of grass which is always awash, around the edge.

The dike seems to have been constructed with material excavated from the lake, dragging both ways from the ridge extending from north to south through the center. From the size of the dikes, it seems probable that parts of the lake were about 5 feet deep in October.

The only surface flow, on October 25, was from the spring house, through the pond (area L), and the ditch, into area B. The springs emerge from the rock in the low appendage on the south side of the spring house (in photograph 16). The rushes, or tules, in area E, also suggest that there is another source of water there. The view to the right of the athel, or "tamarack trees," in photograph 18, is between areas E and F, and indicates that there is no surface evidence of water.

The "dry spring" ditch (photograph 9), noted by Hopper and Wakefield, was not noted on October 25. However, from the character of the rock in the background, it must be on the easterly edge of area D, a short distance south of the northeast corner of that area.

At the time of the investigation, there was absolutely no surface water in area D, and the vegetation was dry and devoid of any evidence of green. Area H lacked almost any trace of present or past vegetation. Part of area H is shown in photograph 15. The line of demarcation, between areas J-K and H, was noticeably abrupt.

Area K is the lower end of a canyon, entering from the northeast. The area, and dike behind, extend across the left half of photograph 5, and the canyon extends up to the right, behind the point of the hill about a half inch to the right of the most easterly mesquite in the center of the photograph, at end of area K.

As stated previously, the water in the lake, area B, was some inches above its probable late summer minimum. Attention has also been called to the canyon which drains into the northeast corner of the bowl over area K. It is significant, therefore, that there was a cloudburst in the portion of Death Valley near Furnace Creek Wash about the first of October. It is not known whether there was any similar precipitation in the drainage entering the bowl at Saratoga Springs, which is 50 or 60 miles south of Furnace Creek. Vegetation in area K showed no signs of rejuvenation as a result of such water and the lake showed no evidence of fresh sediment. The dirt road across the mouth of the canyon (partially visible in photograph 5), showed no signs of recent water in the ruts. At the same time, the possibility of recent flood flow from the canyon makes it unwise to give too much weight to the actual water level at the time of the inspection.

The fringe of mesquite along the outside of the dike (see photograph 6) is greater than that over the rest of the desert floor. It follows that there is some seepage from the bowl, but not in sufficient volume to create a high water table just 75 feet from the free water in the lake. It is also significant that there was no evidence of travertine to restrict the ground flow, as it does in the Cow Creek and Furnace Creek Wash areas. Accordingly, it was not possible to estimate the amount of seepage losses.

Mr. Ogston supplied copies of the records of the measured flow from each of the six orifices in the spring house made by Hopper and Wakefield on May 27, which showed a total mean flow of 21,450 gallons per day. (This amounts to 895 gallons per hour, which the appraisers rounded off and quoted as 900 gallons per hour, in their report of June 5.) The writer measured the same flow on October 25 with a 28-ounce bottle and stop watch, and found the time required to fill the bottle from each orifice varied from 19.8 to 20.2 seconds, giving a mean value of 21,750 gallons per day. While this may reflect an increase of 1.5% in the flow between May and October, it seems safer to assume that the difference is all due to the difference in accuracy of measurements. For all practical purposes, the flow may be assumed to be constant at the mean of 21,600 gallons per day, or 0.0334 second-foot. This flow produces 24.15 acre-feet per year.

Mr. Walter B. Langbein of the Geological Survey has been engaged in evaporation studies for a number of years, participating in the recent study at Lake Hefner, Oklahoma, and in studies of evaporation from Lake Mead and from stock watering ponds. (Measured evaporation from a pan has been found to be in excess of that from a larger body of water, and his work has been to determine the coefficients to apply to recorded pan evaporation to estimate probable evaporation from larger bodies of water in the Colorado River Basin.) From the records of pan evaporation at Lees Ferry and Boulder City, on the Colorado, and the Bachus Ranch at Mojave, California, and considering the lake at Saratoga Springs as similar to a stock watering pond, he has recommended that pan evaporation be estimated at 100 inches and a coefficient of 0.85 be used, to give a probable evaporation from the lake of 85 inches per year.

Table I has been compiled from the records of monthly evaporation at Lees Ferry and the Bachus Ranch, as recorded in Technical Paper No. 13 of the U. S. Weather Bureau, to obtain a mean monthly percent of the annual evaporation as the probable variation at Saratoga Springs. In Table II those percentages are used to estimate the probable monthly evaporation from the lake at Saratoga Springs, the answers being shown in columns (3) and (4), according to whether they are below or above the average of 7.0833 inches.

TABLE I

Month (1)	Mean Evaporation Lees Ferry (2)	Bachus Ranch (3)	Lees Ferry (4)	Bachus Ranch (5)	Mean (6)
Jan.	1.67 in.	3.04 in.	1.86%	2.61%	2.24%
Feb.	2.81 "	3.71 "	3.12 "	3.18 "	3.15 "
March	6.01 "	6.14 "	6.69 "	5.26 "	5.98 "
April	8.48 "	9.42 "	9.43 "	8.08 "	8.75 "
May	11.70 "	13.51 "	13.01 "	11.60 "	12.30 "
June	13.74 "	16.49 "	15.30 "	14.14 "	14.76 "
July	13.72 "	18.79 "	15.27 "	16.12 "	15.67 "
Aug.	11.59 "	12.80 "	12.89 "	15.27 "	14.07 "
Sept.	9.24 "	12.75 "	10.27 "	10.94 "	10.60 "
Oct.	6.13 "	7.62 "	6.82 "	6.53 "	6.67 "
Nov.	3.07 "	4.38 "	3.41 "	3.76 "	3.59 "
Dec.	1.74 "	2.92 "	1.93 "	2.51 "	2.22 "
Total	89.90 "	116.57 "	100.00 "	100.00 "	100.00 "
Years of Record	16	12			

TABLE II

Probable Evaporation at Death Valley

Month (1)	Percent of Annual Evaporation (2)	Equivalent Evaporation in Inches Evaporation Below Average (3)	Evaporation Above Average (4)
Jan.	2.2%	1.90 in.	
Feb.	3.15 "	2.68 "	
March	5.98 "	5.07 "	
April	8.75 "		7.44 in.
May	12.30 "		10.45 "
June	14.76 "		12.53 "
July	15.67 "		13.40 "
Aug.	14.07 "		11.94 "
Sept.	10.60 "		9.00 "
Oct.	6.67 "	5.66 "	
Nov.	3.59 "	3.05 "	
Dec.	2.22 "	1.88 "	
Total	100.00%	20.24 in.	64.76 in.

Phreatophites, or water-loving plants such as tules and athels, consume approximately 8 acre-feet of water per acre per annum. Most other types of vegetation require from 2.5 to 5.0 acre-feet per acre per annum. All such transpiration increases and decreases with variations in the hours of sunlight per year, and with the rise and fall of the water table. (For references, see

Consumptive Use of Water, by Harry F. Blaney, Separate No. 91, American Society of Civil Engineers, October 1951.) The sun-hour factor is high in Death Valley. The water table in the bowl seems to vary by nearly 2 feet. This was particularly noticeable in areas D and K, where the semi-aquatic vegetation lacked almost all of the green color of life, after a summer of falling water table. Table XIII gives the classification of the bowl area according to the probable rate of water consumption.

TABLE XIII

Area Designation (1)	Free Water 7.0833 AF/yr. (2)	Phreatophites 8.00 AF/yr. (3)	Semi-Aquatic 5.00 AF/yr. (4)	Low Water Table 3.00 AF/yr. (5)	Arid (6)
A	6.31 acres				
B-A		1.89 acres			
C		5.17 "			
D				2.33 acres	
E		0.09 "			
F (not to scale)		0.04 "			
G		0.26 "			
H			0.16 acres		
I		0.14 "			
J			1.06 "		
K				0.20 "	
L	0.01 acres				
M					Not measured
Total	6.32 acres	7.59 acres	1.22 acres	2.53 acres	-
Annual Water Demand	44.77 AF	60.72 AF	6.10 AF	7.59 AF	0

The total water demand, from Table III, is 119.18 acre-feet per year, or an average of 0.3265 acre-foot per day. This is equivalent to a flow of 0.165 second-foot, or 106,500 gallons per day. It is not unreasonable to assume that 20% of the total flow is lost in seepage. Accordingly, the water demand for evaporation and transpiration is only 80% of the probable supply, and the total spring flow is thus estimated at 0.2065 second-foot, or 133,000 gallons per day.

As a check on the preceding estimates, it is necessary to consider the resultant water level of the lake throughout the year, but any estimate of the monthly variation in water level must be very approximate. The inflow seems to be quite constant, but the estimate of the portion which seeps away has been highly speculative. In addition, it is quite certain that the seepage loss is greater when the lake is at high stage than when it is low, due to greater ground surface through which the water escapes, and also due to the greater pressure under which the water seeps at any point in the ground surface. In addition, while there has been considerable study of the monthly variation in evaporation, there can be no refined estimate of the rate of transpiration by the particular mixture of vegetation.

For this study, the monthly variation in transpiration is assumed to be the same as the percentage variation in evaporation. The 30 acre-feet of annual seepage (average 2.5 acre-feet per month) is assumed to vary from about 1.1 acre-foot in September and October, to 3.72 acre-feet at the probable maximum lake level of March and April, the exact values having been determined graphically from an approximate sine curve. The resulting changes in water storage are shown in Table IV, with a summer loss of about 11 acre-feet which is regained during the winter. As indicated at the bottom of that table, such gain and loss of storage probably results in a 2.0 foot variation in the water level on the lake. This seems to agree fairly closely with the writer's guess, while on the ground, based on apparent elevation of some of the phreatophites which were then literally "high and dry."

TABLE IV

Month (1)	Spring Flow(+) (2)	Estimated Seepage(-) (3)	Evaporation and Transpiration(-) (4)	Change in Water Storage Plus (5)	Change in Water Storage Minus (6)
Oct.	12.675 AF	1.100 AF	7.950 AF	3.625 AF	
Nov.	12.266 "	1.400 "	4.280 "	6.586 "	
Dec.	12.675 "	2.100 "	2.650 "	7.925 "	
Jan.	12.675 "	3.100 "	2.670 "	7.905 "	
Feb.	11.448 "	3.500 "	3.740 "	4.208 "	
March	12.675 "	3.720 "	7.140 "	1.815 "	
April	12.266 "	3.720 "	10.510 "		1.865 AF
May	12.675 "	3.500 "	14.650 "		5.485 "
June	12.266 "	3.100 "	17.600 "		8.434 "
July	12.675 "	2.100 "	18.680 "		8.105 "
Aug.	12.675 "	1.400 "	16.780 "		5.505 "
Sept.	12.266 "	1.100 "	12.630 "		1.464 "
Total	149.237 AF	29.840 AF	119.180 AF	32.064 AF	30.858 AF

A Mean annual variation in storage 31.461 AF

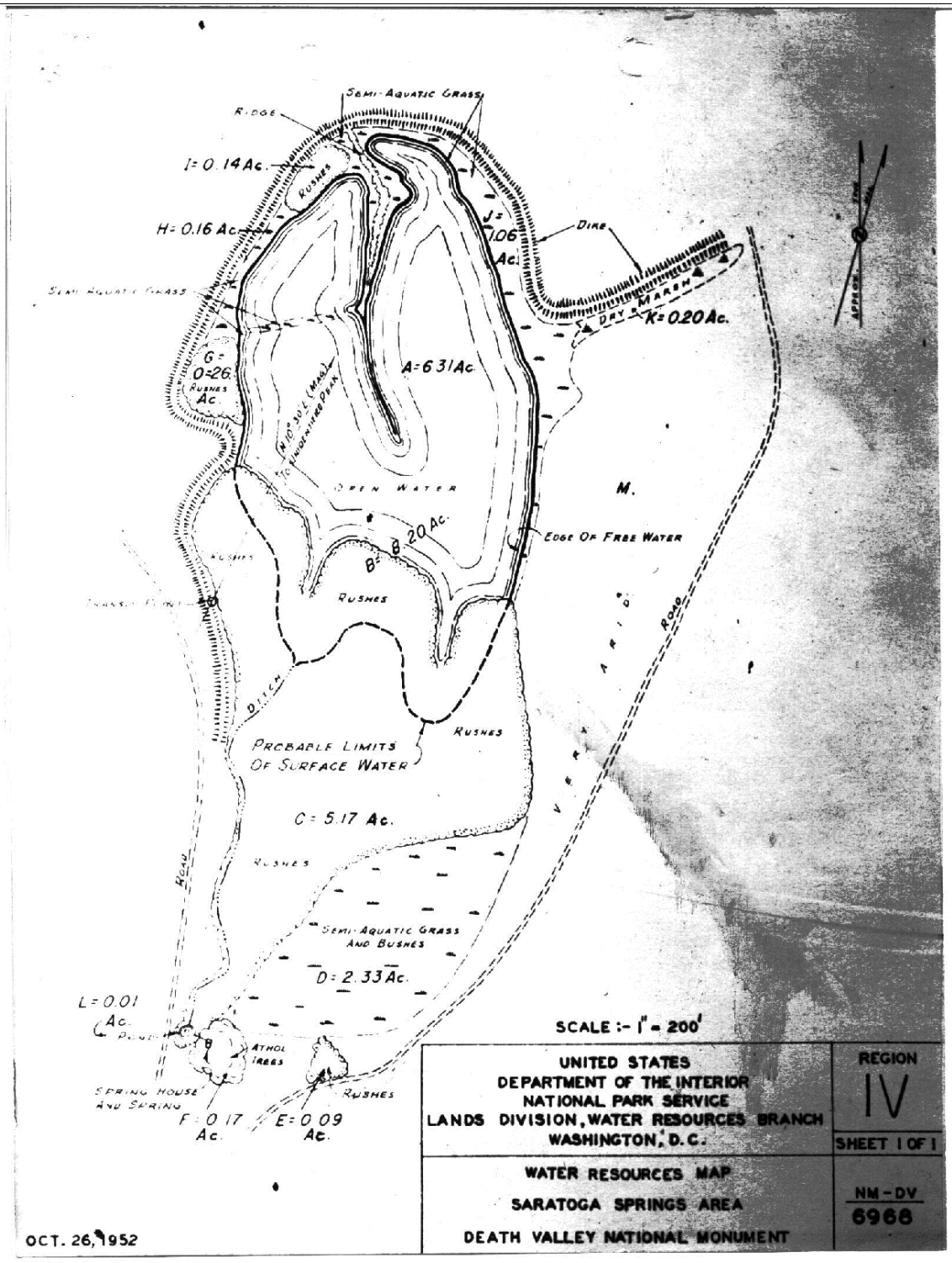
B Area of water and phreatophites (Col's. (2) and (3) Table III) 13.91 Acres

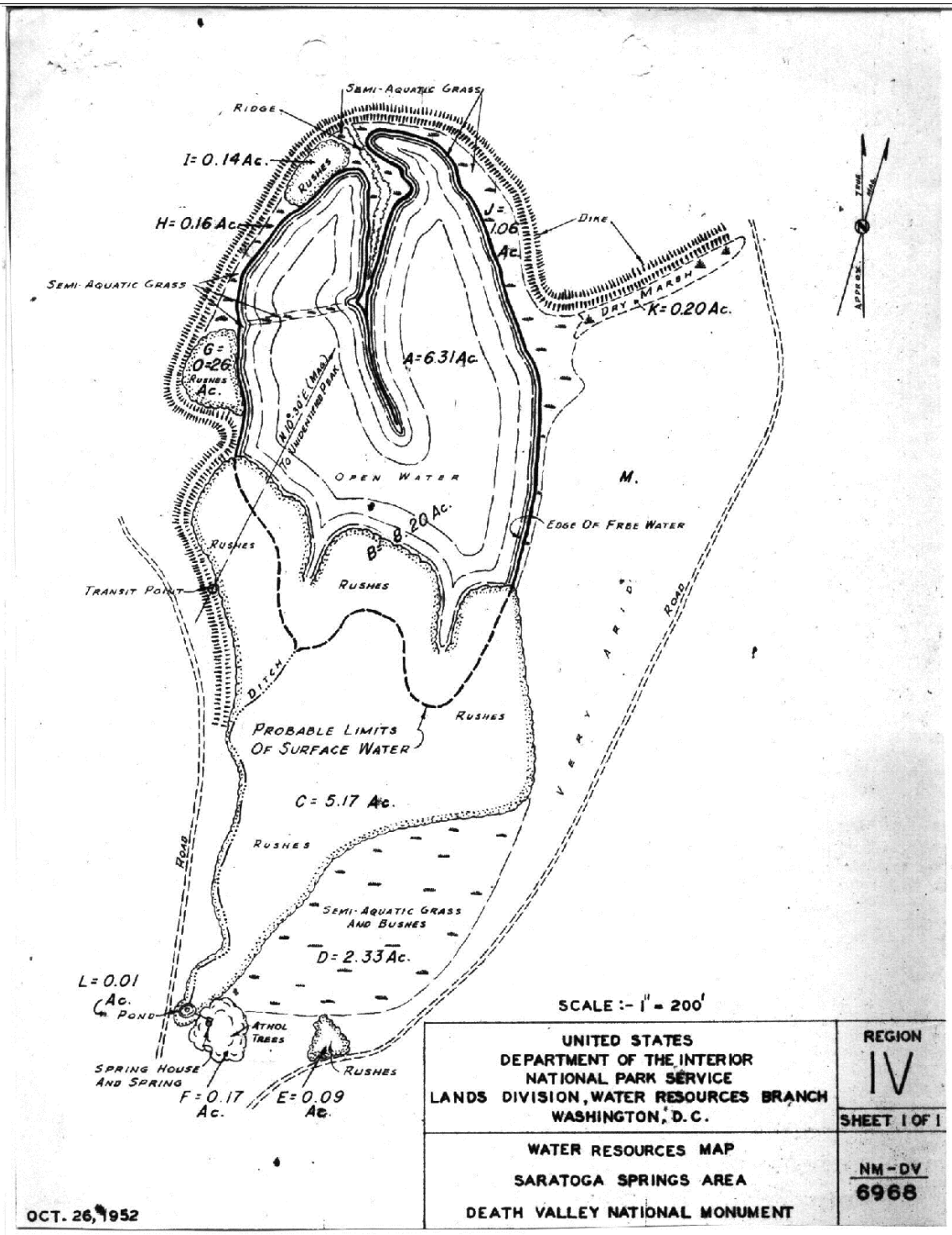
C Max. flood area (Col's. (2), (3), (4) and (5) Table III) 17.66 Acres

D Average area of evapo-transpiration surface (mean of items B & C) 15.785 Acres

E Probable annual variation in elevation of water surface (item A divided by item D) 2.0 ft.

10-26-1952: map nm-dv 6966; october 26, 1952




SEMI-AQUATIC GRASS
RIDGE
I= 0.14 Ac.
RUSHES
H= 0.16 Ac.
J= 1.06 Ac.
DIKE
SEMI-AQUATIC GRASS
DRY MARSH
K= 0.20 Ac.
G= 0.26 Ac.
RUSHES
A= 6.31 Ac.
R 10°30'E (MAG) TO UNKNOWN PEAK
OPEN WATER
M.
B= 8.20 Ac.
EDGE OF FREE WATER
RUSHES
TRANSIT POINT
RUSHES
DITCH
PROBABLE LIMITS OF SURFACE WATER
RUSHES
C= 5.17 Ac.
RUSHES
ROAD
SEMI-AQUATIC GRASS AND BUSHES
D= 2.33 Ac.
L= 0.01 Ac.
POND
ATHOL TREES
SPRING HOUSE AND SPRING
RUSHES
F= 0.17 Ac.
E= 0.09 Ac.
TRUE
APPROX.
SCALE :- 1" = 200'
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
LANDS DIVISION, WATER RESOURCES BRANCH
WASHINGTON, D.C.
REGION
IV
SHEET 1 OF 1
WATER RESOURCES MAP
SARATOGA SPRINGS AREA
DEATH VALLEY NATIONAL MONUMENT
NM-DV
6968
OCT. 26, 1952

02-16-1955: mr. waters ; in your letter of february 16, 1955 you requested that we secure a chemical analysis

Laughlin E. Waters Esq.
U. S. Attorney, Lands Division
U. S. Department of Justice
821 Federal Building
Los Angeles 12, California

Civil No. 15475 BH-
Saratoga Springs, Death Valley

Dear Mr. Waters:

In your letter of February 16, 1955 you requested that we secure a chemical analysis of the waters in the Saratoga Springs in connection with a supplemental appraisal report to be prepared on the above property.

On February 23 we communicated with Mr. Ishmael W. Walling, District Chemist, U. S. Geological Survey, Sacramento, asking if that bureau could undertake such an analysis. We wrote you further in this connection on April 12 regarding the need for special prior authority for Mr. Walling or any other U.S.G.S. employee to appear as a witness in court.

There are now attached copy of Mr. Walling's letter of June 1, together with two copies of the chemical analysis mentioned therein.

Sincerely yours,

B. F. Manbey
Regional Chief of Lands

Attachments

Copy to Director w/copy walling ltr and analysis
Death Valley

06-01-1955: mr. manbey: transmitted herewith, are four copies of the analysis ; june 01, 1955

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

Water Resources Laboratory
2520 Marconi Avenue,
Sacramento 21, California

RECEIVED
REG. REGION FOUR OFFICE
JUN 2 1955

June 1, 1955

Mr.R.F.Manbey,Regional Chief of Lands,
U.S.Department of the Interior,
National Park Service,
180 New Montgomery St.,
San Francisco,California.

Dear Mr. Manbey:

Transmitted herewith, are four copies of the analysis of the sample from Saratoga Springs, California, T18N, R5E, SB B&M, San Bernardino County, as collected and submitted by Mr. M. Ryan of the National Park Service, Death Valley National Monument, Death Valley, California.

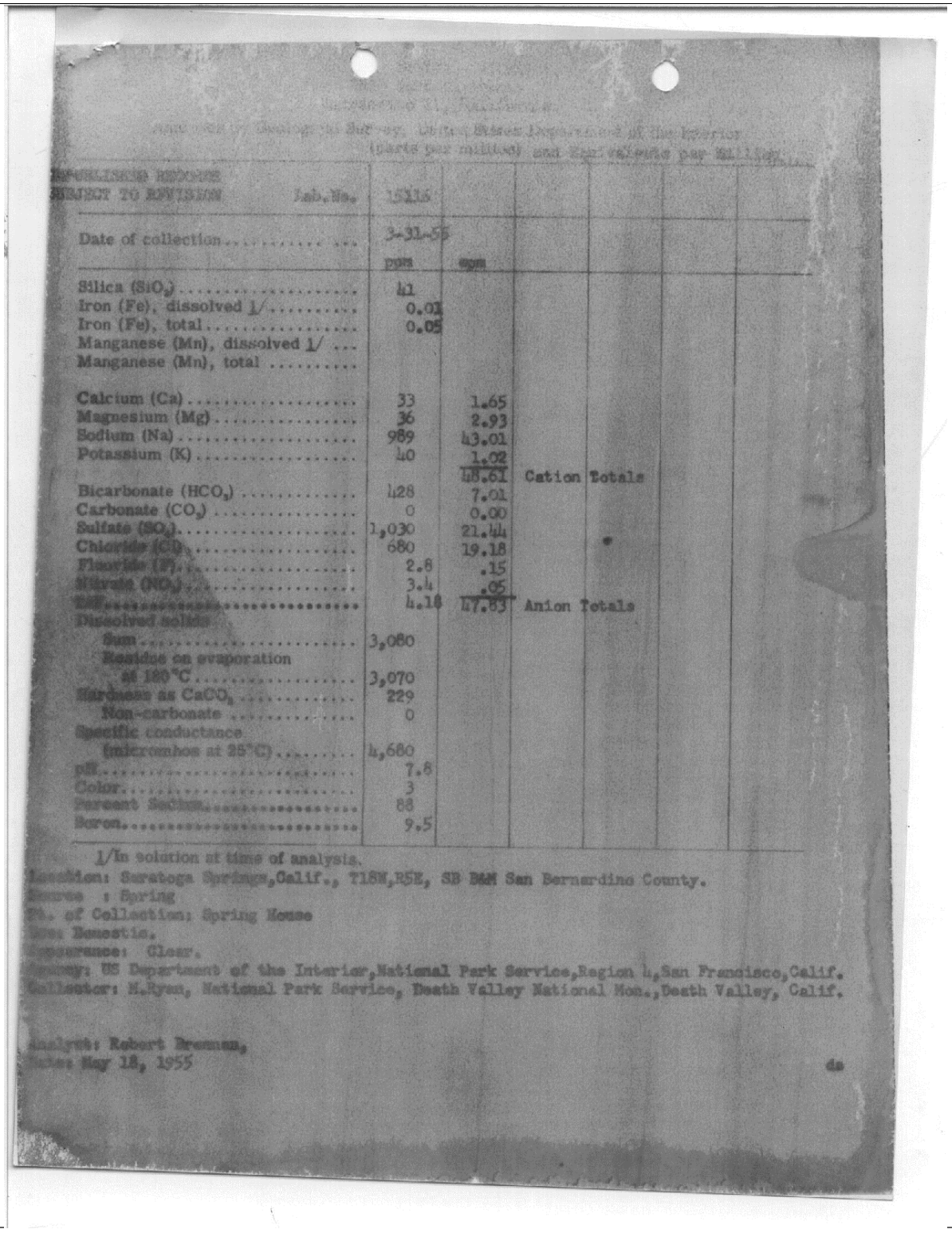
A S.F.1080 will be forwarded to your office in the near future covering the analytical cost.

Very truly yours,

I.W.Walling
District Chemist

Attachments (4)

06-01-1955: mr. manbey: transmitted herewith, are four copies of the analysis cont. ; june 01, 1955



(parts per million) and equivalents per million

SUBJECT TO REVISION Lab. No. 15116

Date of collection	3-31-55		
	ppm	epm	
Silica (SiO_2)	41		
Iron (Fe), dissolved 1/	0.01		
Iron (Fe), total	0.05		
Manganese (Mn), dissolved 1/			
Manganese (Mn), total			
Calcium (Ca)	33	1.65	
Magnesium (Mg)	36	2.93	
Sodium (Na)	989	43.01	
Potassium (K)	40	1.02	
		48.61	Cation Totals
Bicarbonate (HCO_3)	428	7.01	
Carbonate (CO_3)	0	0.00	
Sulfate (SO_4)	1,030	21.44	
Chloride (Cl)	680	19.18	
Fluoride (F)	2.8	.15	
Nitrate (NO_3)	3.4	.05	
Sum	4.18	47.83	Anion Totals
Dissolved solids			
Sum	3,080		
Residue on evaporation at 180°C	3,070		
Hardness as $CaCO_3$	229		
Non-carbonate	0		
Specific conductance (micromhos at 25°C)	4,680		
pH	7.8		
Color	3		
Percent Sodium	88		
Boron	9.5		

1/In solution at time of analysis.

Location: Saratoga Springs, Calif., T15N, R5E, SB B&M San Bernardino County.
Source : Spring
Pt. of Collection: Spring House
Use: Domestic.
Appearance: Clear.
Agency: US Department of the Interior, National Park Service, Region 4, San Francisco, Calif.
Collector: H. Ryan, National Park Service, Death Valley National Mon., Death Valley, Calif.

Analyst: Robert Brennan,
Date: May 18, 1955

ds

Other Supporting Information

REPORT OF TELEPHONE CONVERSATION

DEVA WR # ~~24~~ 17

DATE 1/12/88 TIME _____ AM/PM

PROJECT Reports of Licensee - 85, 86 & 87

NPS PERSON ON CALL: Pat Larson ☒ I CALLED ☐ S/HE CALLED

PERSON Peter Rowlands

ORGANIZATION Death Valley NM

ADDRESS _____

TELEPHONE NO. (619) 786-2331 EXT. _____

SUBJECTS DISCUSSED I asked Mr. Rowlands if the water usage had changed since the last Report of Licenser was filed for each of two water rights at DEVA:
- WR #17 Saratoga Springs, Appl # 8183 License # 6343
- WR #24 Unnamed Spring near Wildrose Headquarters, Appl. # 8423, License # 10580

Mr. Rowlands said that usage has remained the same and no changes are necessary on the latest Report of Licensee for either water right.
* Note - at that time I was unaware of a note in the Saratoga Springs file regarding the cessation of camping in 1975. Upon examination of the docket, I found that the Reports of Licensee have been sent to the State of California still listing the water as being used by 10,000 people annually. (Per conversation w/ Peter Rowlands 2/10/88, this fact was disputed - no campground use since 1975!)

ACTION TO BE TAKEN Prepare Reports of Licensee, have Stan sign, prepare memo to Dave Cherny explaining what we've done, and request that the Region transmit the Reports to the State Water Resources Control Board.

COPIES TO: DEVA WR #17

Patricia M. Larson
Owen Williams
Stanley L. Ponce

June 6, 1988

L54 (479)
DEVA Water Rights (Dockets #17, 26 and 27)
REDW Water Rights (Dockets #3, 8 and 12)

Memorandum

To: Associate Regional Director
Resources Management and Planning
Western Region

From: Chief, Water Resources Division

Subject: Transmittal of Petitions for Change in Purpose of Use

Attached are completed Petitions for Change in Purpose of Use forms for water right licenses in Death Valley National Monument and Redwoods National Park. We would appreciate your assistance in transmitting the petitions to the State Water Resources Control Board. We've included for your consideration a draft letter of transmittal.

When staff of the Water Rights Branch prepared the Reports of Licensee for these areas this year, several discrepancies in use of water became obvious. After discussions with park management, petitions were prepared to change the beneficial use of six water right licenses. Copies of the petitions are included for your files.

Payment will be handled through the Rocky Mountain Region's finance office and will be sent to the State Water Resources Control Board in the form of a U.S. Government purchase order under separate cover.

Please contact Ms. Pat Larson or me at (303) 221-5341 if you have questions regarding these petitions or their transmittal.

Stanley L. Ponce

Stanley L. Ponce

Attachments

cc: (w/ attachments)
Superintendent, DEVA
Superintendent, REDW
Kolipinski, WRO

DI-1 # 88-165
assigned PX# 1299-8-0775
per Gloria Vallier
6/20/88 pml

FNP:PLarson:pml:6/3/88:221-5341:#120

REPORT OF TELEPHONE CONVERSATION

DEVA WR #17

DATE 2/10/88 TIME 10:48 (AM)/PM
PROJECT Reports of Licensee

NPS PERSON ON CALL: Pat Larson ☒ I CALLED ☐ S/HE CALLED

PERSON Peter Rowlands, Chief of Resources Division
ORGANIZATION Death Valley NM
ADDRESS

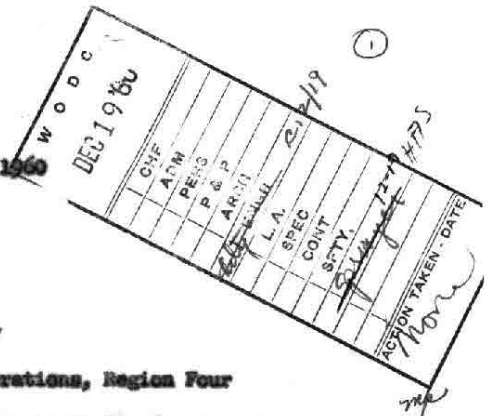
TELEPHONE NO. (619) 786-2331 EXT.

SUBJECTS DISCUSSED To clarify a notation in docket DEVA WR #17 Saratoga Springs, Appl # 8183, License # 6343, I called Mr. Rowlands. Upon inspection of the docket as I prepare Reports of Licensee for Western Region parks, I found a note stating that the water at Saratoga Springs has not been used for camping since 1975. The Reports of Licensee filed in subsequent years do not reflect a change in usage. Mr. Rowlands said the water has not been used for domestic (or camping purposes) since 1975. He said there is a view site near the springs but to his knowledge the water is only used for wildlife propagation. He went on to say that a Saratoga Springs pupfish lives in the water and it's important to maintain the water for the species which is currently considered "endemic." Mr. Rowlands reiterated that if the water level changes we'll be dealing with an emergency listing of the fish as threatened or endangered!
(Note: If Mr. Rowlands is not available for follow-up—ask for Tim Coonan - Res. Mgmt. Spec.)

ACTION TO BE TAKEN Prepare Report of Licensee and change of use.

COPIES TO: Stan Ponce

12-16-1960: attached are originals of four copies of each of the following documents, progress report 1960, request for license 81



December 16, 1960

L 54

Memorandum

To: Superintendent, Death Valley

From: Acting Regional Chief of Operations, Region Four

Subject: Water Right Applications 8183 and 10171, Saratoga Springs, Death Valley National Monument

Attached are originals and four copies of each of the following documents:

1. Progress Report by Permittee for the Year 1960, under Application 8183.

2. Request for License under Application 8183.

3. Request for revocation of Permit 5773 issued in the matter of Application 10171.

The progress report (Item 1) has been prepared to show completion of construction and full utilization of water under Application 8183. The other two documents are in the form prepared by the State Water Rights Board, draft copies of which were distributed for review with our memorandums of July 1 and November 29.

By memorandum of December 7 Mr. Dunn indicated concurrence in the plan proposed by our memorandum of November 29 to you. Accordingly, all copies of the documents should be signed and dated, the three originals submitted to the State Water Rights Board and the copies distributed as marked on each.

Please note that the State Water Rights Board has allowed us until January 1, 1961 to act on this matter.

(SGD) C. F. WHITWORTH

Acting Regional Chief of Operations

Attachments

Copy to: Director
Chief, WODC (2)
Regional Solicitor

12-14-1960: memo to: regional director region 4, from: superintendent: we concur with the action proposed in mr. wosky's memo.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Death Valley National Monument
Death Valley, California

IN REPLY REFER TO:
L54

December 14, 1960

RECEIVED
NPS REGION FOUR OFFICE
DEC 16 '60
SURNAME DAY
REG. DIR.
ASST. R.D.
OPERATIONS
ADMIN.
RECREATION
INTERP.
RANGER ACT.

Spaulding
L55 12/16

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

Subject: Water Right Applications 8183 and 10171, Saratoga Springs, Docket 17, Death Valley National Monument

We concur with the action proposed in Mr. Wosky's memorandum of November 29 on water right applications for Saratoga Springs.

As requested, we are returning all copies of the Progress Reports for Applications 8183 and 10171, so that a Progress Report for the year 1960 for Permit 4513 may be submitted.

Granville B. Liles
Superintendent

In duplicate

Attachments

Copy to: Director
Chief, WODC

65

12-07-1960: this is to indicate concurrence, as requested in mr. woskey's memo ; december 07, 1960

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

December 7, 1960

IN REPLY REFER TO:
L54-OBL

RECEIVED
NPS REGION FOUR OFFICE
DEC 13 '60

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RECREATION		
INTERP.		
RANGER ACT.		

LSS 12-7-60

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Applications 8183 and 10171, Saratoga Springs, Docket 17, Death Valley National Monument

This is to indicate concurrence, as requested in Mr. Woskey's memorandum of November 29 to the Superintendent, in the plan to:

1. Apply for license under Application 8183, Permit 4153, for 4800 gpd as diverted and used through the spring house water system.

2. Request revocation of Permit 5773 on Application 10171.

3. Leave the county filings in the status quo at this time.

With this action, I believe that all annual reports and requests and orders for extension of time under Permit 5773 might be removed, leaving only the application-permit, map, application for the revocation when signed, and order of revocation, in the docket. Most of the annual reports, requests for, and orders granting extensions of time under Permit 4153 might also be removed when the license is granted, but there should be retention of sufficient records to describe the historical development and use of the water.

I believe that a copy of the Acting Regional Solicitor's memorandum of November 21 should be filed at the top of Part II-Appropriative Rights. This will be an excellent guide during further redevelopment of the source.

The Acting Regional Solicitor's comments on county filings and riparian rights agree closely with my own ideas. The riparian rights are apparently adequate for all development and use on the patented area, and I assume that there is very little possibility of extending the use beyond the patented land. The main point to remember is that only the licensed right to 4800 gpd and such rights under county filings as may still be valid, may be amended to cover possible use beyond the limits of the patented land. This might justify further extensions of time to perfect rights to the permitted 16,000 gpd instead of 4,800 gpm were it not for the fact that permissive access would be needed before any miner could establish a basis for protest of future Federal appropriation of more of the water beyond the boundary of the patented land.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley
Chief, WODC (2)
Regional Solicitor, Sacramento

11-29-1960: attached is a copy of acting regional solicitor clark's memo providing advice and recommendation concerning water rig

~~Spaulding~~ LSS
Whitworth (later)
~~Manbey~~
Wosky JBW
(Quint)

November 29, 1960

L 54

Memorandum

To: Superintendent, Death Valley

From: Acting Assistant Regional Director, Region Four

Subject: Water Right Applications 8183 and 10171,
Saratoga Springs, Docket 17,
Death Valley National Monument

FILE COPY

Attached is a copy of Acting Regional Solicitor Clark's memorandum of November 21 providing advice and recommendations concerning water rights at Saratoga Springs.

Mr. Clark concurs in the recommendation that Permit 5773 (Application 10171) be revoked. He leaves for administrative determination the advisability of accepting a license under Permit 4513 (Application 8183) although he says it may be prudent to accept the license for the amount fixed by the state. He suggests that if a license is to be obtained, an appropriately changed progress report be submitted for the year, 1960.

No action appears necessary at present with regard to the county water right filings of January 12, 1907, September 7, 1908 and, presumably, the filing of January 3, 1877.

We propose to request licensing under Permit 4513 (Application 8183) for 4800 gallons per day and to request revocation of Permit 5773 (Application 10171) using the forms sent us by the State attached to Mr. Hill's letter of June 24. We also propose to submit a progress report for the year 1960 for Permit 4513. For this purpose, please return all copies of the progress reports for both applications sent you with our memorandum of November 1. We will submit the forms directly to the State Water Rights Board if necessary to meet the January 1, 1961 date.

Please let us know if you are in agreement with this proposed action. By copy of this memorandum to the Director we are asking Mr. Dunn's concurrence. Draft copies of the forms requesting licensing and revocation are attached.

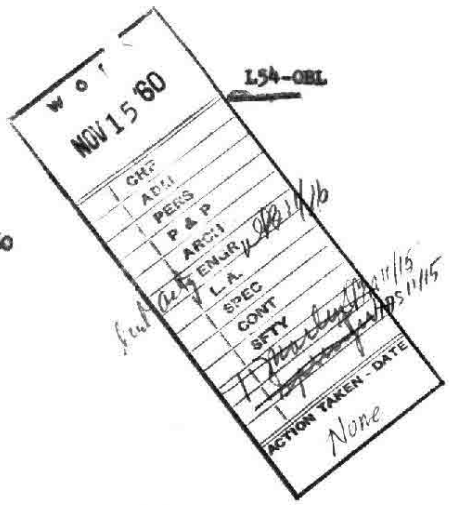
(SGD) JOHN B. WOSKY

Acting Assistant Regional Director

Attachments
Copy to: Director (w/attachments)
Regional Solicitor(w/draft cys of forms)

LSSpaulding:lq

63



November 9, 1960

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Progress Reports, Water Right Applications 8183 and 10171, Saratoga Springs, Docket 17, Death Valley National Monument

The drafts of progress reports which were sent with copy of Mr. Woskey's memorandum of November 1 to Superintendent, do not show that there is a diversion system to the spring house, and that the spring house constitutes the equivalent of a distribution system.

I suggest that the answer to question 5 be:

"Re construction of diversion works, reservoir and distribution system."
This only requires addition of "Re" before "Construction".

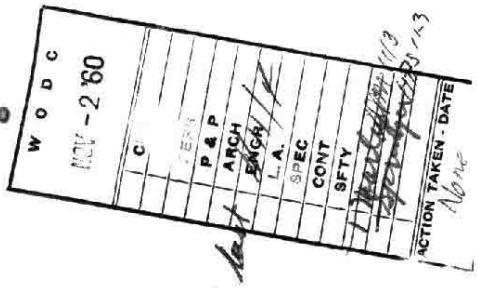
While possibly not needed, it might be well to also add the following on the reverse of each report, to extent true:

"Water is now diverted to a spring house from which water must be carried by bucket for domestic use. It is planned to reconstruct the old diversion works; and add regulatory storage and a distribution system to a small campground, and to the ponds which contain fish and are also used by wild fowl".

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley
Chief, WODC (2)



November 1, 1960

L 54

Memorandum

To: Superintendent, Death Valley

From: Regional Chief of Operations, Region Four

Subject: Progress Reports, Water Right Applications 8183 and 10171, Saratoga Springs, Docket 17, Death Valley National Monument

Attached are the originals and four copies of progress reports for the year 1960 for the subject applications.

By copies of this memorandum we are submitting drafts of the report to the Director and to the Regional Solicitor and are asking that their views be sent to you. When the concurrence of those offices have been received and if agreeable with you, all copies should be dated and signed. The originals should be mailed to the State Water Rights Board and the copies distributed as noted on each.

These applications are under study by the Regional Solicitor. The state has advised that no action will be taken until after January 1, 1960.

(SGD) JOHN B. WOSKY

Regional Chief of Operations

Attachments

Copy to: Director (w/draft copies of reports)
Chief, WODC (2)
Regional Solicitor (w/draft copies of reports)

IN REPLY REFER TO:
L58-OBL

RECEIVED
NPS REGION FOUR OFFICE
SEP 21 '60

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RECREATION		
INTERP.		
RANGER ACT		

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

September 19, 1960

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Application 8183 and 10171, Saratoga Springs, Docket 17, Death Valley National Monument

The memorandum of September 1 to the Regional Solicitor from Mr. Wosky suggests that the outline of Docket 17 in the assembly is obsolete and also that there are no copies of the very important county filings we submitted. I also find that our assembly still contains loose records of the condemnation which have not been duplicated and added to the docket.

Attached are (1) a new outline for the docket as of September 15, 1960; (2) a list of "Loose Items in Death Valley" Docket 17, which I have not taken time to classify and duplicate for the docket; and (3) copies of the county filings which are in our docket assembly. I am sending copies of the three listed attachments to the Regional Solicitor, to indicate what other information may be of importance before he makes a decision. We shall also appreciate any comments by you and the Regional Solicitor as to which records in item 2 should be added to the permanent docket assembly to define the rights, and the number of copies we should supply for the assemblies in your office, the Monument and WODC.

Solicitor's copy was returned 9/21 to Reg. Solicitor RO

The following county filings are attached as item 3:

1. Filing of January 3, 1877 by B. Carter and F. W. McIntosh.

2. Notice of January 12, 1907 by W. A. Kelly.

3. Notice of September 7, 1908 by A. W. Scott, Jr. and Harold A. Hickman.

My question, for the consideration of the Regional Solicitor, is whether the notices of January 12, 1907, and September 7, 1908, and development of the pond under them, should not be considered as part of the basis for the land patent. (I question whether there was any chain of title from Carter and McIntosh, in 1877, to Kelly in 1907). If that

is true, the leaching ponds are still covered by the Scott-Hickman notice because the water still exists, and part is used for domestic purposes, and the impounded portion provides irrigation of the vegetation in pond formed by the dike. On the grant of Patent 433067 (top item in Part I of docket), the A. W. Scott, Jr., Co., also perfected its riparian rights to all water on the patented tract, and the State Water Rights Board has claimed within the past few years, that the riparian rights actually attach as soon as a mining claim is staked and posted, and the notice is recorded in the county. There has been no record of a time when the water escaped from the patented land or even from the former leaching pond in the last 19 years, to my knowledge. Any such occurence would be so infrequent that it would not be of economic value to others. I believe it has also been determined that federally reacquired patented land in Death Valley is not reopened to mining under the act of 1933.

From the last paragraph, if the Regional Solicitor agrees, it seems to me that the United States could safely abandon the water claims under Application 8183, Permit 4513; and Application 10171, Permit 5773, and rely on riparian rights and on the county filings to the extent of their present applicability. This would eliminate the need for proof for license, and the biennial future cost of reports of continuing water use.

We are also sending WODC copies of the requests of October 20, 1958, for extensions of time under the two applications. They were marked to such disposition, but found among the loose papers listed as item 2.

Attached item 1 should be filed in lieu of the old outline at the top of the docket. Item 3 should be filed as outlined, if not already in any assembly of the docket.

A. van V. Dunn
Chief, Water Resources Section

Attachments 3

Copy to: Superintendent, Death Valley, w/c attachments
Chief, WODC (2), w/c attachments
Regional Solicitor, w/c attachments

59

File DF 9 Docket 17

~~Spaulding~~ LSS
Whitworth
~~Manbey~~ BFM
Wosky JBW
~~Hyatt~~ FH

September 2, 1960

L 54

Memorandum

To: Superintendent, Death Valley

From: Acting Assistant Regional Director, Region Four

Subject: Water Right Applications 8183 and 10171, Saratoga Springs, Docket 17, Death Valley National Monument

Attached for your files are copies of recent correspondence between this office, the Regional Solicitor and the State Water Rights Board:

1. Letter of August 16 from Regional Solicitor Horne to the State Water Rights Board suggesting that a hearing may not be necessary and asking for additional time to review material.

2. Memorandum of August 16 to this office from Assistant Regional Solicitor Taylor requesting additional material and commenting on county filings.

3. Letter of August 23 from Mr. L. K. Hill to Mr. Frank B. Horne saying that no further action would be taken by the State until after January 1, 1961.

Mr. Taylor's memorandum of August 16 to this office (Attachment 2) provides an answer to the question of amendment of county filings asked in our memorandum of July 26 to the Regional Solicitor. Mr. Taylor suggests that "no action by way of amendment of county filings is necessary."

(SGD) JOHN B. WOSKY

Acting Assistant Regional Director

Attachments

Copy to: Director (w/copies of attachments)

LSSpaulding:lq

FILE COPY

58

Site DEVA Docket 17

IN REPLY REFER TO:
L54-OBL

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

RECEIVED
NPS REGION FOUR OFFICE
JUL 20 '60

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RECREATION		
INTERP.		
RANGER ACT.		

July 18, 1960

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Applications 8183 and 10171, Saratoga Springs, Docket 17, Death Valley

The letter of June 24 to you from the Executive Officer of the State Water Rights Board, which Mr. Maier forwarded on July 1, agrees in principle with my memorandum of May 12 to you.

Applications 8183 and 10171 are both only claims to the water diverted in the spring house, as Mr. Hill and I seem to agree. The right to impound water in the ponds, including releases from the spring house and undeveloped natural flow from the hillside behind the spring house, appears to be based on the county filings of which copies are also filed in Docket 17. The county filings may, or may not need amendment, because the ponds were claimed for leaching purposes and are now used only for scenic effect and as fish supporting ponds.

The matter of amendment should be referred to Mr. Joseph E. Taylor of the Regional Solicitor's Office, who should recall that the State Engineer (now Water Rights Board) does not have jurisdiction. He will also recall that we amended the right in the Hampton Ditch at Lassen, by filing an amendment with the County Recorder, as recorded in Lassen Docket No. 1.

Application 8183 has priority of November 30, 1934, for the use of 16,000 gpd for domestic and recreational purposes. Application 10171 of March 26, 1941, authorizes the later use of up to 54,000 gpd for domestic, recreational and industrial purposes. My report of December 24, 1952, which is also in the docket, indicates that the flow diverted in the spring house is between 21,450 and 21,750 gpd.

The draft of proposed request for license indicates that only 4,800 gpd of the water diverted in the spring house is put to beneficial use. If this is all the potable water which you propose to use, it is quite proper to complete proof, and obtain the license under the

senior Application 8183 of 1934. However, it should be advantageous to defer proof and license if there are plans to provide for the use of a larger quantity of water, between 4,800 gpd and 16,000 gpd, during the next few years.

Application 10171 is of value as a claim to the use of diversions between 16,000 gpd and 21,750 gpd. It may be abandoned if you are sure the water demand will not even equal the authorized 16,000 gpd under Application 8183.

I also suggested in my memorandum of May 12 that the United States may use all the water under the riparian doctrine which has previously been claimed under both the county filings and the two applications because the water is diverted and used on the patented land which the United States acquired by condemnation. The riparian right can be exercised later to cover any use in excess of rights under county filings or license under the applications. It could also be exercised in lieu of those rights.

From this, I believe that the Regional Solicitor should be consulted before you decide what water right procedure to follow.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley
Chief, WODC 2

52

Spaulding LSS
Whitworth
Manbey BFM
Wosk
Meier
Quist

July 1, 1960

L 54

Memorandum

To: Director

From: Assistant Regional Director

Subject: Water Right Applications 8183 and 10171, Saratoga Springs, Docket 17, Death Valley

Attached are copies of a letter of June 24 from Mr. L. K. Hill, a draft of a request to revoke Permit 5773 (Application 10171), and a draft of a request for license under Application 8181, Permit 4513. The drafts were prepared by the State Water Rights Board. Mr. Hill states that unless we submit the above requests within ninety days, his office will have no alternative than to set a hearing in the matter.

We favor taking the course of action Mr. Hill proposes. However, we have not yet made the thorough review of the matter as advised by Mr. Dunn in his memorandum of May 12.

FILE COPY

(SGD.) HERBERT WAYER
Assistant Regional Director

Attachments

Copy to: Supt., Death Valley

LSSpaulding:lq

IN REPLY REFER TO:
L54-OBL

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

✓ Whitworth phy has seen 6/30
~~X Spaulding~~ has copy
✓ Manley phy

May 12, 1960

action not taken yet
See memo of 7/1 to Dir.

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Applications 8183 and 10171, Saratoga Springs, Docket 17, Death Valley

The memorandum of April 20 to the Superintendent from Mr. Whitworth does not present the entire water right situation, and Docket 17 should be more thoroughly reviewed before amending any water rights at Saratoga Springs.

1. This tract is covered by Patent No. 433067 of September 24, 1929, and thus riparian rights attach. The construction of the pond is also recorded in the application of December 30, 1909, for the patent. Copies of both documents are in Part I, Land Status.

2. County filing of January 30, 1877, by B. Carter and T. W. McIntosh claimed the water for human use at a camp or lodge.

3. County filing of January 12, 1907, by W. A. Kelly covers the same purposes.

4. County filing of September 7, 1908, by A. W. Scott, Jr. and Harold A. Hickman also claims water for mining, milling, leaching, irrigation and domestic purposes, and Mr. Dunn believes the large pond (originally 2) was for leaching and possibly for storage for irrigation.

5. Application 8183 of November 30, 1934, by Jack J. Renie claims the 16,000 gpd for domestic and recreational purposes.

6. Application 10171 of March 26, 1941, by Renie Enterprises, claimed 54,000 gpd for domestic, industrial and recreational purposes.

We have not had time to analyze the chain of title, or to review the records thereof which were developed in the Federal condemnation. However, in the Federal condemnation of the patented tract, the U.S. certainly acquired title to rights based on the 1907 or 1908 county filing, or both, for the ponds. These rights are not under the jurisdiction of the State Water Rights Board unless the State water laws have been amended to grant the jurisdiction since the U.S. purchased and amended the county filings of H. K. Beresford for the Hampton rights

46

at Lassen. If the same condition exists, the county filings should be amended by another county filing to change the purpose of use of the impounded water in the pond. We will have to complete the assembly of records of the condemnation, and possibly obtain copies of testimony in that suit, before deciding what to do about the county filings.

Meantime, we agree that something should be done about the rights under the two Applications 8183 and 10171. The United States may have sufficient rights without them, but they should not be allowed to lapse until we are sure that rights under the riparian doctrine and county filings are adequate. We should prefer to have the State Water Rights Board grant another extension of time for further study, and the proper description of the developments to which they apply. If we can make proof for license to total available flow with the present developments, it should be made clear that the earlier rights are not abandoned. We should also like to know whether the spring developments have been changed since Federal acquisition, and how.

Rights of 16,000 gpd should be claimed under Application 8183 with its priority of November 30, 1934. Application 10171, with priority of March 26, 1941, should only be claimed for supplemental flows. The total measured flow in the spring house has been made at 900 gph, or 21,600 gpd, or 0.03342 sec.ft., of which 16,000 gpd may be claimed under Application 8183. Application 10171 would then be for 5,600 gpd from the developed spring. We are not sure whether the State Water Rights Board would also recognize impoundment of undeveloped spring flow in the pond under this application or not. This should be determined because the U.S. will have to fall back on county filings and riparian rights for any flow between 5,600 gpd and the added undeveloped spring flow to the pond which would not constitute the claim to the rest of the 54,000 gpd under the later application.

We believe that the whole matter of land patent and county filings should be discussed with the State Water Rights Board before water rights are defined for licensing. The suggestions of the Board should also be referred to us for consideration before the suggested petition and any request for license are completed.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley
Chief, WODC (2)



46

Return to Spa[illegible]g for filing
DV Docket 17

~~Spaulding~~ LSS
~~McClellan~~ Noted
Greger
~~Manbey~~ BFM
Whitworth

April 20, 1960

L 54

Memorandum

To: Superintendent, Death Valley National Monument

From: Acting Regional Chief of Operations, Region Four

Subject: Water Right Applications 6183 and 10171, Saratoga Springs, Docket 17, Death Valley

Thank you for your memorandum of April 14 reporting Mr. Cummings' investigation of Saratoga Springs.

We have been uncertain as to whether or not the State Water Rights Board would recognize the preservation of a pond and vegetation for fish and wildlife (requiring no construction) as a beneficial use for which an appropriative right could be acquired. Mr. Cummings' suggestion that we amend the two applications to include fish and wildlife protection indicates that the State may recognize such use in this case. If so, it may be possible to proceed to licensing of one or both applications without construction of any water using facilities. The indicated procedure is to amend the character of use of the applications and submit the project for licensing. Evidence of beneficial use would be the water consumed by evapotranspiration required to maintain the oasis in its present state.

Perhaps it may be best to proceed to licensing with only the larger of the two applications (Application No. 10171 for 34,000 gpd). Extensions of time might be requested for the smaller (Application No. 6184 for 16,000 gpd) to have it cover future construction of works diverting to a campground or for a ranger station.

Attached is a rough draft of a petition for change in character of use. By copy of this memorandum we are transmitting copies of your memorandum and the draft of the petition to the Director and to WSDC for comment.

We have until fall (when applications for extension of time are due) to decide on procedure. Your comments will be appreciated.

(SGD) G. F. WHITWORTH
Acting Regional Chief of Operations

Attachment

Copy to: Director (2)(with attachment and copy of incoming memo)
Chief, WSDC (2)(with attachment and copy of incoming memo)

LSSpaulding:lq

03-25-1960: in reply to your memo of march 25, 1960, this is to advise that mr. alfred p. cummings, made an inspection of the sarat

Return to Spau ng for filing
DV Docket 17

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
April 14, 1960

RECEIVED
NPS REGION FOUR OFFICE
APR 18 '60

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RECREATION		
INTERP.		
RANGER ACT.		

X Spaulding 4/20
Whitworth

IN REPLY REFER TO:

L 54

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

Subject: Water Right Application 8183 and 10171, Saratoga Springs, Docket 17, Death Valley

In reply to your memorandum of March 25, 1960, this is to advise that Mr. Alfred P. Cummings, State Water Rights Board, made an inspection of the Saratoga Springs on March 30.

Park Engineer Fleming and Chief Ranger Danielson accompanied Mr. Cummings on this inspection. At the time of inspection there were 4800 gallons per day under control, and more appears to be available for development.

We agree that it is desirable to delay licensing provided the State will grant suitable extension. Mr. Cummings indicated that they would grant extensions on both applications. He suggested that there be filed a Petition for Change in Character of Use, sending one copy of each to the State. He suggested that since the original application was only for domestic and recreational use, that this include fish and wildlife protection. He also suggested that this petition exclude industrial use, which originally covered the sale of the water commercially.

We are attaching four copies of the petition form which can be submitted at anytime, for change in use. Mr. Cummings advised that the request for extensions should be submitted in October with the progress report.

Granville B. Liles
Granville B. Liles
Superintendent

In duplicate

Attachment

4-1

03-22-1960: we received a copy of mr. l. k. hill's letter to you dated march 22 informing you that an engineer of the state water right

file DEVA Docket 17

~~Spaulding~~ LSS

McClellan

Whitworth

~~Manley~~ BFM

Wosky

March 25, 1960

L 54

Memorandum

To: Superintendent, Death Valley

From: Regional Chief of Operations, Region Four

Subject: Water Right Applications 8183 and 10171, Saratoga Springs, Docket 17, Death Valley

We received a copy of Mr. L. K. Hill's letter to you dated March 22 informing you that an engineer of the State Water Rights Board will make an inspection on March 30 of the construction work and use of water under the subject applications.

Background material on this subject may be found in your L54 correspondence file. The subject was recently discussed in an attachment to our memorandum of October 29 and in Mr. Danielson's memorandum of November 27. A resume of past history is contained on the back of the progress reports for the year 1958 filed in Part II of Docket 17.

The applications, one filed in 1934 and the other in 1941, have never advanced to licensing because construction and water use have not been completed. It is to our advantage to delay licensing until we make full use of the water. By this means our future use would be covered by a right carrying an early date of priority. However, the state may refuse to grant further extensions of time and may insist that we accept licensing on the amount of water the inspecting engineer recognizes as being put to beneficial use. If so, we suggest that the use be claimed under Application 8183 which carries the earliest priority.

Please let us know the outcome of the inspection.

(SGD) JOHN B. WOSKY

Regional Chief of Operations

Copy to: Director (2)(AIR MAIL)
Chief, WORC (2)

LSSpaulding:lq

file DEVA Docket 22 ; make xerox copies for Dockets 3, 21, 22, 6 & 17

RECEIVED
NPS REGION FOUR OFFICE
NOV 30 59
REPLY REFER TO L 58

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
INTERP.		
RANGER ACT.		

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
November 27, 1959

Memorandum

To: Regional Director, Region Four

From: Acting Superintendent, Death Valley

Subject: Water Rights Progress Reports, Death Valley

* Spaulding L58 12/1 forms mailed to Stok 12/1 & 12/2

In response to Mr. Wosky's memorandum of November 24, we are listing below the information requested in his memorandum of October 29. We regret the delay in furnishing this information.

The proposal to change the mailing address of the Water Rights from Washington to the Regional Office is certainly agreeable with us.

Furnace Creek Group: Applications 10,001; 10,002; 10,118; 10,119 - Dockets 3,4,5,6.

Your information concerning this group is correct, but no money has yet been spent for the last item: Construction of Pipeline-Corner of 90 acre tract to site of Visitor Center. Originally planned for day labor, this item is now included in the recently awarded contract for construction of water system improvements for Visitor Center area.

Trail Canyon Group: Applications 17,839 and 16,096 - Dockets 25 and 21.

The status of these springs is about the same, as last year, but the pipeline from Blue Cliff Spring to the road has been out all this year, with the result that there has been no use of the spring. The Tarantula Spring report, application number 16,096, should be revised to correspond with the report of last year for Blue Cliff Spring. Visitor use is light, but continues throughout the year, rather than from April to November. Actual use by visitors and prospectors would probably average about 20 gallons per week throughout the year.

Emigrant Canyon Group: Applications 13,852, 15,539, and 16,138 - Docket 22.

The Greenes were in residence at their millsite from January to May. Water from Burns, Covered and Wee Springs was used by the Greenes through May and by caretakers at Detloff's Mill occasionally for the rest of the year. Water is still being used for irrigation, but we are not sure that any other use can be shown next Spring. However, we hope to use the complete flow during road construction in that area.

40

At the time of inspection on April 11, 1959, by Mr. Chesler of the State Water Rights Board, and District Ranger Matt Ryan, Chucker Spring appeared to be dry. No work was done on it and there was no use of water.

Thorndike Spring: Application 8423 - Docket 24.
Monthly travel, Mahogany Flat Road

	Travel	Visitor Day Use		Travel	Visitor Day Use
Nov.	Closed-Snow-15 days		May	200	61
	210	63	June	270	82
Dec.	20	6	July	540	164
Jan.	CLOSED * SNOW		Aug.	120	36
Feb.	" "		Sept.	160	49
Mar.	140	43	Oct.	260	80
Apr.	750	225		2670	809 (No. 1 - out 51)

Number of people in the campground on peak day 83.

Spring flow - Approximately 1 quart per minute.

Work done - Spring cleaning and pipeline maintenance -
40 man hours @ 2.60 = $105.00

We plan to perform some work on this spring during next Summer with maintenance funds in an attempt to increase the flow and improve the collection system.

Saratoga Spring: Applications 8183 and 10171 - Docket 17.

Your suggestion to request licensing now on the basis of present visitor use plus some irrigation use by natural seepage and some reserved for wildlife is probably the practical step to take at this time. It will probably be some time before any funds will be available for development at this Spring. A considerable amount of water is used by campers and prospectors throughout the year, but it amounts to a very small percentage of the total flow.

Willard W. Danielson
Acting Superintendent

In duplicate

Copy

October 29, 1959

Memorandum

To: Superintendent, Death Valley

From: Regional Chief of Operations, Region Four

Subject: Water Right Progress Report, Death Valley

My memorandum of October 15, Mr. Dunn sent us the 1959 Progress Report forms and the forms for requesting extensions of time for water rights in Death Valley which are due at this time.

We will prepare the forms but we need certain information from you. Our questions and comments are contained in the attachments which group Applications by areas as follows:

Furnace Creek Group: Application 10,001, 10,002: 10,118: 10119 - Dockets 3,4,5,6.

Emigrant Canyon Group: Applications 13,852: 15,539: 16,138 - Docket 22.

Trail Canyon Group: Applications 16,096 and 17,839 Docket 21 and 25.

Thorndike Spring: Application 8423, Docket 24.

Saratoga Springs: Application 8183 and 10,171 Docket 17.

We suggest that for filing purposes the attachments be separated and the sheet pertaining to a particular group of springs be filed in the docket or file for that group.

A general comment we make is that we prepose changing the mailing address of all the Water Rights from Washington to this Office. If agreeable with Mr. Dunn and you, this means that next year the forms will be sent by the State directly to this office.

Please let us have your comments on the particular questions asked in the attachments.

/s/ John B. Wosky
Regional Chief of Operation

Attachments
Copy to: Director (2) w/attachments
LSSpaulding: hat

39

08-06-1959: attached are your copies of orders granting extensions of time until december 1, 1960 ; august 06, 1959

Site DEVA Docket 17

RECEIVED
R-4 REGION FOUR OFFICE
AUG 10 '59

IN REPLY REFER TO: 54-OBL

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.
August 6, 1959

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RECREATION		
✓ WPC	Butterworth	
LEGAL		

X Spaulding LSS 10/12 no immediate action needed
✓ Manley

can wait until fall of 1960

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Extensions of Time, Applications 8183 and 10171, Docket 17, Saratoga Springs, Death Valley

Attached are your copies of orders granting extensions of time until December 1, 1960, in which to perfect rights under the subject application, and Mr. Hill's letter of transmittal. The originals are being sent to the Superintendent and copies are being sent to WODC. They should be filed in Part II of Docket 17.

An extremely short extension of time has been granted after all the correspondence since October 20, 1958, to attempt to obtain an extension until 1966, but it does give a two-year extension from the date of request.

I assume that your study, mentioned in your letter of June 8 to Mr. Hill, will be sufficiently advanced by October 1960 to permit you to determine whether to request an additional extension of time, or to file an amendment of one or both applications to cover existing use and request proof for license. The latter would only be possible if desired domestic facilities are provided during the next 14 months.

As an alternative, I think the Regional Solicitor should review the patent and Federal acquisition in Parts I, III and IV of the docket, and consider whether the United States might not have adequate riparian rights. Application 8183 and 10171 might be withdrawn if such were the case. I do not think even the State Water Rights Board would question some Federal riparian rights, but I am not sure that all use for ponds for fish and migratory wildfowl can be made under riparian rights. I have also been told that the Thorndyke patent at Wildrose was no longer open to prospecting when acquired by the United States, but I am not sure that we have an adequate Solicitor's opinion, and I am not sure that the same would be applicable to the subject mining claim patent.

A. van V. Dunn
Chief, Water Resources Section

Attachments
Copy to: Superintendent, Death Valley, with original of orders
Chief, WODC (2), w/c attachments
Field Solicitor, (2), w/c attachments

Site Docket

IN REPLY REFER TO:
L54-OBL

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

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ASST. R.D.		
✓ OPERATIONS		
ADMIN.		
~~[illegible]~~	~~[illegible]~~	~~[illegible]~~
~~[illegible]~~	~~455~~	~~7/15~~
LEGAL		

June 30, 1959

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Applications 8183 and 10171, Saratoga Spring, Docket 17, Death Valley

Lands

McClellan

Mr. Wosky's letter of June 8 to the State Water Rights Board and memorandum of June 11 to this office indicate that the Saratoga Springs are to be preserved for primary wildlife purposes. This is satisfactory. I had suggested the campground uses on the basis of the "important needs in south end of Monument" which Mr. Goodwin offered a number of years ago. The only point at this time is that under the new State regulation it might be more difficult than in the past, to change any large percentage of the use from wildlife to domestic if adequate claim to water for the latter is not retained.

I recommend that development plans be completed as soon as practical, and that the water rights then be amended by petitions similar to those we have filed in connection with the Cow Creek water rights under Application 9510, if we go through with the appropriative rights, claiming as much of the water as possible under Application 8183 which has the earlier priority.

However, the patented tract gives riparian rights, and all water seems to be used, even if the method does result in somewhat excessive evaporation. Both the Field Solicitor and State Water Rights Board should be consulted with regard to abandoning the appropriative rights under the two applications if the riparian rights will cover all proposed use of all water.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley
Chief, WODC (2)

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

IN REPLY REFER TO: L 54

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NPS REGION FOUR OFFICE
JUN 24 '59

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RECREATION		
LEGAL		

Grater
Sumner
Spaulding
Lamy
6/26 no action needed JS

June 23, 1959

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

Subject: Water Right Application 8183 and 10171, Saratoga Springs

We have reviewed Mr. Dunn's memorandum of June 3, and Mr. Wosky's letter of June 8 to the State Water Rights Board, concerning the use of water at Saratoga Springs.

We agree particularly with the statement in the second paragraph of Mr. Wosky's letter that "it is essential that the present pond and surrounding vegetation be maintained", and would object to any reduction in the size of the pond. Domestic use should be limited to the amount of water that can be withdrawn without materially affecting the pond and we think it doubtful that it would amount to more than 5,000 gpd for many years to come. The Management Improvement Committee has recommended against the establishment of a campground pending a study on protection of the fish and other wildlife and it is in very low priority in the MISSION 66 program.

Fred W. Binnewies
Superintendent

In duplicate

L-54

Region Four

June 11, 1959

Memorandum

To: Director

From: Acting Assistant Regional Director, Region Four

Subject: Water Right Applications 8183 and 10171, Saratoga Spring, Docket 17, Death Valley

Our letter of June 8 to Mr. L. K. Hill of the State Water Rights Board briefly stated Park Service plans for Saratoga Spring, but did not include allocations as suggested in Mr. Dunn's memorandum of June 3.

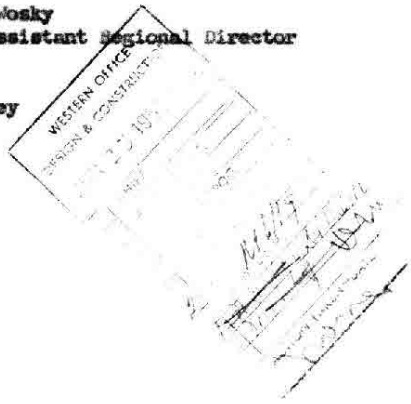
It will be noted that we emphasized wildlife use rather than domestic and irrigation uses. This is in accordance with the original objective in acquiring Saratoga Spring and is the use this office believes should be primary.

Campground plans are in low priority in MISSION 66 and have not proceeded beyond the general recommendation that development be located away from the spring leaving the pond relatively undisturbed.

(SGD) JOHN B. WOSKY

John B. Wosky
Acting Assistant Regional Director

Copy to: Superintendent, Death Valley
Chief, WODC (2)



File DEVA Docket 17

IN REPLY REFER TO:
L54-OBL

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

RECEIVED
NPS REGION FOUR OFFICE
JUN -5 '59

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
✓ ADMINISTRATION	Wentworth	
RECREATION		
✓ PLANNING	Mackay	
✓ LEGAL		

June 3, 1959

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Applications 8183 and 10171, Saratoga Springs Area, Docket 17, Death Valley

The attached copy of letter of May 26 from the Executive Officer of the State Water Rights Board indicates that the requested extensions of time will be granted in the near future. The order will contain conditions to assure water for wildlife, based on the new State policy and information in my letter of May 20, which is recognized as only a partial answer to Mr. Hill's previous inquiry.

If such a letter has not yet been submitted, I believe that you, or the Superintendent, should supplement my letter of May 20 with one giving a statement of the estimated percentages of the 200 acre-feet per year which you propose to allocate to wildlife and campground uses. I recommend that you be liberal in your allocation for campground use, in such a letter, so that the State will not impose limitations. You can reduce that allocation to provide more water for the ponds at a later date, with more ease than you may be able to reduce wildlife allocations to provide water for a larger campground.

The estimated 200 acre-feet per year, by Mr. Robinson of the Geological Survey, converts to 178,862 gallons per day. Application 8183 authorizes the use of 16,000 gpd for domestic and recreational uses, and Application 10,171 authorizes the use of 54,000 gpd for domestic, industrial and recreational purposes. I should be inclined to advise the State Water Rights Board that all water under both applications, totalling 70,000 gpd, is tentatively scheduled for domestic and campground irrigation uses, and the approximate residual of 109,000 gpd is expected to be adequate for the ponds for the fish and migratory birds. Domestic water use will not be great, but some irrigated shade trees will probably be desired somewhat further from the existing ponds.

This suggested allocation would result in greater fluxuation in water levels of the large pond than in the past, and might make it desirable to reduce the size of that pond. This could be done by backfilling with part of the material in the excessive dike. The reduction in pondage would reduce evaporation and transpiration losses. These are the points which should be considered in the development plan, and carefully considered from both the public use and ecological view points.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley
Chief, WODC (2)

Draft
6-25

L 54

Spaulding
DFM, ~~Stanley~~ Whitworth
McClellan
Johnston

S.M. Advises "dont send"
"see me again in a month or two"
"a ~~colossal~~ colossal waste"

State Water Rights Board
State of California
P.O. Box 1594
Sacramento 7, California

NOT SENT

Re: Applications 8183, 10171

Dear Sirs;

The United States has acquired by condemnation a tract of land in San Bernardino County including Saratoga Springs for use in connection with Death Valley National Monument.

For your records, we are attaching ~~certified~~ copies of the declaration of taking ~~certificate of its filing with the court~~ and the receipt for payment of final compensation.

We wish to be advised of the

2T

present status of ~~two appropriative rights~~ ~~data now in the name of~~ water right Application ~~No~~ 8183, Permit 4513 and Application 10171, Permit 5773 now in the name of George A. McKinney.

Fred T. Johnston
Regional Ch. of Opr.

Attachments
Copy to Director
Superintendent, Death Valley

25

RETURN TO SPAULDING

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

L54-5

JUN 23 '58

June 17, 1958

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Status, Applications 8183 and 10171, Saratoga Spring Tract, Docket 17, Death Valley

See Dunns memo of Oct 20, 1958 apparently Medrud mentioned herein not req'd to be sent State since state acknowledged change of ownership by letter of 10-7-58. L55 10/27/58

J. Spaulding 6/25

NO IMMEDIATE ACTION TO BE TAKEN - Review in

In reviewing unfiled correspondence relating to the Federal condemnation of the Saratoga Springs Tract, for partial duplication for our Docket 17, I have found a photostat copy of letter of November 10, 1955, to Attorney Michael Lavelle from Mr. L. C. Jopson of the State Engineer's Office. The rights were subject to expiration or extension of time on November 10, 1955. An extension of time was agreed to, on receipt of the statutory fee of $5.00 for a request for each extension or a total of $10.00. The State Engineer also wished to be advised when title under the estate of George A. McKinney was clarified.

The Federal Declaration of Taking was dated December 19, 1955, and the letter of February 3, 1956, to the Superintendent from the U.S. Attorney advised that the plaintiff's motion for immediate possession was set for 2:00 P.M. February 15, 1956. The report of Pioneer Title Insurance Company shows that the declaration was filed February 1, 1956, A letter of February 20, 1958, indicates that final payment to the court of $10,080 was on January 17, 1958, and the receipt was dated January 27, and signed by recipients on February 3, 1958. I find no records of the status of water rights in the papers relating to the Federal taking.

As a further consideration, the records in Part I, Land Status, of Docket 17, show that the United States conveyed the Saratoga Springs Tract to A. W. Scott, Jr. Co., on September 14, 1910, as the Saratoga Placer Mining Claim. We have been advised that the patented Thorndyke tract in upper Wildrose drainage is not open to mining entry, but we have not been advised as to whether the Saratoga Springs tract, as a patented placer mine is, or is not, open to further mining since Federal acquisition. In either case, I believe that riparian rights have attached to the area since September 14, 1910, so far as the rights are exercised for the domestic use from the water piped to the spring house, but not necessarily to the water impounded to form the large pond which was formerly for leaching but now just a scenic and duck pond.

Proposed development at Saratoga Springs

1. Mission 66 prospectus states (page 10) that additional campground will be constructed at Saratoga Spr. and contains items in development schedule (page 38)

(Feb. 5, 1957) proposed development at Saratoga Springs be held in abeyance
3. Supt requests low priority for road
4. Mission 66 Development Schedule Dwg NMDV 2091 shows no development for Saratoga Springs.

There are also the questions of what the Park Service has done to adapt the area and water supply to public use, or proposes to do in that connection.

Conclusion: Part Service has done nothing to adapt area & water supply to public use and proposed none

Under previous conditions I would now write to the State Water Rights Board explaining the above acquisition, submitting certified copies of the declaration of taking, certificate of its filing with the court and the receipt for payment of final compensation, of which copies are supplied. I should also inquire as to the present status of the two appropriative rights, and follow with a request for an extension of time until 1966 in which to amend and perfect the rights, based on the information received from the State Water Rights Board and our own plans for development and use of the water. This request should be accompanied by a voucher and purchase order to cover payment of $5.00 under Chapter 8, Article 1, Sec. 1525 of the California Water Code for the filing of application under each right.

not found

Application 8183 50,000 gal per day
Application 10,171 70,000

Because of the number of unknown factors, it will be preferable for Mr. Spaulding to check with the State Water Rights Board, prepare and file the application for extension of time on the basis of that information and the development plans. The report on present status of rights, and copies of the application for extension of time should be prepared and distributed for Part II of the four docket assemblies.

The voucher, payable from Account 347, should indicate that the fee is prescribed by aforesaid Section 1525. A representative of the State Water Rights Board will sign and return it for payment before issuing the order granting the extension of time. On advice of the former Chief Council, I have signed the yellow copy of purchase order to indicate receipt for payment when the signed voucher is returned, provided the reference to statutory fee is on the voucher and purchase order.

Any past order granting extension of time from 1955, and that granted under proposed request, should be duplicated for the four docket assemblies, with any originals sent to the Superintendent.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley
Chief, WODC

06-17-1958: memorandum; to regional director, region four regarding water right status, applications 8183 and 10171, saratoga spr

Follow up

File L54 Docket 17 Left Side
+ make copy for L 1425 Saratoga Spr.

IN REPLY REFER TO:

RECEIVED
NPS REGION FOUR OFFICE
JUN 23 '58

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
RESOURCES MGT.		
RECREATION		
INTERP.		
✓ LEGAL		

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

June 17, 1958

Suggest Ken discuss with McClellan before taking any action B/M

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Status, Applications 8183 and 10171, Saratoga Spring Tract, Docket 17, Death Valley

In reviewing unfiled correspondence relating to the Federal condemnation of the Saratoga Springs Tract, for partial duplication for our Docket 17, I have found a photostat copy of letter of November 10, 1955, to Attorney Michael Lavelle from Mr. L. C. Jopson of the State Engineer's Office. The rights were subject to expiration or extension of time on November 10, 1955. An extension of time was agreed to, on receipt of the statutory fee of $5.00 for a request for each extension or a total of $10.00. The State Engineer also wished to be advised when title under the estate of George A. McKinney was clarified.

The Federal Declaration of Taking was dated December 19, 1955, and the letter of February 3, 1956, to the Superintendent from the U.S. Attorney advised that the plaintiff's motion for immediate possession was set for 2:00 P.M. February 15, 1956. The report of Pioneer Title Insurance Company shows that the declaration was filed February 1, 1956, A letter of February 20, 1958, indicates that final payment to the court of $10,080 was on January 17, 1958, and the receipt was dated January 27, and signed by recipients on February 3, 1958. I find no records of the status of water rights in the papers relating to the Federal taking.

As a further consideration, the records in Part I, Land Status, of Docket 17, show that the United States conveyed the Saratoga Springs Tract to A. W. Scott, Jr. Co., on September 14, 1910, as the Saratoga Placer Mining Claim. We have been advised that the patented Thorndyke tract in upper Wildrose drainage is not open to mining entry, but we have not been advised as to whether the Saratoga Springs tract, as a patented placer mine is, or is not, open to further mining since Federal acquisition. In either case, I believe that riparian rights have attached to the area since September 14, 1910, so far as the rights are exercised for the domestic use from the water piped to the spring house, but not necessarily to the water impounded to form the large pond which was formerly for leaching but now just a scenic and duck pond.

Discussed this with McClellan: He believes applications need not be made because the U.S. owns the pond and the lands around it and no one can come in and take water. However, since it is Park Service policy we should make request. Don't think of doing as Mr. Dana requested for relocation of [illegible]

Water Right Applications are now in the name of George A. McAuley
Application 8183 16,000 gal. per day
Application 10,171 54,000 gal. per day
70,000
Total water used (evapotranspiration (Robinson Aug. 1957)
= 200 acre ft. per year
= 179,000 gallons per day
not found

(cont)
2. Management Survey Team recommended: (Feb. 5, 1957) that proposed development at Saratoga Springs be held to minimum."
3. Supt. requests low priority for road.

Proposed Development at Saratoga Springs

1. Mission 66 prospectus states (page 10) that additional campground will be constructed at Saratoga Spr. and contains items in Development Schedule (page 28)

There are also the questions of what the Park Service has done to adapt the area and water supply to public use, or proposes to do in that connection.

Under previous conditions I would now write to the State Water Rights Board explaining the above acquisition, submitting certified copies of the declaration of taking, certificate of its filing with the court and the receipt for payment of final compensation, of which copies are supplied. I should also inquire as to the present status of the two appropriative rights, and follow with a request for an extension of time until 1966 in which to amend and perfect the rights, based on the information received from the State Water Rights Board and our own plans for development and use of the water. This request should be accompanied by a voucher and purchase order to cover payment of $5.00 under Chapter 8, Article 1, Sec. 1525 of the California Water Code for the filing of application under each right.

Because of the number of unknown factors, it will be preferable for Mr. Spaulding to check with the State Water Rights Board, prepare and file the application for extension of time on the basis of that information and the development plans. The report on present status of rights, and copies of the application for extension of time should be prepared and distributed for Part II of the four docket assemblies.

The voucher, payable from Account 347, should indicate that the fee is prescribed by aforesaid Section 1525. A representative of the State Water Rights Board will sign and return it for payment before issuing the order granting the extension of time. On advice of the former Chief Council, I have signed the yellow copy of purchase order to indicate receipt for payment when the signed voucher is returned, provided the reference to statutory fee is on the voucher and purchase order.

Any past order granting extension of time from 1955, and that granted under proposed request, should be duplicated for the four docket assemblies, with any originals sent to the Superintendent.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley
Chief, WODC

25

Office of
Chief, Western Office
Div. of Design and Const.
NOV 28 1955 A.M.
Supv. Architect
Supv. Engineer
Supv. Landscape Architect
Safety Engineer

L54-L

November 21, 1955

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Acquisition of Saratoga Springs, Death Valley

Attached copy of letter of November 10 to Mr. Michael Lavelle, Attorney for Mr. McKinney, will be of considerable significance to the U. S. Attorney. It appears that Mr. McKinney has died, that the water rights are subject to lapse if requests are not made for extensions of time in which to complete water systems and make beneficial use of all water under Permits 4513 and 5773.

We find that the Solicitor is now processing the Declaration of Taking for submission to the Department of Justice, and it will probably be close to the end of the year before the instrument or instructions are received by the U. S. Attorney. Accordingly, this Service is not in a position to request the extensions of time.

Mr. Jopson indicates that the necessary requests for extension may be deferred during the litigation, but this Service or the U. S. Attorney, should probably make the request as soon as the Declaration of Taking is filed, with a copy of the Declaration. Copies of the Declaration as filed, and the request for extension of time should also be made and distributed for the four assemblies of water right Docket. We can take care of the extension of time, and additions to the dockets if a copy of the former, with signatures and dates, is supplied unless the U. S. Attorney wishes to handle the matter. The one requesting the extensions will later receive an order granting the extensions, which should be duplicated for the dockets.

In connection with property values, it may be well to point out that there are older county filings, as shown in the docket, and that riparian rights also attach to the patented land.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

In duplicate

Attachments 2

Copy to: Field Solicitor McClellan, with two attachments
Superintendent, Death Valley, with attachment
Western Office of Design and Construction, with attachment

COPY

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
Sacramento

November 10, 1955

Applications 8183, 10171

Mr. Michael Lavelle
Attorney at Law
1315 Westwood Boulevard
Los Angeles 24, California

Dear Mr. Lavelle:

This will acknowledge receipt of your letter of November 4, 1955, in connection with Applications 8183 and 10171, Permits 4513 and 5773, respectively, indicating that Mr. George A. McKinney is deceased, that the United States has commenced condemnation proceedings for the land covered by the permit, that such condemnation action is still pending, and that Mr. McKinney's devisee of the land cannot therefore complete the projects. It is also noted from your letter that the source under the permits originates on springs located upon the land covered by permit and flows into a lake without any outlet, also located thereon, and that you inquire as to whether this department has therefore jurisdiction over the water.

At such time as the decree of the distribution of the estate has been entered, please inform this office of the successors in order that our records may be corrected. Our records at present will show the estate of George A. McKinney as present owner of the permit. Please be advised that as long as litigation affecting the ownership of the land covered by the permit is actively pressed, this office will consider additional extensions of time within which to complete the project.

It is noted that the time previously allowed within which to complete beneficial use of water under both permits expires on December 1, 1955. The law provides that additional time for completion of a project may be allowed upon a showing of good cause. The information contained in your letter appears to show adequate good cause for an additional extension of time. It will be necessary however to submit a fee of $5.00 for each application (a total of $10.00) for the extension order covering those filings. Further consideration of an order granting an additional extension of time will await receipt of the $10.00 fee.

In response to your question regarding jurisdiction of this department, in a stream such as you have described in your letter, please be advised that this department has jurisdiction over waters as described in the enclosed booklet entitled Rules, Regulations and Information Pertaining to Appropriation of Water in California. Your particular attention is directed to Pages (33) to (37).

It may be that the land covered by the permits may also have other rights of which this office has no records, such as old appropriative rights or riparian rights. It would appear to be desirable to maintain the filings in good standing until such time as the condemnation proceedings have been determined.

If this office can be of any further assistance to you, please do not hesitate to call upon us.

Very truly yours,

HARVEY O. BANKS
ACTING STATE ENGINEER

BY /s/

L. C. Jopson
Principal Hydraulic Engineer

07-19-1954: memorandum to superintendent, death valley regarding water right docket no. 17, saratoga springs tract, death valley

In reply refer to:
L54

Office of
Chief Western Office
Div. of Design and Const.

Supv. Architect
1 — Supv. Engineer
Supv. Landscape Arch.
Safety Engineer

July 19, 1954

Memorandum

To: Superintendent, Death Valley

From: Regional Chief of Lands, Region Four

Subject: Water Right Docket No. 17, Saratoga Springs tract, Death Valley National Monument

Attached are copies of additional material for the above docket, together with copy of Mr. Dunn's memorandum of July 13.

Please note the penultimate paragraph of page 2 in which Mr. Dunn says:

"We will order photostat copies of such instruments if Mr. Binnewies will check the county records and obtain books and pages of any such water right filings between 1908 and December 19, 1914, on his next trip to Independence."

B. F. Manbey
Regional Chief of Lands

Attachments 2

Copy to: The Director
Western Office, Division of
Design and Construction. With
complete copy of Water Right
Docket and copy of Mr. Dunn's
memorandum of July 13.

NATIONAL PARK SERVICE
RECEIVED
JUL 20 1954
WESTERN OFFICE
DIV. OF DESIGN AND CONST.

6

In reply refer to:
L54-L

To Design & Constn

July 13, 1954

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Condemnation of Saratoga Springs Tract and Related Records in Docket 17, Death Valley National Monument

The letter of May 25 to U. S. Attorney Laughlin E. Waters from Mr. Binnewies indicates that the subject docket needs revision. Attached are three sets of new tabs in four parts to replace those now in the docket in your office and the Monument; and to provide partial assembly for the Western Office, Design and Construction, with cover attached.

A revised outline of the assembly is attached to each set of new tabs. The contents of the assemblies which are now in your office and the Monument should be transposed as indicated, as follows:

Old IA, the statement of February 24, 1954 by Mr. Robertson, should be destroyed.

Old IB-E should become IVA-D.

Part II should be transposed to new Part II, under IIC, letter of June 30, 1954 from L. C. Jopson.

New IVE, Certificate of Inspection and Possession of May 25, 1954 by Mr. Binnewies, should be supplied for all four assemblies, including the assembly in our files.

It appears that the last named certificate was released before receipt of my memorandum of June 4 and may not take cognizance of water developments to which I referred. My suggestions were intended to offer additional values which may be necessary to reconcile appraisals and the asking price, but no revisions of the certificate need be made unless a revised appraisal is also needed to support a price award or a negotiated price in excess of $5,000. The information was offered to help Mr. Waters if it becomes necessary to obtain a new appraisal and the appraiser needs instructions for obtaining a maximum value of improvements.

5

Please add "United States, Successor in Interest" under designated claiments on the folder, as shown on assembly for Design and Construction and have Mr. Binnewies do the same. The assembly for Design and Construction is sent through you for that purpose.

Special attention is called to the Application for Patent 433067, Item IA-1, describing developments and the individual springs in 1909. This should be compared with my analysis of November 24, 1952, Item IVB. My estimates of water level fluxuations in the large ponds, now largely combined, and the available total spring flows might be modified slightly, but the claims of Mr. Chestnut may not be reliable enough to accept in their entirety. The total available supply is probably between the values given by Mr. Chestnut and me, and the information may become important to Mr. Waters. From Item IA-1, it is also apparent that there are a number of independent springs with possible buried connecting pipes which have been broken and clogged with roots. This should be important in connection with Park Service development.

For future development purposes, the assembly for the Western Office, Design and Construction, should have my analysis of November 24, 1952, Item IVB to compare with Item IA-1, but we can only supply the map. We hope that you may have another copy.

The State of California recognizes riparian rights appurtenant to patented land but contends that no such rights attach to unpatented Federal land because it construes the Acts of 1866 and 1877 to have constituted a Federal abrogation of the riparian doctrine. The appropriative rights recorded in Part II apply to the waters of the spring in the spring house and no claims to beneficial use of the larger pond seem to have been made even though the pond is clearly an impoundment. The information in Item IA-1, including Exhibit G (the only photographic exhibit I considered worth duplication) indicates that both ponds and early spring developments were probably made before the present water code was adopted, and they may be covered by county filings by one of the members of the A. W. Scott, Jr. Co. before 1914. We will order photostat copies of such instruments if Mr. Binnewies will check the county records and obtain books and pages of any such water right filings between about 1908 and December 19, 1914, on his next trip to Independence.

In reviewing the docket, it is noted that the land was patented on September 24, 1914, by the A. W. Scott, Jr. Co., but Jack J. Renie indicated in Application 10171 that land title was based on mining claims recorded December 29, 1934. The Federal Complaint of May 6, 1953, described the land and took cognizance of the last known owners of the water rights but does not refer to the earlier land title, and specific Patent No. 433067. No doubt the condemnation has brought this matter into the open, but the patent itself indicates that there could be two independent mining claims for different minerals, and Items IB-1 and 2 indicate no check later than 1927.

The additional information should be brought to the attention of Mr. Waters. An extra copy of the Application for Patent is attached for his possible use.

Under the Act of June 13, 1933, the Federal acquisition of the land will make it subject to further mining and mill site locations except as the surface use is limited under Sec. 20.26 of the Special Regulations. Accordingly, this Service should work out a plan for the contemplated campground needs at an early date to be prepared to act on future mine or mill site locations, and requests for approval of conflicting plans for surface use.

In addition to the water rights under Applications 8183 and 10,171, and under possible county filings, riparian rights attach to the patented land. The National Park Service should probably file an amended claim to consolidate the rights and describe the development planned for the area, but nearly any such amendment will be more to clarify records than to establish new rights, when a development plan is available.

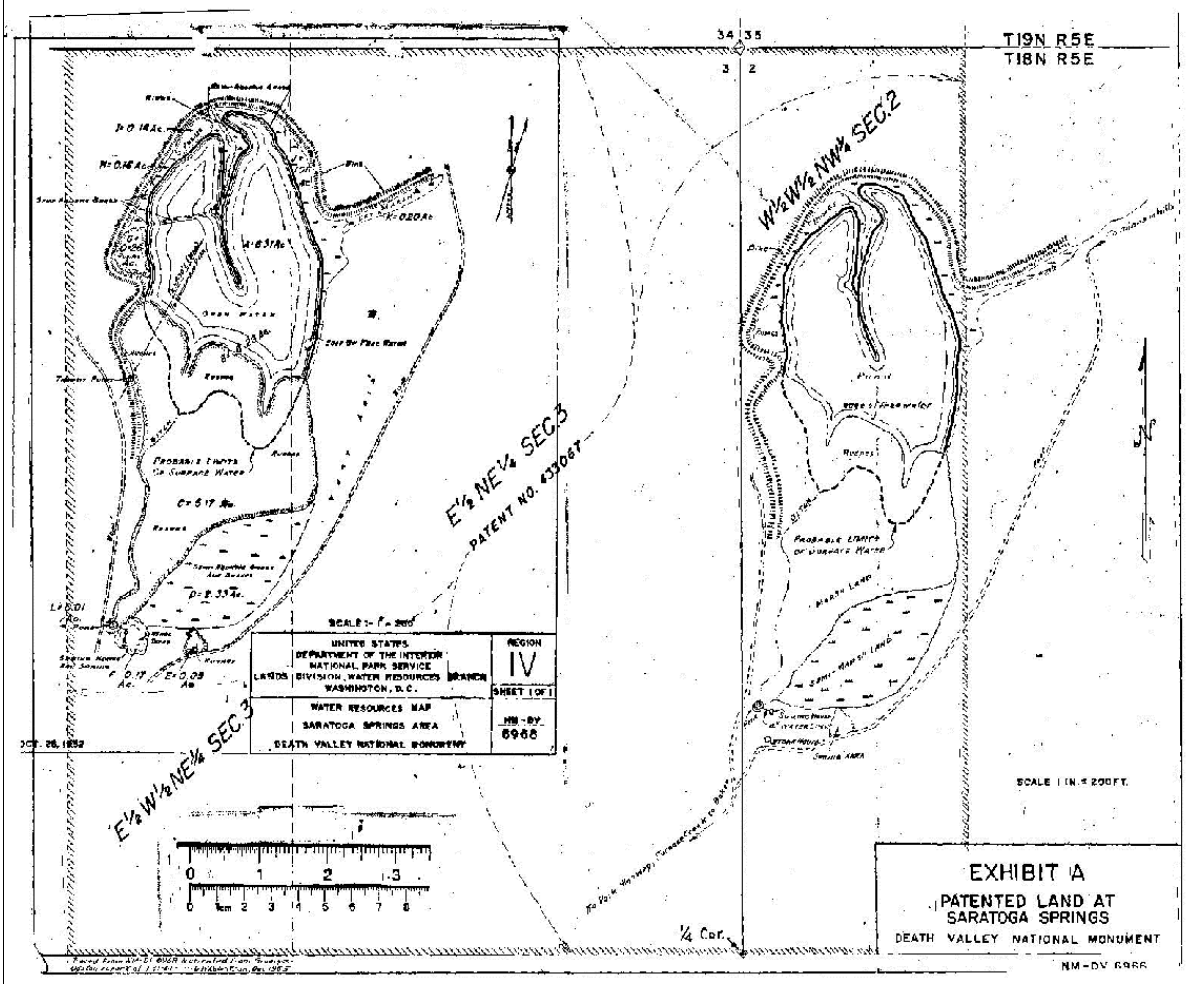
SIGNED

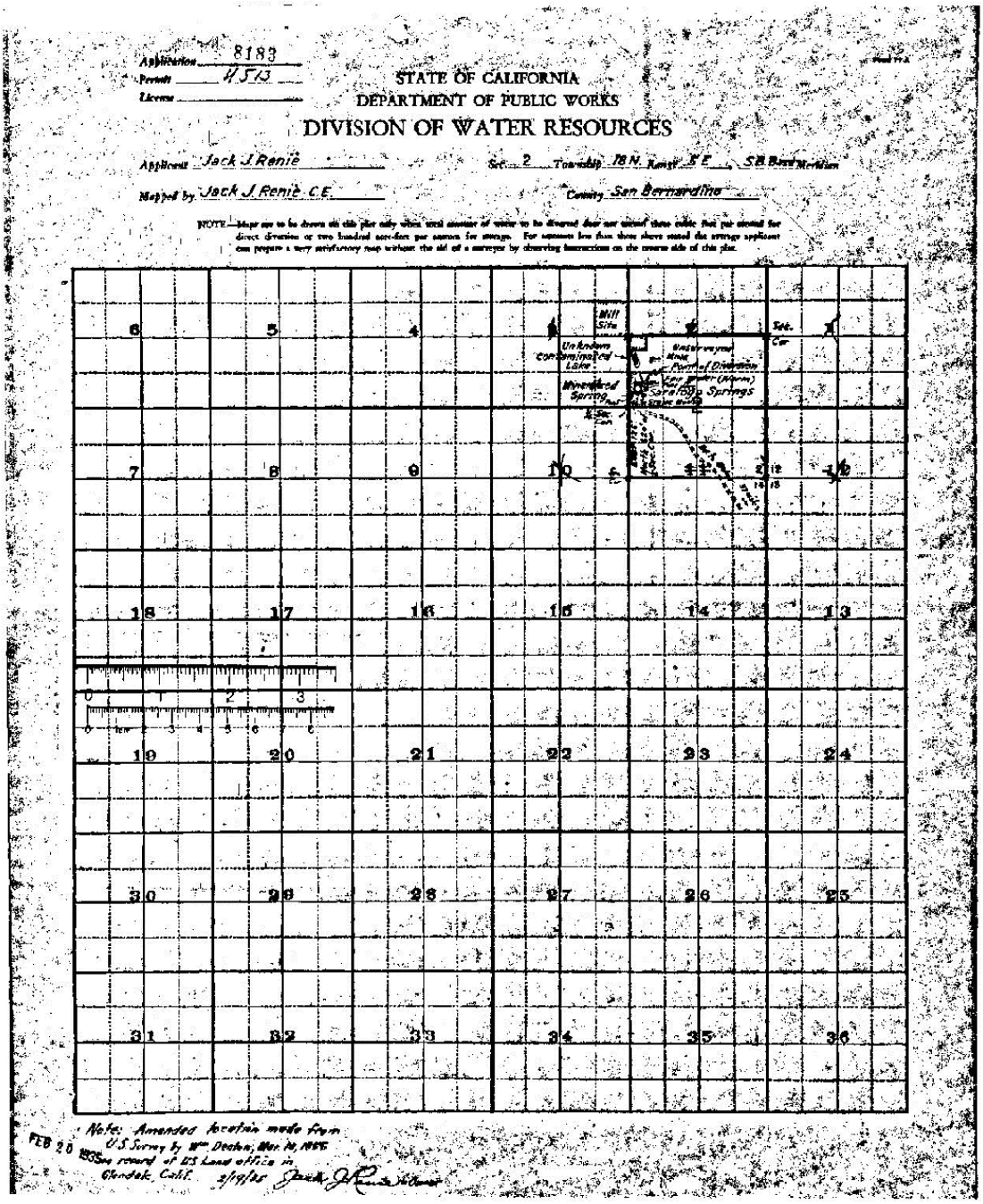
A. van V. Dunn
Chief, Water Resources Section

In triplicate

Attachments 4

00-00-0000: water resources map - saratoga springs patented lands





Docket Information

Number of Documents in Docket 252

Documents Dated from 1/12/1907 to 7/3/2012

Docket Compiled: 7/13/2012