



WATER-RIGHT DOCKET

Sunset Crater Volcano National Monument

Docket No: 1

HEADQUARTERS WELL

State Water Rights Documentation

09-30-1999: Letter to AZ Dept of Water Resources regarding State of Claim of Right to Use Public Waters & Other Uses Amendm



IN REPLY REFER TO:

L54 (2380)
WUPA/Water Rights
PEFO/Water Rights
SUCR/Water Rights
WACA/Water Rights

Diane Hanna, Surface Water Rights
Arizona Department of Water Resources
Adjudications Division
500 North 3rd Street
Phoenix, Arizona 85004

Re: Statement Of Claim Of Right To Use Public Waters Of The State Of Arizona –
Registry No.s (to be assigned)
Statement Of Claimant Form For Other Uses Amendment – File No.s 39-89220,
39-89222, 39-91444, 39-91445, 39-91446, and 39-91447.

Dear Ms. Hanna:

Attached you will find completed water rights claim forms for Wupatki National Monument, Petrified Forest National Park, Sunset Crater National Monument, and Walnut Canyon National Monument.

“Statement Of Claim Of Right To Use Public Waters Of The State Of Arizona” forms are filed for Peshlaki and Heiser Springs in Wupatki National Monument.

“Statement Of Claimant Form For Other Uses Amendment” forms are filed to amend the claimed priority dates for Peshlaki and Hesier Springs in Wupatki National Monument. Please note the “Registry Number” referred to in Items 2, 3, and 15 must be filled in after your office has processed the “Statement Of Claim” forms and assigned a Registry Number. Amended claims are also filed to amend the quantifiable present and future administrative consumptive uses for Petrified Forest National Park, Sunset Crater National Monument, and Wupatki National Monument, and to amend the boundary description for Walnut Canyon National Monument.

Please return signed and dated copies of the processed claim forms to our office. Contact

Jim Harte (970) 225-3538 with any questions you may have regarding these claims.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles W. Pettee".

Charles W. Pettee
Chief, Water Rights Branch

Enclosures

cc: Peter Fahmy
Andy Walch
Flagstaff Areas – Sam R. Henderson
PEFO – Michelle Hellickson

STATEMENT OF CLAIMANT FORM
FOROTHER USES¹
AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39-

Date Filed:

WFN

1. Claimant Name: United States of America c/o National Park Service (Walnut Canyon NM)Claimant Address: 1201 Oak Ridge Dr. Suite 250 City Fort CollinsState: Colorado Zip Code 80525-5596 Telephone 970-225-3500

2. Basis of Claim:

- A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
- B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____ Permit No. _____, or Certificate of Water Right No. _____
- C. ☐ Decreed water right. Principal litigants, court, date and case no. _____
- D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____
- E. ☒ Other, describe: (see file No. 39-89220)

3. Claimed Priority Date: ____/____/____ (month/day/year) (see File No. 39-89220)-

4. Use:

- A. ☐ Municipal
- B. ☐ Commercial or Industrial
- C. ☐ Mining
- D. ☐ Stockwatering other than from a stockpond
- E. ☐ Recreation, Fish & Wildlife
- F. ☒ Other, describe: (see file No. 39-89220)

5. Source of Water: (see file No. 39-89220)

- A. ☐ Stream: name _____, tributary to _____
- B. ☐ Spring: name _____, tributary to _____
- C. ☐ Lake or Reservoir: name _____, tributary to _____
- D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required) (see file No. 39-89220)

____ 1/4, ____ 1/4, ____ 1/4, Section _____, Township _____ N/S, Range _____ E/W

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____

8. Means of Diversion:

- A. ☐ Instream pump.
- B. ☐ Gravity flow into a ditch, canal or pipeline.
- C. ☒ Well: Arizona Department of Water Resources Well Registration No. 55-629093
- D. ☒ Other, describe: (see file No. 39-89220)

¹ See Instructions for explanation of uses in this category

9. Means of Conveyance:

A. ☐ Ditch, canal or pipeline. If the means of conveyance is owned and/or operated by some other entity, please give name and address: _____

B. ☒ Other, describe: (see file No. 39-89220) _____

10. Place of Use, If other than point of diversion: (attach additional sheet if required)

County Coconino County

Legal Subdivision _____

Section _____

Township _____

Range _____

N/S

E/W

N/S

E/W

11. Claimed Right: (see file No. 39-89220)

A. Maximum Flow Rate: _____ ☐ cubic-feet per second

☐ gallons per minute

☐ Arizona miner's inches

B. Annual Volume of Water Use: 12 _____ acre-feet per Annum

C. Storage Right: _____ acre-feet

12. Attach photographs, maps or sketches necessary to show the point of diversion, storage reservoir(s) place(s) of use and means of conveyance.

13. It may be necessary for a representative from the Department of Water Resources to inspect the diversion, conveyance and place of use. Your signature following will grant permission to enter your property for the purpose of inspection: Signature of Claimant _____

(Chuck Pettee, Branch Chief, Water Rights Branch, National Park Service)

14. Should it be necessary for a representative of the Department to contact you as the claimant or your representative, are there any special instructions regarding time of day or address to aid in locating the specified person? Additional contacts include William Hansen (970) 225-3532 and

Jim Harte (970) 225-3538.

15. Additional comments: Amends claim No. 39-89220 to include Walnut Canyon National Monument boundary modification, Section 208, --P.L. 104-333, 110 Stat. 4093, "Walnut Canyon National Monument Boundary Modification", November 12, 1996, published in the Federal Register and included as an attachment to this amendment.

(attach additional sheet if required)

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 15 South 15th Avenue, Phoenix, Arizona 85007.

ARIZONA DEPARTMENT OF WATER RESOURCES
ADJUDICATIONS DIVISION
500 NORTH 3RD STREET
PHOENIX, ARIZONA 85004

17. Notarized Statement:

I (We), _____

the claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statements made herein are to the best of my (our) knowledge and belief true, correct and complete.

(seal)

My Commission Expires _____

Notary Public

or, _____

Authorized Personnel of the Department of Water Resources

STATEMENT OF CLAIMANT FORM
FOR

OTHER USES¹ AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39-
 Date Filed:
 WFN

1. Claimant Name: United States of America, c/o National Park Service (Wupatki NM)
 Claimant Address: 1201 Oakridge Drive, Suite 250 City Fort Collins
 State: Colorado Zip Code 80525 Telephone (970) 225-3500

2. Basis of Claim:

A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____

B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____
 Permit No. _____, or Certificate of Water Right No. _____

C. ☐ Decreed water right. Principal litigants, court, date and case no. _____

D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____

E. ☒ Other, describe: (see File No. 39-91444)

3. Claimed Priority Date: ____/____/____ (month/day/year) (see file No. 39-91444)

4. Use:

A. ☐ Municipal

B. ☐ Commercial or Industrial

C. ☐ Mining

D. ☐ Stockwatering other than from a stockpond

E. ☐ Recreation, Fish & Wildlife

F. ☒ Other, describe:
(see file No. 39-91444)

5. Source of Water: (see file No. 39-91444 with attachment)

A. ☐ Stream: name _____, tributary to _____

B. ☐ Spring: name _____, tributary to _____

C. ☐ Lake or Reservoir: name _____, tributary to _____

D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required) (see file No. 39-91444)
 _____ 1/4, _____ 1/4, _____ 1/4, Section _____, Township _____ N/S, Range _____ E/W

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____

8. Means of Diversion:

A. ☐ Instream pump.

B. ☐ Gravity flow into a ditch, canal or pipeline.

C. ☐ Well: Arizona Department of Water Resources Well Registration No. 55- _____

D. ☒ Other, describe: (see file No. 39-91444)

¹ See Instructions for explanation of uses in this category

9. Means of Conveyance:

A. ☐ Ditch, canal or pipeline. If the means of conveyance is owned and/or operated by some other entity, please give name and address: _____

B. ☒ Other, describe: (see file No. 39-91444) _____

10. Place of Use, If other than point of diversion: (attach additional sheet if required)

County Coconino

Legal Subdivision _____

Section _____

Township _____

Range _____

N/S

E/W

N/S

E/W

11. Claimed Right: (see file No. 39-91444)

A. Maximum Flow Rate: _____

☐ cubic-feet per second

☐ gallons per minute

☐ Arizona miner's inches

B. Annual Volume of Water Use: 16.0 acre-feet per annum

C. Storage Right: _____ acre-feet

12. Attach photographs, maps or sketches necessary to show the point of diversion, storage reservoir(s) place(s) of use and means of conveyance.

13. It may be necessary for a representative from the Department of Water Resources to inspect the diversion, conveyance and place of use. Your signature following will grant permission to enter your property for the purpose of inspection: Signature of Claimant _____

(Chuck Pettee, Branch Chief, Water Rights Branch, National Park Service)

14. Should it be necessary for a representative of the Department to contact you as the claimant or your representative, are there any special instructions regarding time of day or address to aid in locating the specified person? Additional contacts include: William Hansen (970) 225-9532 and
Jim Harte (970) 225-3538.

15. Additional comments: Amends item II-A-4-C (page 4), to the attachment to claim

No. 39-91444, regarding Wupatki National Monument. Amends quantifiable present
and future administrative consumptive uses from 17 acre-feet per annum to
16 acre-feet per annum.

(attach additional sheet if required)

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 15 South 15th Avenue, Phoenix, Arizona 85007.

ARIZONA DEPARTMENT OF WATER RESOURCES
ADJUDICATIONS DIVISION
500 NORTH 3RD STREET
PHOENIX, ARIZONA 85004

17. Notarized Statement:

I (We), _____

the claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statements made herein are to the best of my (our) knowledge and belief true, correct and complete.

(seal)

My Commission Expires _____

Notary Public

or, _____

Authorized Personnel of the Department of Water Resources

STATEMENT OF CLAIMANT FORM
FOROTHER USES¹
AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39: _____

Date Filed: _____

WFN: _____

1. Claimant Name: United States of America c/o National Park Service (Petrified Forest NP)
 Claimant Address: 1201 Oak Ridge Drive, Suite 250 City Fort Collins
 State: Colorado Zip Code 80525 Telephone 970-225-3500

2. Basis of Claim:

- A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
 B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____
 Permit No. _____, or Certificate of Water Right No. _____
 C. ☐ Decreed water right. Principal litigants, court, date and case no. _____
 D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____
 E. ☒ Other, describe: (see File No. 39-89222)

3. Claimed Priority Date: ____/____/____ (month/day/year) (See File No. 39-89222)

4. Use:

- A. ☐ Municipal
 B. ☐ Commercial or Industrial
 C. ☐ Mining
 D. ☐ Stockwatering other than from a stockpond
 E. ☐ Recreation, Fish & Wildlife
 F. ☒ Other, describe:
(see File No. 39-89222)

5. Source of Water: (see File No. 39-89222)

- A. ☐ Stream: name _____, tributary to _____
 B. ☐ Spring: name _____, tributary to _____
 C. ☐ Lake or Reservoir: name _____, tributary to _____
 D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required) (See File No. 39-89222)

____ 1/4, ____ 1/4, ____ 1/4, Section _____, Township _____ N/S, Range _____ E/W

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____

8. Means of Diversion:

- A. ☐ Instream pump.
 B. ☐ Gravity flow into a ditch, canal or pipeline.
 C. ☒ Well: Arizona Department of Water Resources Well Registration No. 55. (see Item 15)
 D. ☒ Other, describe: (see File No. 39-89222)

¹ See Instructions for explanation of uses in this category

9. Means of Conveyance:

- A. ☐ Ditch, canal or pipeline. If the means of conveyance is owned and/or operated by some other entity, please give name and address: _____
- B. ☒ Other, describe: (See File No. 39-89222) _____

10. Place of Use, if other than point of diversion: (attach additional sheet if required) Petrified Forest National Park

County Apache & Navajo

Legal Subdivision _____

Section _____

Township _____

Range _____

N/S E/W

N/S E/W

11. Claimed Right: (see File No. 39-89222) ☐ cubic-feet per second

- A. Maximum Flow Rate: _____ ☐ gallons per minute
- _____ ☐ Arizona miner's inches

B. Annual Volume of Water Use: 35.0 acre-feet per annum

C. Storage Right: _____ acre-feet

12. Attach photographs, maps or sketches necessary to show the point of diversion, storage reservoir(s) place(s) of use and means of conveyance.

13. It may be necessary for a representative from the Department of Water Resources to inspect the diversion, conveyance and place of use. Your signature following will grant permission to enter your property for the purpose of inspection: Signature of Claimant _____

(Chuck Pettee, Branch Chief, Water Resources Branch, National Park Service)

14. Should it be necessary for a representative of the Department to contact you as the claimant or your representative, are there any special instructions regarding time of day or address to aid in locating the specified person? Additional contacts include: William Hansen (970) 225-3532 and Jim Harte (970) 225-3538

15. Additional comments: Amends Item II-B-4-C (page 9), to attachment to claim No. 39-89222, regarding Petrified Forest National Park. Amends quantifiable, present and future administrative consumptive uses from 10 acre-feet per annum to 35 acre-feet per annum. 8.c.(continued) well registration No. 55-629113, 629091, 506605, 506603

(attach additional sheet if required)

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 15 South 15th Avenue, Phoenix, Arizona 85007.

ARIZONA DEPARTMENT OF WATER RESOURCES
ADJUDICATIONS DIVISION
500 NORTH 3RD STREET
PHOENIX, ARIZONA 85004

17. Notarized Statement:

I (We), _____

the claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statements made herein are to the best of my (our) knowledge and belief true, correct and complete.

(seal)

My Commission Expires _____

Notary Public _____

or, _____

Authorized Personnel of the Department of Water Resources

STATEMENT OF CLAIMANT FORM
FOROTHER USES¹
AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39- _____

Date Filed: _____

WFN _____

1. Claimant Name: United States of America c/o National Park Service (Sunset Crater NM)
 Claimant Address: 1201 OakRidge Drive, Suite 250 City Fort Collins
 State: Colorado Zip Code 80525 Telephone (970) 225-3500

2. Basis of Claim:

- A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
- B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____ Permit No. _____, or Certificate of Water Right No. _____
- C. ☐ Decreed water right. Principal litigants, court, date and case no. _____
- D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____
- E. ☒ Other, describe: (see File No. 39-91447)

3. Claimed Priority Date: ____/____/____ (month/day/year) (see file No. 39-91447)

4. Use:

- A. ☐ Municipal
- B. ☐ Commercial or Industrial
- C. ☐ Mining
- D. ☐ Stockwatering other than from a stockpond
- E. ☐ Recreation, Fish & Wildlife
- F. ☒ Other, describe: (see file No. 39-91447)

5. Source of Water: (see file No. 39-91447)

- A. ☐ Stream: name _____, tributary to _____
- B. ☐ Spring: name _____, tributary to _____
- C. ☐ Lake or Reservoir: name _____, tributary to _____
- D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required) (see file No. 39-91447)
 _____ 1/4, _____ 1/4, _____ 1/4, Section _____, Township _____ N/S, Range _____ E/W

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____

8. Means of Diversion:

- A. ☐ Instream pump.
- B. ☐ Gravity flow into a ditch, canal or pipeline.
- C. ☒ Well: Arizona Department of Water Resources Well Registration No. 55- 649813
- D. ☒ Other, describe: (see file No. 39-91447)

¹ See Instructions for explanation of uses in this category.

9. Means of Conveyance:

A. ☐ Ditch, canal or pipeline. If the means of conveyance is owned and/or operated by some other entity, please give name and address: _____

B. ☒ Other, describe: (see file No. 39-91447) _____

10. Place of Use, If other than point of diversion: (attach additional sheet if required) Sunset Crater National Monument
 County Coconino
 Legal Subdivision _____ Section _____ Township _____ Range _____
 _____ N/S _____ E/W
 _____ N/S _____ E/W

11. Claimed Right: (see file No. 39-91447) ☐ cubic-foot per second

A. Maximum Flow Rate: _____ ☐ gallons per minute

B. Annual Volume of Water Use: 32 _____ acre-feet per annum ☐ Arizona miner's inches

C. Storage Right: _____ acre-feet

12. Attach photographs, maps or sketches necessary to show the point of diversion, storage reservoir(s) place(s) of use and means of conveyance.

13. It may be necessary for a representative from the Department of Water Resources to inspect the diversion, conveyance and place of use. Your signature following will grant permission to enter your property for the purpose of inspection: Signature of Claimant _____

(Chuck Pettee, Branch Chief, Water Rights Branch, National Park Service)
 14. Should it be necessary for a representative of the Department to contact you as the claimant or your representative, are there any special instructions regarding time of day or address to aid in locating the specified person? Additional contacts include: William Hansen (970)225-3532 and Jim Harte (970) 225-3538

15. Additional comments: Amends Item II-B-4-C (page 8), to the attachment to claim No. 39-91447, regarding Sunset Crater National Monument. Amends quantifiable present and future administrative consumptive uses from 20 acre-feet per annum to 32 acre-feet per annum.
Well #55-649813 replaces Well #A23-8(21-1)715 however #A23-8(21-1) 715 is available for
 (attach additional sheet if required) emergency use.

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 15 South 15th Avenue, Phoenix, Arizona 85007.

17. Notarized Statement:

I (We), _____

the claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statements made herein are to the best of my (our) knowledge and belief true, correct and complete.

(seal)

My Commission Expires _____

Notary Public

or,

Authorized Personnel of the Department of Water Resources

STATEMENT OF CLAIMANT FORM
FOROTHER USES¹
AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39-

Date Filed:

WFN

1. Claimant Name: United States of America c/o National Park Service (Wupatki NM)Claimant Address: 1201 Oakridge Drive, Suite 250 City Fort Collins
State: Colorado Zip Code 80525 Telephone (970) 225-3500

2. Basis of Claim:

- A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
- B. ☒ Appropriation Right acquired after June 12, 1919. Application No. (A-25-0) 32-1(718) Permit No. _____, or Certificate of Water Right No. _____
- C. ☐ Decreed water right. Principal litigants, court, date and case no. _____
- D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____
- E. ☒ Other, describe: (see file No. 39-91445)

3. Claimed Priority Date: ____ / ____ / 1892 (month/day/year) (see Registry No. _____ and attachment)

4. Use:

- A. ☒ Municipal
- B. ☐ Commercial or Industrial
- C. ☐ Mining
- D. ☒ Stockwatering other than from a stockpond
- E. ☒ Recreation, Fish & Wildlife
- F. ☒ Other, describe: (see file No. 39-91445 and attachment)

5. Source of Water:

- A. ☐ Stream: name _____, tributary to _____
- B. ☒ Spring: name Heiser Spring in Heiser Wash, tributary to Little Colorado River
- C. ☐ Lake or Reservoir: name _____, tributary to _____
- D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required) (see file No. 39-91445)
NW $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 32, Township 25 N/S, Range 10 E/W7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: (see file No. 39-91445)

8. Means of Diversion:

- A. ☐ Instream pump.
- B. ☒ Gravity flow into a ditch, canal or pipeline.
- C. ☐ Well: Arizona Department of Water Resources Well Registration No. 55-_____
- D. ☐ Other, describe: _____

¹ See Instructions for explanation of uses in this category

9. Means of Conveyance:

A. ☒ Ditch, canal or pipeline. If the means of conveyance is owned and/or operated by some other entity, please give name and address: _____

B. ☐ Other, describe: _____

10. Place of Use, if other than point of diversion: (attach additional sheet if required)

County Coconino

Legal Subdivision

(see file 39-91445)

Section _____

Township _____

Range _____

N/S

E/W

N/S

E/W

11. Claimed Right: (see file No. 39-91445)

A. Maximum Flow Rate: _____

☐ cubic-feet per second

☐ gallons per minute

☐ Arizona miner's inches

B. Annual Volume of Water Use: 2.5 acre-feet

C. Storage Right: _____ acre-feet

12. Attach photographs, maps or sketches necessary to show the point of diversion, storage reservoir(s) place(s) of use and means of conveyance.

13. It may be necessary for a representative from the Department of Water Resources to inspect the diversion, conveyance and place of use. Your signature following will grant permission to enter your property for the purpose of inspection: Signature of Claimant _____

(Chuck Pettee, Branch Chief, Water Rights Branch, National Park Service)

14. Should it be necessary for a representative of the Department to contact you as the claimant or your representative, are there any special instructions regarding time of day or address to aid in locating the specified person? Additional contacts include: William Hansen (970) 225-3532 and

Jim Harte (970) 225-3538

15. Additional comments: Amends item 3 (file No. 39-91445): claimed priority Date,
from August 23, 1942 to 1892. (See Registry No. _____ with attached affidavit)

(attach additional sheet if required)

16. Mail form(s) to: Department of Water Resources, Adjudications Division, ~~15 South 15th Avenue, Phoenix,~~
~~Arizona 85007.~~

ARIZONA DEPARTMENT OF WATER RESOURCES
ADJUDICATIONS DIVISION
500 NORTH 3RD STREET
PHOENIX, ARIZONA 85004

17. Notarized Statement:

I (We), _____

the claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statements made herein are to the best of my (our) knowledge and belief true, correct and complete.

(seal)

My Commission Expires _____

Notary Public

or,

Authorized Personnel of the Department of Water Resources

ARIZONA DEPARTMENT OF WATER RESOURCES
SURFACE WATER RIGHTS

MAIL TO: P.O. BOX 458

PHOENIX, ARIZONA 85001-0458

500 North Third Street

Phoenix, Arizona 85004-3903

Telephone (602) 417-2442

Fax (602) 417-2424

(For office use only)

Registry No: _____

Date Filed: _____

STATEMENT OF CLAIM OF RIGHT TO USE PUBLIC WATERS OF THE STATE OF ARIZONA

1. Claimant USA, National Park Service Telephone 970-225-3500
Address 1201 OakRidge Dr. Suite 250 City Fort Collins State CO Zip 80525
2. Type of water source and name Heiser Spring in Heiser Wash
a tributary to Little Colorado River within the Kana a Wash watershed
(for office use only)
- 3.

Type of Water Use(s) (e.g. irrigation, domestic, stock)	Annual Use (list use amount for each type)	Acres Irrigated (irrigation use only)	Specific Months of Use (if not for entire year)
Municipal, irrigation,	2.5 acre-feet	N/A	January thru December
Stock watering,	(total for all uses)	N/A	(for all uses)
recreation, wildlife			

4. Date the water was first used beneficially (month/day/year): _____ /1892
5. Location of point of water diversion: County Coconino
Lot _____ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, Township 25 N/S Range 10 E/W
(if applicable)
6. Location of place(s) of water use: County Coconino
Lot _____ $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$, Section 30, Township 25 N/S, Range 10 E/W
(if applicable)
Lot _____ $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$, Section 32, Township 25 N/S Range 10 E/W
(if applicable)
7. Legal basis for the claim (attach any documents being filed in support of claim): State law-initiation of
diversion and application to beneficial use. Conveyed to U.S. by warranty deed dated
Nov. 22, 1949 from CO Bar Livestock Company (see attached affidavit)
The information contained herein is true and correct to the best of my (our) knowledge.

STATE OF ARIZONA)

County of _____)

Signature(s)

SUBSCRIBED AND SWORN to before me this _____ day of _____, 19____.

My commission expires _____

Notary Public

INSTRUCTIONS

STATEMENT OF CLAIM OF RIGHT TO USE PUBLIC WATERS OF THE STATE OF ARIZONA

This claim is for surface water which is defined by statute as "the waters of all sources, flowing in streams, canyons, ravines, or other natural channels, or in a definite underground channel, whether perennial or intermittent, flood, waste or surplus water, and of lakes, ponds and springs on the surface."

The following instructions are referenced by number to the questions on the claim.

1. Complete name of claimant, current mailing address, including zip code and telephone number. If the claimant is a corporation or business, include the name of the authorizing agent.
2. Give the name of the direct source of surface water and the type of source. If known, provide the name of the drainage, creek, etc. to which the source is a tributary.
3. Describe the claimed beneficial uses including the annual quantity of use (in gallons or acre-feet for each type of use), the irrigated acreage for any claimed irrigation use and the months the water is used. A quantity of use must be provided for each beneficial use or the claim will be returned for correction. Per Arizona Revised Statute § 45-181, beneficial use includes but is not limited to, use for domestic, municipal, recreation, wildlife, including fish, agricultural, mining, stockwatering, and power purposes.
4. The date of first beneficial use must be completed or the claim will be returned for correction.
5. Provide the legal land description for the location of the claimed point of diversion from the claimed source. This location must be described to the nearest 40 acre tract ($\frac{1}{4}, \frac{1}{4}$) or other appropriate description or the claim will be returned for correction.
6. Provide the legal land description for the location of the place(s) of use. This location must be described to the nearest 40 acre tract ($\frac{1}{4}, \frac{1}{4}$) or other appropriate description or the claim will be returned for correction.
7. Provide any information you may have pertaining to the legal basis of the claim. Documentation could include affidavits, homestead documents, a notice of location, notice of appropriation, photographs, etc.

General Instructions:

1. A separate form must be filed for each claimed right to use public water.
2. A \$10.00 filing fee must accompany each claim.
3. The statement of claim is a sworn affidavit. The statement of claim must be signed by the claimant(s) and must be subscribed and sworn to.
4. The filing of a statement of claim pursuant to this article which knowingly provides for an overstatement of a right either in quantity of water or times of use claimed constitutes a class 3 misdemeanor.

03/27/99 3:07 PM 02:52 PM NPS WATER RESOURCES DIVISION/DENVER

P.2

002

AFFIDAVIT

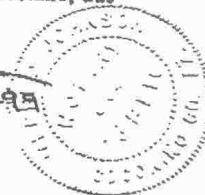
I, James Babbitt, being duly sworn and more than eighteen years of age, do hereby state and affirm as follows:

1. I am the DIRECTOR of the CO Bar Ranch, located N. of FLAGSTAFF, AZ. I have been a DIRECTOR since 1985.
2. Based on my own investigations about the history of water use on the CO Bar Ranch, I believe water from Peshlaki and Heiser Springs was first used for domestic and stockwatering purposes at the original homestead on the ranch in ~~1885~~ ¹⁸⁹².
3. I further believe that since ~~1885~~ ¹⁸⁹² water from Peshlaki and Heiser Springs has been continuously used for domestic and stockwatering purposes by CO Bar Ranch, the Navajo Nation, and the National Park Service.

James E. Babbitt
JAMES BABBITT
DIRECTOR of the CO Bar Ranch

Subscribed and sworn to before me in the State of Arizona, County of Coconino, this 21 day of April, 1998, by James Babbitt.

Martin D. John
NOTARY PUBLIC
6-9-98



STATEMENT OF CLAIMANT FORM
FOROTHER USES¹
AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39- _____

Date Filed: _____

WFN _____

1. Claimant Name: United States of America c/o National Park Service (Wupatki NM)Claimant Address: 1201 OakRidge Drive, Suite 250 City Fort CollinsState: Colorado Zip Code 80525 Telephone 970-225-3500

2. Basis of Claim:

- A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
- B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____ Permit No. _____, or Certificate of Water Right No. _____
- C. ☐ Decreed water right. Principal litigants, court, date and case no. _____
- D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____
- E. ☒ Other, describe: (see registry No: _____)

3. Claimed Priority Date: _____ / _____ / 1892(month/day/year) (see registry No.: _____ and attachment)

4. Use:

- A. ☒ Municipal
- B. ☐ Commercial or Industrial
- C. ☐ Mining
- D. ☐ Stockwatering other than from a stockpond
- E. ☒ Recreation, Fish & Wildlife
- F. ☒ Other, describe: (see file No. 39-91446 and attachment)

5. Source of Water:

- A. ☐ Stream: name _____, tributary to _____
- B. ☒ Spring: name Peshlaki (aka Cottonwood), tributary to N/A
- C. ☐ Lake or Reservoir: name _____, tributary to _____
- D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required)

NE 1/4, SW 1/4, SW 1/4, Section 32, Township 25 N/S, Range 10 E/WX

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____

8. Means of Diversion:

- A. ☐ Instream pump.
- B. ☒ Gravity flow into a ditch, canal or pipeline.
- C. ☐ Well: Arizona Department of Water Resources Well Registration No. 55- _____
- D. ☐ Other, describe: _____

¹ See Instructions for explanation of uses in this category

9. Means of Conveyance:

A. ☒ Ditch, canal or pipeline. If the means of conveyance is owned and/or operated by some other entity, please give name and address: _____

B. ☐ Other, describe: _____

10. Place of Use, If other than point of diversion: (attach additional sheet if required)

County _____

Legal Subdivision _____

Section _____

Township _____

Range _____

N/S

E/W

N/S

E/W

11. Claimed Right: (see file No. 39-91446)

☐ cubic-feet per second

A. Maximum Flow Rate: _____

☐ gallons per minute☐ Arizona miner's inches

B. Annual Volume of Water Use: 0.5 _____ acre-feet per annum

C. Storage Right: _____ acre-feet

12. Attach photographs, maps or sketches necessary to show the point of diversion, storage reservoir(s) place(s) of use and means of conveyance.

13. It may be necessary for a representative from the Department of Water Resources to inspect the diversion, conveyance and place of use. Your signature following will grant permission to enter your property for the purpose of inspection: Signature of Claimant _____
(Chuck Pettee, Branch Chief, Water Rights Branch, National Park Service)

14. Should it be necessary for a representative of the Department to contact you as the claimant or your representative, are there any special instructions regarding time of day or address to aid in locating the specified person? Additional contacts include: William Hansen (970) 225-3532 and
Jim Harte (970) 225-3538

15. Additional comments: Amends item 3 (file No. 39-91446): claimed priority date, from
December 31, 1983 to 1892. (see Registry No. _____ with attached affidavit)

(attach additional sheet if required)

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 15 South 15th Avenue, Phoenix, Arizona 85007.

ARIZONA DEPARTMENT OF WATER RESOURCES
ADJUDICATIONS DIVISION
500 NORTH 3RD STREET
PHOENIX, ARIZONA 85004

17. Notarized Statement:

I (We), _____

the claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statements made herein are to the best of my (our) knowledge and belief true, correct and complete.

(seal)

My Commission Expires _____

Notary Public

or, _____

Authorized Personnel of the Department of Water Resources

ARIZONA DEPARTMENT OF WATER RESOURCES
SURFACE WATER RIGHTS

MAIL TO: P.O. BOX 458
PHOENIX, ARIZONA 85001-0458
500 North Third Street
Phoenix, Arizona 85004-3903
Telephone (602) 417-2442
Fax (602) 417-2424

(For office use only)

Registry No: _____

Date Filed: _____

STATEMENT OF CLAIM OF RIGHT TO USE PUBLIC WATERS OF THE STATE OF ARIZONA

1. Claimant USA, National Park Service Telephone 970-225-3500
Address 1201 OakRidge Dr. Suite 250 City Fort Collins State CO Zip 80525
2. Type of water source and name Peshlaki (aka Cottonwood) Spring
a tributary to N/A within the Kana a Wash watershed
(for office use only)

Type of Water Use(s) (e.g. irrigation, domestic, stock)	Annual Use (list use amount for each type)	Acres Irrigated (irrigation use only)	Specific Months of Use (if not for entire year)
Municipal, Recreation,	.5 acre-feet (total	N/A	January thru December
Fish and Wildlife	for all uses)	N/A	(for all uses)

4. Date the water was first used beneficially (month/day/year): _____/1892
5. Location of point of water diversion: County Coconino
Lot _____ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, Township 25 N/S Range 10 E/W
(if applicable)
6. Location of place(s) of water use: County Coconino
Lot _____ $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$, Section 32, Township 25 N/S Range 10 E/W
(if applicable)
Lot _____ $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$, Section _____, Township _____ N/S, Range _____ E/W
(if applicable)
7. Legal basis for the claim (attach any documents being filed in support of claim): State law-initiation of
diversion and application to beneficial use, conveyed to U.S. by warranty deed dated
Nov. 22, 1949 from CO Bar Livestock Company (see attached affidavit)
The information contained herein is true and correct to the best of my (our) knowledge.

STATE OF ARIZONA)
County of _____)

Signature(s)

SUBSCRIBED AND SWORN to before me this _____ day of _____, 19____.

My commission expires _____

Notary Public

INSTRUCTIONS

STATEMENT OF CLAIM OF RIGHT TO USE PUBLIC WATERS OF THE STATE OF ARIZONA

This claim is for surface water which is defined by statute as "the waters of all sources, flowing in streams, canyons, ravines, or other natural channels, or in a definite underground channel, whether perennial or intermittent, flood, waste or surplus water, and of lakes, ponds and springs on the surface."

The following instructions are referenced by number to the questions on the claim.

1. Complete name of claimant, current mailing address, including zip code and telephone number. If the claimant is a corporation or business, include the name of the authorizing agent.
2. Give the name of the direct source of surface water and the type of source. If known, provide the name of the drainage, creek, etc. to which the source is a tributary.
3. Describe the claimed beneficial uses including the annual quantity of use (in gallons or acre-feet for each type of use), the irrigated acreage for any claimed irrigation use and the months the water is used. A quantity of use must be provided for each beneficial use or the claim will be returned for correction. Per Arizona Revised Statute § 45-181, beneficial use includes but is not limited to, use for domestic, municipal, recreation, wildlife, including fish, agricultural, mining, stockwatering, and power purposes.
4. The date of first beneficial use must be completed or the claim will be returned for correction.
5. Provide the legal land description for the location of the claimed point of diversion from the claimed source. This location must be described to the nearest 40 acre tract ($\frac{1}{4}$, $\frac{1}{4}$) or other appropriate description or the claim will be returned for correction.
6. Provide the legal land description for the location of the place(s) of use. This location must be described to the nearest 40 acre tract ($\frac{1}{4}$, $\frac{1}{4}$) or other appropriate description or the claim will be returned for correction.
7. Provide any information you may have pertaining to the legal basis of the claim. Documentation could include affidavits, homestead documents, a notice of location, notice of appropriation, photographs, etc.

General Instructions:

1. A separate form must be filed for each claimed right to use public water.
2. A \$10.00 filing fee must accompany each claim.
3. The statement of claim is a sworn affidavit. The statement of claim must be signed by the claimant(s) and must be subscribed and sworn to.
4. **The filing of a statement of claim pursuant to this article which knowingly provides for an overstatement of a right either in quantity of water or times of use claimed constitutes a class 3 misdemeanor.**

03/27/99 02:52PM NPS WATER RESOURCES DIVISION/R/DENVER

P.2

002

AFFIDAVIT

I, James Babbitt, being duly sworn and more than eighteen years of age, do hereby state and affirm as follows:

1. I am the DIRECTOR of the CO Bar Ranch, located N. EE FLAGSTAFF, AZ. I have been a DIRECTOR since 1985.

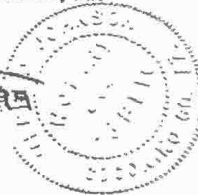
2. Based on my own investigations about the history of water use on the CO Bar Ranch, I believe water from Peshlaki and Heiser Springs was first used for domestic and stockwatering purposes at the original homestead on the ranch in ~~1885~~ ¹⁸⁹².

3. I further believe that since ¹⁸⁹² ~~1885~~ water from Peshlaki and Heiser Springs has been continuously used for domestic and stockwatering purposes by CO Bar Ranch, the Navajo Nation, and the National Park Service.

James E. Babbitt
JAMES BABBITT
DIRECTOR of the CO Bar Ranch

Subscribed and sworn to before me in the State of Arizona, County of Coconino, this 27 day of April, 1998, by James Babbitt.

Martin D. John
NOTARY PUBLIC
6-9-98



JUN-15-99 TUE 15:55

JUN-15-99 TUE 10:55 AM

INTMOW LAND RES-SANCA FE

FAX NO. 5059886709

P. 05

P. 4

WALNUT CANYON NATIONAL MONUMENT

AREA: 40.00 Acres

DATE: June 29, 1998

INTEREST TO BE ACQUIRED: Fee

TRACT 01-117

Situated in the State of Arizona, County of Coconino, being more particularly described:

All of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31 of Township 21 North, Range 9 East of the Gila and Salt River Base and Meridian and containing 40.00 acres of land, more or less.

JUN-15-99 TUE 15:55

JUN-15-99 TUE 10:55 AM

WNTMTH LAND RES-SANTA FE

FAX NO. 5059886709

P. 06

P. 5

WALNUT CANYON NATIONAL MONUMENT

AREA: 690.00 Acres

DATE: June 29, 1998

INTEREST TO BE ACQUIRED: Fee

TRACT NO. 01-115

Situated in the State of Arizona, County of Coconino, in a portion of Section 27, a portion of Section 33 and Section 34 of Township 21 North, Range 8 East of the Gila and Salt River Base and Meridian, being more particularly described:

All of Lot 1; Lot 2; the S $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{4}$ of Lot 3; and the E $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 27 and containing 200.00 acres of land, more or less.

All of the E $\frac{1}{4}$ E $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{4}$ W $\frac{1}{4}$ E $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{4}$ of Lot 1; and E $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 33 and containing 50.00 acres of land, more or less.

All of the N $\frac{1}{4}$; N $\frac{1}{4}$ SW $\frac{1}{4}$; and N $\frac{1}{4}$ S $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 34 and containing 440.00 acres of land, more or less.

The above described parcel, known as Tract 01-115 of Walnut Canyon National Monument contains a total of 690.00 acres of land, more or less.

SEP-13-99 MON 10:52 AM

INTN LAND RES-SANTA FE

FAX NO. 5059886709

P. 2

WALNUT CANYON NATIONAL MONUMENT

AREA: 547.00 ACRES

DATE: JUNE 29, 1998

REVISED DATE: SEPTEMBER 2, 1999

INTEREST TO BE ACQUIRED: FEE

TRACT 01-106 AND 01-116

Situated in the State of Arizona, County of Coconino, in a portion of Section 28, Section 29 and Section 30 of Township 21 North, Range 9 East of the Gila and Salt River Base and Meridian, being more particularly described:

The Northwest Quarter of Section 28;

Also, a parcel of land more particularly described as follows:

Beginning at the West 1/16 corner common to Section 31 and said Section 30 of Township 21 North, Range 9 East;

Thence, Northeasterly, on a straight line to the quarter corner common to said Section 29 and said Section 30;

Thence, Northeasterly, from said quarter corner on a straight line, to the Section corner common to the Section 20, Section 21, said Section 28 and said Section 29;

Thence, South, along the section line common with said Section 28 and said Section 29 to the quarter corner common with said sections;

Thence, Southwesterly, from said quarter corner to the section corner common to said Section 29, said Section 30, Section 31 and Section 32;

Thence, West, along the South line of said Section 30, to the point of beginning.

Excepting therefrom a 50.00 foot right-of-way designated as the Walnut Creek Reservoir Pipeline right-of-way in a Quitclaim Deed from The Atchison, Topeka and Santa Fe Railway Company to Warren Stanley Smith, et ux. as recorded in Docket No. 1259, page 512 of the deed records of Coconino County.

The above-described parcel, known as Tract 01-106 and 01-116 of Walnut Canyon National Monument contains a total of 547.00 acres of land, more or less.

JUL-27-1998 13:42

SANTA FE FIELD SOLICITOR

505 9696217 P.02/03

Nov. 12

n 28 to the
n the park.
of the park
ble thereto.
section shall

BOUNDARY

re is hereby
sed for Addi-
bered 625-

K BOUNDARY

nce National
se along the
ata, is hereby
tled "Exhibit
Adjustment",
available for
vice, Depart-
is authorized
accord with
on.

ST BOUNDARY

s of the Moon
rimately 210
rally depicted
al Monument,
mbered 131-
e on file and
National Park

al lands and
ational monu-
Secretary of
in accordance
t of 1976 (43
therein added
administered
pt, subject to
Secretary is
therein within
tion, purchase
ge, and when
ary as part of
ad regulations

MONUMENT

n Act of 1988
new subsection

Nov. 12

PARKS AND PUBLIC LANDS ACT

P.L. 104-388
Sec. 208

"(d) To further the purposes of the monument, the Secretary is also authorized to acquire from willing sellers only, by donation, purchase with donated or appropriated funds, or exchange not to exceed 65 acres outside the boundary depicted on the map referred to in section 301 and develop and operate thereon research, information, interpretive, and administrative facilities. Lands acquired and facilities developed pursuant to this subsection shall be administered by the Secretary as part of the monument. The boundary of the monument shall be modified to include the lands added under this subsection as a non-contiguous parcel."

SEC. 207. WUPATKI NATIONAL MONUMENT BOUNDARY ADJUSTMENT.

16 USC 431 note.

The boundaries of the Wupatki National Monument, Arizona, are hereby revised to include the lands and interests in lands within the area generally depicted as "Proposed Addition 168.89 Acres" on the map entitled "Boundary—Wupatki and Sunset Crater National Monuments, Arizona", numbered 322-80,021, and dated April 1989. The map shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. Subject to valid existing rights, Federal lands and interests therein within the area added to the monument by this section are hereby transferred without monetary consideration or reimbursement to the administrative jurisdiction of the National Park Service, to be administered as part of the monument in accordance with the laws and regulations applicable thereto.

SEC. 208. WALNUT CANYON NATIONAL MONUMENT BOUNDARY MODIFICATION.

16 USC 431 note.

(a) PURPOSE.—The purpose of this section is to modify the boundaries of the Walnut Canyon National Monument (hereafter in this section referred to as the "national monument") to improve management of the national monument and associated resources.

(b) BOUNDARY MODIFICATION.—Effective on the date of enactment of this Act, the boundaries of the national monument shall be modified as depicted on the map entitled "Boundary Proposal—Walnut Canyon National Monument, Coconino County, Arizona", numbered 360/80,010, and dated September 1994. Such map shall be on file and available for public inspection in the offices of the Director of the National Park Service, Department of the Interior. The Secretary of the Interior, in consultation with the Secretary of Agriculture, is authorized to make technical and clerical corrections to such map.

(c) ACQUISITION AND TRANSFER OF PROPERTY.—The Secretary of the Interior is authorized to acquire lands and interest in lands within the national monument, by donation, purchase with donated or appropriated funds, or exchange. Federal property within the boundaries of the national monument (as modified by this section) is hereby transferred to the administrative jurisdiction of the Secretary of the Interior for management as part of the national monument. Federal property excluded from the monument pursuant to the boundary modification under subsection (b) is hereby transferred to the administrative jurisdiction of the Secretary of Agriculture to be managed as a part of the Coconino National Forest.

(d) ADMINISTRATION.—The Secretary of the Interior, acting through the Director of the National Park Service, shall manage the national monument in accordance with this title and the provisions of law generally applicable to units of the National Park Service, including "An Act to establish a National Park Service,

110 STAT. 4107

110 STAT. 4093
NOV. 12, 1996

JUL-27-1999 13:43

SANTA FE FIELD SOLICITOR

505 9885217 P.03/03

P.L. 104-333
Sec. 208

LAWS OF 104th CONG.—2nd SESS.

Nov. 12

and for other purposes" approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are hereby authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 209. BUTTE COUNTY, CALIFORNIA LAND CONVEYANCE.

(a) PURPOSE.—It is the purpose of this section to authorize and direct the Secretary of Agriculture to convey, without consideration, certain lands in Butte County, California, to persons claiming to have been deprived of title to such lands.

(b) DEFINITIONS.—For the purpose of this section:

(1) The term "affected lands" means those Federal lands located in the Plumas National Forest in Butte County, California, in sections 11, 12, 13, and 14, township 21 north, range 5 East, Mount Diablo Meridian, as described by the dependent resurvey by the Bureau of Land Management conducted in 1992, and subsequent Forest Service land line location surveys, including all adjoining parcels where the property line as identified by the 1992 BLM dependent resurvey and National Forest boundary lines before such dependent resurvey are not coincident.

(2) The term "claimant" means an owner of real property in Butte County, California, whose real property adjoins Plumas National Forest lands described in paragraph (1), who claims to have been deprived by the United States of title to property as a result of previous erroneous surveys.

(3) The terms "Secretary" means the Secretary of Agriculture.

(c) CONVEYANCE OF LANDS.—Notwithstanding any other provision of law, the Secretary is authorized and directed to convey, without consideration, all right, title, and interest of the United States in and to affected lands as described in subsection (b)(1), to any claimant or claimants, upon proper application from such claimant or claimants, as provided in subsection (d).

(d) NOTIFICATION.—Not later than 2 years after the date of enactment of this Act, claimants shall notify the Secretary, through the Forest Supervisor of the Plumas National Forest, in writing of their claim to affected lands. Such claim shall be accompanied by—

(1) a description of the affected lands claimed;

(2) information relating to the claim of ownership of such lands; and

(3) such other information as the Secretary may require.

(e) ISSUANCE OF DEED.—(1) Upon a determination by the Secretary that issuance of a deed for affected lands is consistent with the purpose and requirements of this section, the Secretary shall issue a quit claim deed to such claimant for the parcel to be conveyed.

(2) Prior to the issuance of any such deed as provided in paragraph (1), the Secretary shall ensure that—

(A) the parcel or parcels to be conveyed have been surveyed in accordance with the Memorandum of Understanding between the Forest Service and the Bureau of Land Management, dated November 11, 1989;

(B) all new property lines established by such surveys have been monumented and marked; and

Nov. 12

part
incl
(3)and pro
(f)Secretar
pursuan
such de

(g)

to be ap
of this a

SEC. 210.

(a)

is herel
the int
parcel sshall be
31, 1993

Public L

(b)

section 4

Septeml

sections

New Ma

ness, Co

(c)

the Can

hereby

(d)

and dec

the Tea

the Uni

part of t

SEC. 211.

(a)

Interior

is auth

Virginia

ing rele

States :

togethe

to be de

(b)

is auth

County,

not to e

of the se

(c)

granted

Park St

cooperat

reductio

Nationa

agreeme

110 STAT. 4108

TOTAL P.03

45222

Federal Register / Vol. 63, No. 164 / Tuesday, August 25, 1998 / Notices

the proposed projects will be implemented. He will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to Forest Service Appeal Regulations (36 CFR part 215).

Dated: August 17, 1998.

Monte Fujishin,

District Ranger.

[FR Doc. 98-22736 Filed 8-24-98; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF AGRICULTURE

Forest Service

DEPARTMENT OF THE INTERIOR

National Park Service

USDA, Forest Service, USDI, National Park Service; Notice of Transfer of Administrative Jurisdiction, Coconino National Forest and Walnut Canyon National Monument

SUMMARY: The Forest Service previously had administrative jurisdiction over 1,279 acres, more or less, as depicted on the map entitled, "Boundary Proposal—Walnut Canyon National Monument," numbered 360/80,010, and dated September 1994. The National Park Service formerly had administrative jurisdiction on 54 acres, more or less, as shown on the same map. Notice is hereby given that, pursuant to the provisions of Section 208 of Pub. L. 104-333, 110 Stat. 4093, administrative jurisdiction on the 1,279 acres is now in the National Park Service, and administrative jurisdiction on the 54 acres is now in the Forest Service. Both transfers are subject to prior existing rights and applicable laws and regulations. The specific lands and/or interests, subject to this notice, include both the surface and minerals on 1,279 acres, more or less, and 54 acres, more or less.

SUPPLEMENTARY INFORMATION: The maps and other documents associated with this transfer of lands and minerals may be reviewed at the Intermountain Land Resources Program Center, 1220 South St. Francis Drive, Santa Fe, New Mexico 87504, and at Walnut Canyon National Monument Headquarters, 6400 North Highway 89, Flagstaff, Arizona 86004. The same materials are available at the USDA, Forest Service, Regional Office, 517 Gold Avenue, SW, Albuquerque, New Mexico 87102, and Coconino National Forest, 2323 Greenlaw Lane, Flagstaff, Arizona 86004.

Dated: May 5, 1998.

Eleanor Towns,

Regional Forester, USDA, Forest Service, Region 3.

Dated: July 17, 1998.

John E. Cook,

Regional Director, Intermountain Region, National Park Service.

[FR Doc. 98-22723 Filed 8-24-98; 8:45 am]

BILLING CODE 4310-70-P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce (DOC) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: Bureau of Export Administration (BXA).

Title: Approval of Triangular Involving Commodities Covered by a U.S. Import Certificate.

Agency Form Number: None.

OMB Approval Number: 0694-0009.

Type of Request: Extension of a currently approved collection of information.

Burden: 1 hour.

Average Time Per Response: 30 minutes per response.

Number of Respondents: 1.

Needs and Uses: The triangular symbol will be stamped on the certificate as notification to the government of the exporting country that the U.S. importer is uncertain whether the items will be imported into the U.S. or knows that the items will not be imported into the U.S., but that, in any case, the items will not be delivered to any other destination except in accordance with the EAR. This procedure was developed in an effort to increase the effectiveness of controls over international trade in strategic commodities, ensuring that they will not be delivered to any other destination except in accordance with export control regulations.

Affected Public: Individuals, businesses or other for-profit institutions.

Respondent's Obligation: Required to obtain or retain a benefit.

OMB Desk Officer: Victoria Baecher-Wassmer (202) 395-5871.

Copies of the above information collection proposal can be obtained by calling or writing Linda Engelmeier, DOC Forms Clearance Officer, (202) 482-3272, Department of Commerce,

Room 5327, 14th and Constitution Avenue, NW, Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Victoria Baecher-Wassmer, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, DC 20230.

Dated: August 18, 1998.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 98-22726 Filed 8-24-98; 8:45 a.m.]

BILLING CODE 3510-33-P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce (DOC) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 USC Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Northeast Region—Gear Identification Requirements.

Agency Form Number(s): None.

OMB Approval Number: None.

Type of Request: New collection.

Burden: 24,518 hours.

Number of Respondents: 3,253 (multiple requirements).

Avg. Hours Per Response: One minute to mark gear.

Needs and Uses: This collection is under the authority of the Magnuson-Stevens Fishery Conservation and Management Act. The regulations specify that federal permit holders using specified fishing gear be marked with the vessels official identification number, Federal permit number, tag number, or some other specified form of identification. The regulations further specify how the gear is to be marked (e.g., location and visibility). This information is used for enforcement purposes and for the identification of gear concerning damage loss or civil proceedings.

Affected Public: Businesses or other for-profit organization, individuals.

Frequency: Recordkeeping.

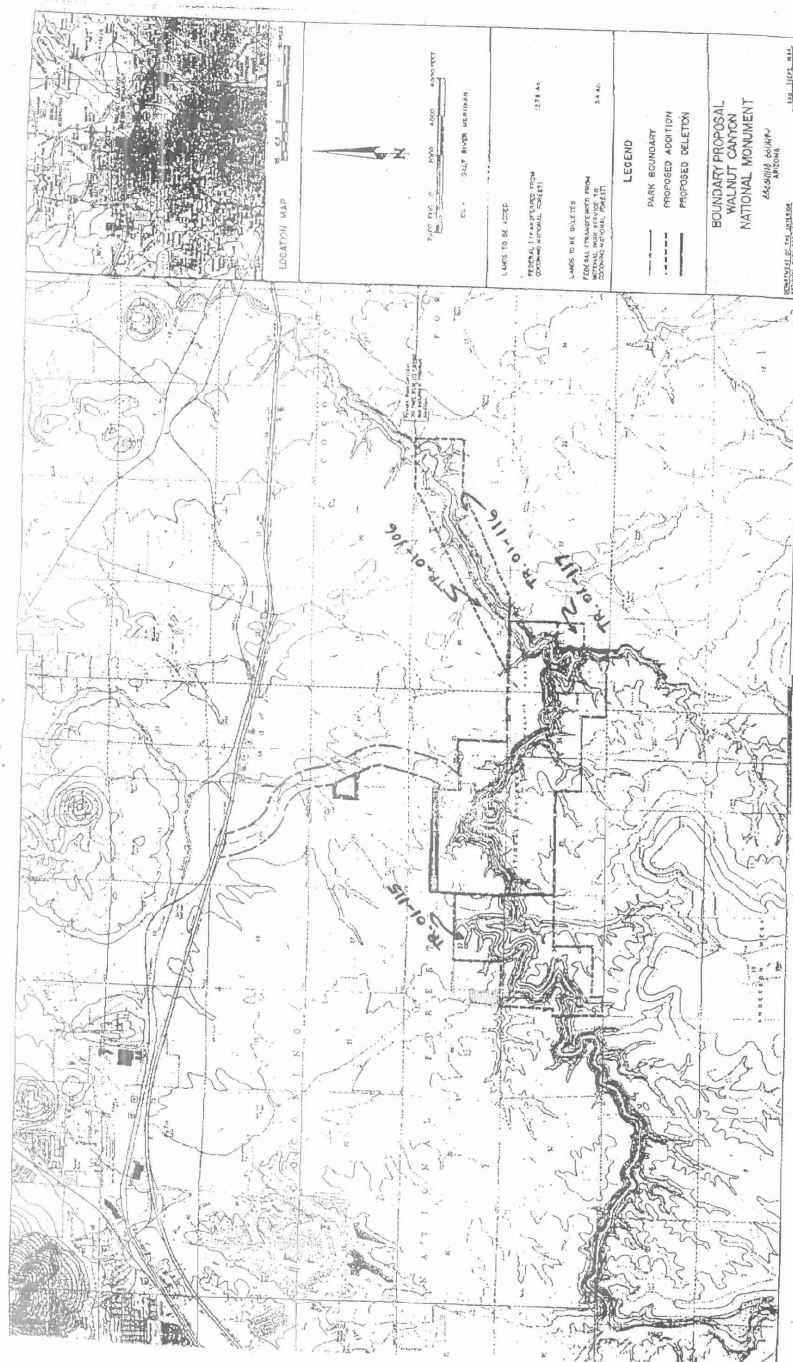
Respondent's Obligation: Mandatory.

OMB Desk Officer: David Rostker,

(202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Linda Engelmeier, DOC Forms Clearance Officer, (202) 482-3272, Department of Commerce,

WALNUT CANYON NM DEED NO. 6



SUCK
Headquarters #2

STATEMENT OF CLAIMANT FORM FOR OTHER USES¹

For Departmental Use Only

File No. 39-_____

Date Filed: _____

WFN _____

LITTLE COLORADO RIVER WATERSHED ADJUDICATION SUPERIOR COURT OF APACHE COUNTY

1. Claimant Name: United States of America, c/o National Park Service
Claimant Address: Southwest Regional Office, P.O.Box 728 City Santa Fe
State: New Mexico Zip Code 87501 Telephone (505) 988-6412
2. Basis of Claim:
 - A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
 - B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____
Permit No. _____, or Certificate of Water Right No. _____
 - C. ☐ Decreed water right. Principal litigants, court, date and case no.: _____
 - D. ☒ Right to withdraw groundwater.
 - E. ☐ Other, describe: _____
3. Claimed Priority Date: _____ (month/day/year)
4. Use:

A. ☒ Municipal	E. ☐ Recreation, Fish & Wildlife
B. ☐ Commercial or Industrial	F. ☐ Other, describe: _____
C. ☐ Mining	_____
D. ☐ Stockwatering other than from a stockpond	_____
5. Source of Water:
 - A. ☐ Stream: name _____, tributary to _____
 - B. ☐ Spring: name _____, tributary to _____
 - C. ☐ Lake or Reservoir: name _____, tributary to _____
 - D. ☒ Groundwater
6. Legal description of the Point of Diversion: (attach additional sheet if required)
NW ¼, NE ¼, NE ¼, Section 21, Township 21 N/S, Range 8 E/W/ G&SRB&M
7. If there are Irrigation, Domestic or Stockpond uses also supplied from the Point of Diversion, describe: _____
8. Means of Diversion:
 - A. ☐ Instream pump
 - B. ☐ Gravity flow into ditch, canal or pipeline.
 - C. ☒ Well: Arizona State Land Department, Arizona Water Commission or Arizona Department of Water Resources Intent to Drill File No. A(23-8)21 aab, Registration #55-649813
 - D. ☐ Other, describe _____

¹ See Instructions for explanation of uses in this category

9. Means of Conveyance:

A. ☒ Ditch, canal or pipeline. If the means of conveyance is owned and/or operated by some other entity, please give name and address: _____

B. ☐ Other, describe: _____

10. Place of Use, if other than point of diversion: (attach additional sheet if required)

County _____

Legal Subdivision	Section	Township	Range
_____	_____	_____ N/S	_____ E/W
_____	_____	_____ N/S	_____ E/W

11. Claimed Right:

A. Maximum Flow Rate: _____

☐ cubic-feet per second
☐ gallons per minute
☐ Arizona miner's inches

B. Annual Volume of Water Use: _____ acre-feet

C. Storage Right: 65 _____ acre-feet

12. Attach photographs, maps or sketches necessary to show the point of diversion, storage reservoir(s), place(s) of use and means of conveyance.

13. It may be necessary for a representative from the Department of Water Resources to inspect the diversion, conveyance and place of use. Your signature following will grant permission to enter your property for the purpose of inspection: Signature of Claimant Keith E. Miller, Assoc. Reg. Dir., Park Operations

14. Should it be necessary for a representative of the Department to contact you as the claimant or your representative, are there any special instructions regarding time of day or address to aid in locating the specified person? Southwest Regional Office, National Park Service

15. Attach Filing Fee to Form. Mail form(s) and fee(s) to: Department of Water Resources, P.O. Box 2920, Phoenix, AZ 85062.

16. Additional comments: This well (Headquarters #2) replaces Headquarters #1 at the same location (offset 30 feet). Headquarters #1 (File and/or Control #A23-8 (21-1) 715) was drilled March 7, 1965. Headquarters #2 (this statement of claimant form) was completed Dec. 1, 1979.

(attach additional sheet if required)

17. Notarized Statement:

I (We), Keith E. Miller, on behalf of the National Park Service

the claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statements made herein are to the best of my(~~s~~) knowledge and belief true, correct and complete.

(seal)

My Commission Expires: _____

Notary Public

or,

Authorized Personnel of the Department of Water Resources

SUCR
Headquarters #1

STATEMENT OF CLAIMANT FORM
FOR
OTHER USES¹

For Departmental Use Only

File No. 39-_____

Date Filed: _____

WFN _____

LITTLE COLORADO RIVER WATERSHED ADJUDICATION
SUPERIOR COURT OF APACHE COUNTY

Filed 1985

1. Claimant Name: United States of America, c/o National Park Service
Claimant Address: Southwest Regional Office, P.O. Box 728 City Santa Fe
State: New Mexico Zip Code 87501 Telephone (505)988-6412
2. Basis of Claim:
 - A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
 - B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____, Permit No. _____, or Certificate of Water Right No. _____
 - C. ☐ Decreed water right. Principal litigants, court, date and case no.: _____
 - D. ☒ Right to withdraw groundwater.
 - E. ☐ Other, describe: _____
3. Claimed Priority Date: March 7, 1965 (month/day/year)
4. Use:

A. ☒ Municipal	E. ☐ Recreation, Fish & Wildlife
B. ☐ Commercial or Industrial	F. ☐ Other, describe: _____
C. ☐ Mining	_____
D. ☐ Stockwatering other than from a stockpond	_____
5. Source of Water:
 - A. ☐ Stream: name _____, tributary to _____
 - B. ☐ Spring: name _____, tributary to _____
 - C. ☐ Lake or Reservoir: name _____, tributary to _____
 - D. ☒ Groundwater
6. Legal description of the Point of Diversion: (attach additional sheet if required)
NW ¼, NE ¼, NE ¼, Section 21, Township 21 N/S, Range 8 E/W G&SRB&M
7. If there are Irrigation, Domestic or Stockpond uses also supplied from the Point of Diversion, describe: _____
8. Means of Diversion:
 - A. ☐ Instream pump
 - B. ☐ Gravity flow into ditch, canal or pipeline.
 - C. ☒ Well: Arizona State Land Department, Arizona Water Commission or Arizona Department of Water Resources Intent to Drill File No. File and/or Control #A23-8(21-1)715
 - D. ☐ Other, describe _____

¹See Instructions for explanation of uses in this category

9. Means of Conveyance:

A. ☒ Ditch, canal or pipeline. If the means of conveyance is owned and/or operated by some other entity, please give name and address: _____

B. ☐ Other, describe: _____

10. Place of Use, if other than point of diversion: (attach additional sheet if required)

County _____

Legal Subdivision	Section	Township	Range
_____	_____	_____ N/S	_____ E/W
_____	_____	_____ N/S	_____ E/W

11. Claimed Right:

A. Maximum Flow Rate: _____ ☐ cubic-feet per second
☐ gallons per minute
☐ Arizona miner's inches

B. Annual Volume of Water Use: 65 acre-feet

C. Storage Right: _____ acre-feet

12. Attach photographs, maps or sketches necessary to show the point of diversion, storage reservoir(s), place(s) of use and means of conveyance.

13. It may be necessary for a representative from the Department of Water Resources to inspect the diversion, conveyance and place of use. Your signature following will grant permission to enter your property for the purpose of inspection: Signature of Claimant Keith E. Miller, Assoc. Reg. Dir., Park Operations
Southwest Regional Office, National Park Service

14. Should it be necessary for a representative of the Department to contact you as the claimant or your representative, are there any special instructions regarding time of day or address to aid in locating the specified person? _____

15. Attach Filing Fee to Form. Mail form(s) and fee(s) to: Department of Water Resources, P.O. Box 2920, Phoenix, AZ 85062.

16. Additional comments: This well (Headquarters #1) was replaced by Headquarters #2
at this location (offset 30 feet). Headquarters #1 is now intended to serve as
an alternate/emergency source of supply.

(attach additional sheet if required)

17. Notarized Statement:

I (We), Keith E. Miller, on behalf of the National Park Service,
the claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statements made herein are to the best of my (our) knowledge and belief true, correct and complete.

(seal)

My Commission Expires: _____

Notary Public

or, _____
Authorized Personnel of the Department of Water Resources

154(SWR-OM)

CERTIFIED

JUN 14 1982

Mr. Wesley E. Steiner, Director
State of Arizona
Department of Water Resources
99 East Virginia Avenue
Phoenix, Arizona 85004

Dear Mr. Steiner:

Enclosed are the completed forms to register all production and observation wells administered by the Southwest Region of the National Park Service located in Santa Fe, New Mexico, as required by Arizona Groundwater Management Act (1980), A.R.S. 45-493.

The following production and observation wells are to be registered:

Hubbell Trading Post - one production well
Wupatki National Monument - one production well and one observation well
Sunset Crater National Monument - one production well and one observation well

The following wells are also reported as a matter of comity:

Canyon de Chelly National Monument - 1 well
Navajo National Monument - 2 wells

Should you have any questions with regards to this matter, or if we can be of further assistance, please contact Garland Moore of this office at (505) 988-6368.

Sincerely yours,

/s/ Robert L. Kerr

Regional Director,
Southwest Region

Enclosures

cc:
General Superintendent, Navajo Lands Group
Superintendents, Canyon de Chelly, Navajo, Sunset/Wupatki, Hubbell Trading Post
Chief, Division of Water Resources, WASO/497
(each with copy of enclosure)

Note: Please file this information in your appropriate water right docket

Moore/og 6/11/82

DEPARTMENT OF WATER RESOURCES
99 EAST VIRGINIA AVENUE
PHOENIX, ARIZONA 85004



REGISTRATION OF EXISTING WELLS

READ INSTRUCTIONS ON BACK OF THIS FORM BEFORE COMPLETING
PRINT OR TYPE - FILE IN DUPLICATE

REGISTRATION FEE (CHECK ONE)	
EXEMPT WELL (NO CHARGE)	☒
NON-EXEMPT WELL - \$10.00	☐

FOR OFFICE USE ONLY	
REGISTRATION NO. 55-	<u>649813</u>
FILE NO.	<u>A(23-8)21006</u>
FILED	<u>6/14/82</u> AT <u>9:03</u>
	(DATE) (TIME)
INA	
AMA	

1. Name of Registrant:

United States of America, National Park Service
P.O. Box 728 Santa Fe New Mexico 87501
(Address) (City) (State) (Zip)

2. File and/or Control Number under previous groundwater law:

35-
(File Number) (Control Number)

3. a. The well is located within the NW 1/4 NE 1/4 NE 1/4, Section 21, of Township 23 N/2, Range 8 E/4, G & SRB & M, in the County of Coconino.

b. If in a subdivision: Name of subdivision Sunset Crater National Monument, Lot No. , Address Tuba Star Route, Flagstaff, Arizona 86001.

4. The principal use(s) of water (Examples: irrigation - stockwater - domestic - municipal - industrial)

Municipal and other park uses

5. If for irrigation use, number of acres irrigated from well N/A.

6. Owner of land on which well is located. If same as Item 1, check this box ☐

Coconino National Forest - Mount Elden District
2519 East 7th Avenue Flagstaff Arizona 86001
(Address) (City) (State) (Zip)

7. Well data (If data not available, write N/A)

a. Depth of Well 2213 feet
b. Diameter of casing 6 inches
c. Depth of casing 2213 feet
d. Type of casing Steel, T&C, .280 wall thickness
e. Maximum pump capacity 23 gallons per minute.
f. Depth to water 1960 feet below land surface.
g. Date well completed December 1 1979
(Month) (Day) (Year)

8. The place(s) of use of water. If same as Item 3, check this box ☒.

1/4 1/4 1/4, Section Township Range
1/4 1/4 1/4, Section Township Range

Attach additional sheet if necessary. This well replaces A23-8(21-1)715 which is now an observation well.

9. DATE 6/11/82 SIGNATURE OF REGISTRANT Robert J. Smith
Regional Director, Southwest Region

INSTRUCTIONS FOR COMPLETING REGISTRATION FORM

General Instructions

1. A person who owns an "Existing Well" shall register the well, pursuant to A.R.S. 45-593, by filing this form in duplicate with the Department of Water Resources not later than midnight June 14, 1982. The form must be completed and signed. Failure to do so will constitute a violation of A.R.S. 45-593, and may subject the well owner to injunction and/or civil penalties, pursuant to A.R.S. Title 45, Article 12.
2. An "Existing Well" means, (1) a well which was drilled on or before June 12, 1980 and which is not abandoned or sealed, or (2) a well which was not completed on or before June 12, 1980, but for which a Notice of Intention to Drill was on file with the Arizona Water Commission on or before June 12, 1980.
3. No registration fee is required for Exempt Wells. A \$10.00 registration fee must accompany registration forms for all Non-Exempt Wells.
4. An "Exempt Well" means a well having a pump with a maximum capacity of not more than 35 gallons per minute which is used to withdraw groundwater. An Exempt Well may include the non-commercial irrigation of not more than 1 acre of land.
5. A "Non-Exempt Well" means a well that is not an "Exempt Well".

INSTRUCTIONS FOR REGISTRATION QUESTIONS

1. The Registrant must be the owner of the well and may be an individual, public or private corporation, company, partnership, firm, association, society, estate, trust, any other private organization or enterprise, the United States, any state, territory or country or a governmental entity, political subdivision or municipal corporation organized under or subject to the constitution and laws of this State.
2. If you own an existing irrigation well drilled at any time, or any other type of well drilled on or after June 20, 1968, you should have an assigned control and/or file number. Write these numbers in item 2. If you do not know the number, please explain the reason on the form or on an attached sheet.
3.
 - a. Fill in the Section, Township and Range in all cases if it is available.
 - b. If the well is in a subdivision and you have this information, give the subdivision name, Lot Number, and Address.
4. Show all purposes for which the water is used.
5. If the well is used for irrigation, give the number of acres irrigated in 1980 from the well.
6. If the owner of the land is an individual, give the last name, first name, middle initial. If the owner of the land is a corporation, partnership, firm, etc., fill in the appropriate title.
7. Complete the section on Well Data with the most accurate information available to you. If the data is not available, write N/A in the blanks.
8. Give the legal description of the place of use of the water. If place of use is in a subdivision and legal description is not available, give the subdivision name, Lot Number and/or address on the blank line.
9. The person in whose name a well is registered shall notify the Department of any change in ownership and shall keep all information on the registration record current and accurate. A form entitled "Change of Well Information/Ownership" is available for this purpose. A blank form will be furnished with the returned duplicate copy of the registration form.

CHANGE OF WELL INFORMATION

Registration No. 55- 649813I request the following information be changed in Well File Number A(23-8)21aab

Date _____, 19____ Signature of Well Owner _____

STATEMENT OF CHANGE OF WELL OWNERSHIP

I, _____, state that I am (no longer) the
(new) owner of the well described below:Township _____ Range _____ Section _____, _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____ $\frac{1}{4}$

Registration #55- _____ File No. _____

Previous Owner _____ New Owner _____

Address _____ Address _____

City _____ State _____ Zip _____ City _____ State _____ Zip _____

NOTE: ARS 45-593 requires that the Department be notified of change of well ownership and that the well owner is required to keep the Department's Well Registration records current and accurate. Well data and ownership changes must be submitted within 30 days after changes take place.

NOTE: SAVE THIS FORM TO REPORT FUTURE
CHANGES IN OWNERSHIP OR WELL
DATA SUCH AS PUMP CAPACITY, ETC.

State of Arizona
DEPARTMENT OF WATER RESOURCES
99 E. Virginia Avenue, Phoenix, Arizona 85004

RECEIVED	
DEPARTMENT OF WATER RESOURCES	
JAN 25 1982	
DATE	TIME
D	
BRUCE BABBITT, Governor	
WESLEY F. STEINER, Director	
10	12:27
January 4, 1982	
PA	
MC	
ED	
PB	
20m	

Dear Well Owner:

Arizona's new Groundwater Management Act requires that all existing wells, regardless of size, be registered with the Department of Water Resources by June 14, 1982. An existing well is one that was drilled prior to June 12, 1980, and which has not been abandoned or sealed. Included are wells which were not completed by June 12, 1980, even though a Notice of Intent to Drill was filed with the Department.

For your convenience, enclosed are the registration forms and the information from your well file. If the information is still correct, simply transfer it to the new form. If the information needs to be updated, please do so on these forms. Be sure to file all forms in duplicate so we can return one copy to you.

There is no fee to register "exempt" wells with a pump capacity not exceeding 35 gallons per minute. "Non-exempt" wells, those with a pump capacity greater than 35 gallons per minute, cost \$10 each to register.

If you own additional wells for which we did not provide data, we probably do not have those wells in our records, or they are filed under another name. In the event you no longer own the well, please forward this information to the new owner.

If you have any questions about well registration, feel free to call us at 255-1546. The toll free number in Arizona is 1-800-352-5464.

Thank you for your cooperation.

Sincerely,

W. Don Maughan
W. Don Maughan
Deputy Director

WDM/CLL/
Enclosure

Think Conservation!

Office of Director 255-1554

Administration 255-1550, Water Resources and Flood Control Planning 255-1566, Dam Safety 255-1541,
Flood Warning Office 255-1548, Water Rights Administration 255-1581, Hydrology 255-1586.

D5089 Suk

Southwest Region
Santa Fe, New Mexico

SEP 1 1964

L54

DOCKET

State Land Commissioner
State Land Department
State Office Building
Phoenix 7, Arizona

Attention: F. C. Ryan, Supervisor

File No. A(23-9)16 cna

Dear Sir:

This will correct the above numbered Notice of Intention to Drill Well which was recorded in your office on August 20. The location of the well was incorrectly made and is actually located in T. 23 N., R. 8 E., Section 16, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

As suggested by your secretary by telephone on September 1, you will correct your copies and we have changed our copy as follows:

We have placed the "X" for the location of the proposed well in the correct 10 acre subdivision; we have changed Item 2 to read 8 East; we have changed Item 4 to read NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; and we have changed Item 14 to 8 East.

We are transmitting the well rig card and the Report of Well Driller to the area. Upon completion of the well we will see to it that the driller completes and returns the report of well driller to you.

Sincerely,

(SIGNED)

William E. Fields
Acting Regional Chief of Lands

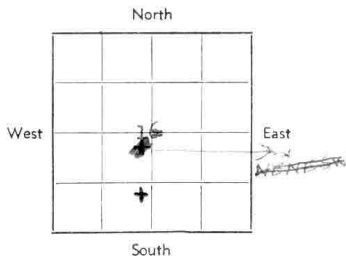
WEFields:jfd
9/1/64

L54 Docket

W.D. FORM NO. G-305
REV. 5-20-57 -G-78LAND DEPARTMENT
WATER DIVISION
STATE OF ARIZONA

NOTICE OF INTENTION TO DRILL WELL

This notice required under the provisions of Section 45-305, Arizona Revised Statutes by any person proposing to drill an irrigation or drainage well having a capacity of more than 100 gal. per min. outside of a critical area, or for the drilling of any well for the development and use of ground water both within and without a critical water area where a permit to drill is not required.

LOCATION OF
PROPOSED WELL

Indicate Well Location by Circle
(Above diagram represents one full section)

1. Twp. 23 N
 2. Rge. 8 E
 3. Section 16
 4. NE 1/4 SE 1/4 SW 1/4
 10-acre subdivision

INSTRUCTIONS

Fill out both copies and mail to Water Division, State Land Department, Phoenix, Arizona.

Duplicate will be returned to landowner, lessee or Government land entryman together with a card for the well driller.

DESCRIPTION OF
PROPOSED WELL

5. Diameter 10 in. depth 2,000 ft.
 6. Type of casing Steel - 6" ID
 7. Estimated depth to water 1,500 ft.
 8. Proposed use Municipal use
 9. Location of nearest operating irrigation well unknown
 10. Drilling will start about September, 1964
 Month Year
 11. Driller Graham Cowley
 Name
St. Johns, Arizona
 Address

12. Water will be applied to use about
June 1965
 Month Year

20. This notice filed by:

Check one { Owner ☒
 Lessee ☐
 Entryman ☐

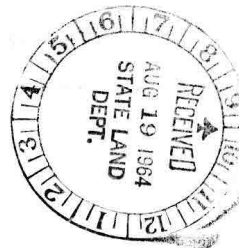
United States of America, National Park Service
 Name Daniel B. Beard, Regional Dir.
 Address P.O. Box 728, Santa Fe, N. Mex.

PLACE OF
PROPOSED USE

13. Twp. 23 N
 14. Rge. 8 E
 15. Section 16 and 17
 16. Legal Description of Portion of Section to be Irrigated
 17. Acres _____
 18. Owner _____
 Name
 19. _____
 Address

DO NOT WRITE IN THIS SPACE
OFFICE RECORD

Received 8-19-64 By K
 Filed 8-25-64 By K
 Duplicate
 Mailed 8-20-64 By K
 File Number R(239)16
C.A.



56791

OBED M. LASSEN
STATE LAND COMMISSIONER
PHONE 271-4621

STATE LAND DEPARTMENT

STATE OF ARIZONA
STATE OFFICE BUILDING
PHOENIX 7, ARIZONA
August 20, 1964

LOUIS C. DUNCAN
MANAGER

RECEIVED		
NPS SOUTHWEST REGIONAL OFFICE		
AUG 24 1964		
	Surname	Date
Regional Director		
Operations		
Administration		
Coop. Activities		
Development		
Resource Studies		
Files		

Handwritten: 8/25
8/1/64

ACCOUNTING DIVISION
PHONE 271-4622

LEASING DIVISION
PHONE 271-4634

LEGAL DIVISION
PHONE 271-4626

MINERAL, OIL & GAS
PRODUCTION DIVISION
PHONE 271-4628

SALES DIVISION
PHONE 271-4631

SERVICE DIVISION
PHONE 271-4637

SOIL CONSERVATION
DIVISION
PHONE 271-4625

WATER DIVISION
PHONE 271-4629

WATERSHED
MANAGEMENT DIVISION
PHONE 271-4633

Mr. Daniel B. Beard, Regional Director
Southwest Region
National Park Service, U. S. D. I.
P. O. Box 728
Santa Fe, New Mexico 87501

Re: File No. A(23-9)16 caa

Dear Mr. Beard:

We call your attention to the fact that we have chosen the area of well location designated in the chart, rather than that given in Paragraph 4 of the Notice of Intention to Drill a Well. You will note that they do not agree.

It is hoped that our choice was correctly made.

Yours very truly,

F. C. Ryan
F. C. Ryan, Supervisor
Water Division

KH/gd

L. S. Ryan

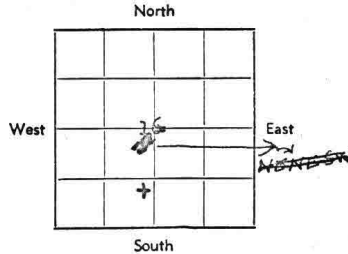
W.D. FORM NO. G-300
REV. 3-20-57-6-58

LAND DEPARTMENT
WATER DIVISION
STATE OF ARIZONA

NOTICE OF INTENTION TO DRILL WELL

This notice required under the provisions of Section 45-305, Arizona Revised Statutes by any person proposing to drill an irrigation or drainage well having a capacity of more than 100 gal. per min. outside of a critical area, or for the drilling of any well for the development and use of ground water both within and without a critical water area where a permit to drill is not required.

LOCATION OF PROPOSED WELL



Indicate Well Location by Circle
(Above diagram represents one full section)

1. Twp. 23 N
2. Rge. 8 E
3. Section 16
4. NE 1/4 SE 1/4 SW 1/4
10-acre subdivision

INSTRUCTIONS

Fill out both copies and mail to Water Division, State Land Department, Phoenix, Arizona.

Duplicate will be returned to landowner, lessee or Government land entryman together with a card for the well driller.

DESCRIPTION OF PROPOSED WELL

5. Diameter 10 in. depth 2,000 ft.
6. Type of casing Steel - 6" ID
7. Estimated depth to water 1,500 ft.
8. Proposed use Municipal use
9. Location of nearest operating irrigation well unknown
10. Drilling will start about September, 1964
Month Year
11. Driller Graham Cowley
Name
St. Johns, Arizona
Address

12. Water will be applied to use about June 1965
Month Year

20. This notice filed by:

Check one { Owner ☒
Lessee ☐
Entryman ☐

United States of America, National
Park Service
Name Daniel B. Beard, Regional Dir.
Address P.O. Box 728, Santa Fe, N. Mex.

PLACE OF PROPOSED USE

13. Twp. 23 N
14. Rge. 8 E
15. Section 16 and 17
16. Legal Description of Portion of Section to be Irrigated
17. Acres _____
18. Owner _____
Name
19. _____
Address

DO NOT WRITE IN THIS SPACE OFFICE RECORD

Received 8-19-64 By K
Filed 8-20-64 By K
Duplicate
Mailed 8-20-64 By K
File Number A(239)16
caa

This card to be posted on nearby the well rig during drilling operations.

State of Arizona EXEMPTED WELL

NOTICE OF INTENTION TO DRILL AN EXEMPTED WELL HAS
BEEN FILED WITH THE STATE LAND COMMISSIONER BY
UNITED STATES OF AMERICA, NATIONAL PARK SERVICE - By: Daniel B. Beard,
Regional Director - Santa Fe, New Mexico

FOR PURPOSES OTHER THAN IRRIGATION OF AGRICUL-
TURAL LAND. WELL TO BE LOCATED IN

TWP. 23 North RGE. ⁸~~6~~ East SEC. 16 NE 1/4 ~~SE~~ 1/4 SW 1/4

S E A L

WD FORM G-308 Expires 8/20/65

O.M. Larrew
STATE LAND COMMISSIONER

ORED M. LASSEN
STATE LAND COMMISSIONER
PHONE 271-4621

STATE LAND DEPARTMENT
STATE OF ARIZONA
STATE OFFICE BUILDING
PHOENIX 7, ARIZONA



August 20, 1964

United States of America
National Park Service
By: Daniel B. Beard, Regional Director
P. O. Box 728
Santa Fe, New Mexico 87501

File No. A(23-9)16 caa

Dear Sir:

This copy of Notice of Intention to Drill Well in Twp. 23 North , Rge. 9 East ,
Section 16 , NE $\frac{1}{4}$ ^S~~NE~~ $\frac{1}{4}$ SW $\frac{1}{4}$, is returned to you for your file. Also
enclosed are a:

WELL DRILLING CARD, which should be in the hands of the driller
before construction of the well is started;

REPORT OF WELL DRILLER form, which may be filled in by the
driller but which you should make sure is mailed to us after
completion of the well;

REPORT OF EQUIPMENT INSTALLED form, which shall be filled
in by you and sent to us after the installation of the pumping
equipment.

In the event it is necessary to change the location of the proposed well, you should
obtain the written permission of the State Land Commissioner before proceeding
with the drilling.

Very truly yours,

WATER DIVISION

By F. C. Ryan
F. C. Ryan, Supervisor

cc: USGS, Tucson
5-5-59

This card to be posted on or nearby the well rig during drilling operations.

State of Arizona EXEMPTED WELL

NOTICE OF INTENTION TO DRILL AN EXEMPTED WELL HAS
BEEN FILED WITH THE STATE LAND COMMISSIONER BY
UNITED STATES OF AMERICA, NATIONAL PARK SERVICE - By: Daniel B. Beard,
Regional Director - Santa Fe, New Mexico

FOR PURPOSES OTHER THAN IRRIGATION OF AGRICUL-
TURAL LAND. WELL TO BE LOCATED IN

TWP. 23 North RGE. ⁸ East SEC. 16 NE ¹/₄ ~~SE~~ ¹/₄ SW ¹/₄

S E A L

WD FORM G-308

Expires 8/20/65

O.M. Larrew
STATE LAND COMMISSIONER

Southwest Region
Santa Fe, New Mexico

AUG 17 1964

State Land Commissioner
State Land Department
State of Arizona
400 Arizona State Office Building
Phoenix, Arizona 85007

Attention: F. C. Ryan, Supervisor of Water Division

Dear Sir:

We are enclosing in duplicate a "Notice Of Intention To Drill Well" for a deep well at Sunset Crater National Monument.

Will you please conform one copy and return it to this office for our records along with the usual permits which are required.

As soon as the well has been drilled, we will forward you the logs and other required reports.

Sincerely yours,

(SIGNED)

Daniel B. Beard

Enclosures

cc: Superintendent, Wupatki
w/o enclosures

WEFields/dmr
8/14/64



IN REPLY REFER TO:

United States Department of the Interior

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

May 15, 2000

L54 (2380)
WUPA/Water Rights
PEFO/Water Rights
SUCR/Water Rights
WACA/Water Rights

Ms. Lisa M. Jannusch
Arizona Department of Water Resources
Adjudications Division
500 North 3rd Street
Phoenix, Arizona 85004

Re: Statement Of Claimant Form For Other Uses Amendment - File No.s 39-89220,
39-89222, 39-91444, 39-91445, 39-91446, and 39-91447.

Dear Lisa:

Attached you will find completed (signed and notarized) water rights claim forms for Wupatki National Monument, Petrified Forest National Park, Sunset Crater National Monument, and Walnut Canyon National Monument. The information you requested in your letter of December 3, 1999 has been provided on the attached forms.

Thanks again for your help with these claims. If we can do anything else please contact Jim Harte at (970) 225-3538.

Sincerely,

Charles W. Pettee
Chief, Water Rights Branch

Attachments (6)

ARIZONA DEPARTMENT OF WATER RESOURCES

500 North Third Street, Phoenix, Arizona 85004

Telephone (602) 417-2442

Fax (602) 417-2401



December, 3, 1999

Charles W. Pettee
National Parks Service
Water Resource Division
1201 Oak Ridge Dr., Ste250
Fort Collins, Co 80525-5596

RE: STATEMENT OF CLAIMANT NO. 39

Dear: Claimant,

The Department of Water Resources has received your request to assign/amend a Statement of Claimant filed in the adjudication proceedings. The information you have supplied is **insufficient** to complete your request. **Please provide the information noted in bold below** so that we may continue to process your assignment or amendment.

Please complete the enclosed form(s) and return with all supporting documentation.

We cannot determine what Statement of Claimant is being referenced in your request. Please identify the file reference number (39-) of the Statement of Claimant you are assigning or amending.

All signatures must be acknowledged by a Notary Public.

Proof of ownership must be submitted with the original assignment form:
Copy of a RECORDED DEED, TAX VALUATION NOTICE, OR A TAX BILL.

Other:

Sincerely,

Lisa M. Jannusch

Administrative Assistant III

(602) 417-2442 / Toll-Free in Arizona 1-800-352-8488



United States Department of the Interior

NATIONAL PARK SERVICE

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

October 13, 1999

IN REPLY REFER TO:

L54 (2380)
WUPA/Water Rights
PEFO/Water Rights
SUCR/Water Rights
WACA/Water Rights

Diane Hanna, Surface Water Rights
Arizona Department of Water Resources
Adjudications Division
500 North 3rd Street
Phoenix, Arizona 85004

Re: Statement Of Claim Of Right To Use Public Waters Of The State Of Arizona –
Registry No.s (to be assigned)
Statement Of Claimant Form For Other Uses Amendment – File No.s 39-89220,
39-89222, 39-91444, 39-91445, 39-91446, and 39-91447.

Dear Diane:

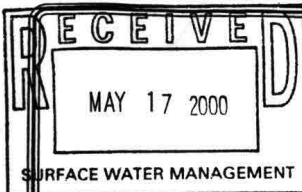
Attached you will find completed (signed and notarized) water rights claim forms for
Wupatki National Monument, Petrified Forest National Park, Sunset Crater National
Monument, and Walnut Canyon National Monument.

Thanks for your help with these claims. If we can do anything else please contact Jim
Harte at (970) 225-3538.

Sincerely,

Charles W. Pettee
Chief, Water Rights Branch

Enclosures (7)



STATEMENT OF CLAIMANT FORM
FOR

OTHER USES¹
AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39- 91447

Date Filed: _____

WFN _____

1. Claimant Name: United States of America c/o National Park Service (Sunset Crater NM)

Claimant Address: 1201 OakRidge Drive, Suite 250 City Fort Collins

State: Colorado Zip Code 80525 Telephone (970) 225-3500

2. Basis of Claim:

- A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
- B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____ Permit No. _____, or Certificate of Water Right No. _____
- C. ☐ Decreed water right. Principal litigants, court, date and case no. _____
- D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____
- E. ☒ Other, describe: (see File No. 39-91447)

3. Claimed Priority Date: ____/____/____ (month/day/year) (see file No. 39-91447)

4. Use:

- A. ☐ Municipal
- B. ☐ Commercial or Industrial
- C. ☐ Mining
- D. ☐ Stockwatering other than from a stockpond
- E. ☐ Recreation, Fish & Wildlife
- F. ☒ Other, describe: (see file No. 39-91447)

5. Source of Water: (see file No. 39-91447)

- A. ☐ Stream: name _____, tributary to _____
- B. ☐ Spring: name _____, tributary to _____
- C. ☐ Lake or Reservoir: name _____, tributary to _____
- D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required) (see file No. 39-91447)

____ 1/4, ____ 1/4, ____ 1/4, Section _____, Township _____ N/S, Range _____ E/W

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____

8. Means of Diversion:

- A. ☐ Instream pump.
- B. ☐ Gravity flow into a ditch, canal or pipeline.
- C. ☒ Well: Arizona Department of Water Resources Well Registration No. 55- 649813
- D. ☒ Other, describe: (see file No. 39-91447)

¹ See Instructions for explanation of uses in this category

STATEMENT OF CLAIMANT FORM
FOROTHER USES¹
AMENDMENT

SUPERIOR COURT OF APACHE COUNTY

File No. 39-	91447
Date Filed:	
WFN	

1. Claimant Name: United States of America c/o National Park Service (Sunset Crater NM)
 Claimant Address: 1201 OakRidge Drive, Suite 250 City Fort Collins
 State: Colorado Zip Code 80525 Telephone (970) 225-3500

2. Basis of Claim:

- A. ☐ Appropriation Right acquired prior to June 12, 1919. 1974 Water Rights Registration Act Registry No. _____
 B. ☐ Appropriation Right acquired after June 12, 1919. Application No. _____
 Permit No. _____, or Certificate of Water Right No. _____
 C. ☐ Decreed water right. Principal litigants, court, date and case no. _____
 D. ☐ Right to withdraw groundwater. Grandfathered Right No. _____
 E. ☒ Other, describe: (see File No. 39-91447)

3. Claimed Priority Date: ____/____/____ (month/day/year) (see file No. 39-91447)

4. Use:

- A. ☐ Municipal
 B. ☐ Commercial or Industrial
 C. ☐ Mining
 D. ☐ Stockwatering other than from a stockpond
 E. ☐ Recreation, Fish & Wildlife
 F. ☒ Other, describe:
(see file No. 39-91447)

5. Source of Water: (see file No. 39-91447)

- A. ☐ Stream: name _____, tributary to _____
 B. ☐ Spring: name _____, tributary to _____
 C. ☐ Lake or Reservoir: name _____, tributary to _____
 D. ☐ Groundwater.

6. Legal description of the Point of Diversion: (attach additional sheet if required) (see file No. 39-91447)

____ 1/4, ____ 1/4, ____ 1/4, Section _____, Township _____ N/S, Range _____ E/W

7. If there are Irrigation, Domestic or Stockpond Uses also supplied from the Point of Diversion, describe: _____

8. Means of Diversion:

- A. ☐ Instream pump.
 B. ☐ Gravity flow into a ditch, canal or pipeline.
 C. ☒ Well: Arizona Department of Water Resources Well Registration No. 55- 649813
 D. ☒ Other, describe: (see file No. 39-91447)

9. Means of Conveyance:

A. ☐ Ditch, canal or pipeline. If the means of conveyance is owned and/or operated by some other entity, please give name and address: _____

B. ☒ Other, describe: (see file No. 39-91447) _____

10. Place of Use, If other than point of diversion: (attach additional sheet if required)

County Coconino Sunset Crater National Monument
 Legal Subdivision _____ Section _____ Township _____ Range _____
 _____ N/S _____ E/W
 _____ N/S _____ E/W

11. Claimed Right: (see file No. 39-91447)

A. Maximum Flow Rate: _____ ☐ cubic-feet per second
 _____ ☐ gallons per minute
 _____ ☐ Arizona miner's inches

B. Annual Volume of Water Use: 35 acre-feet per annum

C. Storage Right: _____ acre-feet

12. Attach photographs, maps or sketches necessary to show the point of diversion, storage reservoir(s) place(s) of use and means of conveyance.

13. It may be necessary for a representative from the Department of Water Resources to inspect the diversion, conveyance and place of use. Your signature following will grant permission to enter your property for the purpose of inspection: Signature of Claimant Charles W. Pettee

(Chuck Pettee, Branch Chief, Water Rights Branch, National Park Service)
 14. Should it be necessary for a representative of the Department to contact you as the claimant or your representative, are there any special instructions regarding time of day or address to aid in locating the specified person? Additional contacts include: William Hansen (970) 225-3532 and Jim Harte (970) 225-3538

15. Additional comments: Amends Item II-B-4-C (page 8), to the attachment to claim No. 39-91447, regarding Sunset Crater National Monument. Amends quantifiable present and future administrative consumptive uses from 20 acre-feet per annum to 35 acre-feet per annum.
Well #55-649813 replaces Well #A23-8(21-1) 715 however #A23-8(21-1) 715 is available for (attach additional sheet if required) emergency use.

16. Mail form(s) to: Department of Water Resources, Adjudications Division, 15 South 15th Avenue, Phoenix, Arizona 85007.

ARIZONA DEPARTMENT OF WATER RESOURCES
 ADJUDICATIONS DIVISION
 500 NORTH 3RD STREET
 PHOENIX, ARIZONA 85004

17. Notarized Statement:

I (We), Charles W. Pettee, for the NPS
 the claimant(s) named in this claim, do hereby certify under penalty of perjury, that the information contained and statements made herein are to the best of my (our) knowledge and belief true, correct and complete.

Charles W. Pettee

(seal)

My Commission Expires
 Flora B. Romero, Notary Public
 State of Colorado
 My Commission Expires 7/30/2002

Flora B. Romero
 Notary Public

or, _____



IN REPLY REFER TO:

L54

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Wupatki-Sunset Crater National Monuments
Tuba Star Route
Flagstaff, Arizona 86001

April 28, 1967

RECEIVED		
NPS SOUTHWEST REGIONAL OFFICE		
MAY 1 1967		
	Surname	Date
Regional Director		
Operating	John S/V	
Administration		
Coop. Activities		
Development		
Files		

Memorandum

To: Regional Director

From: Superintendent, Wupatki-Sunset Crater

Subject: Request for Water Use at Sunset Crater, Mrs. Viola Engblom, Bonito Park

Attached hereto are copies of correspondence carried on with Mrs. Viola Engblom, Carlsbad, California who has requested permission to purchase water for stock watering purposes from our Sunset Crater system for use on her land at Bonito Park.

We do not know whether you are acquainted with the full story of the Sunset Crater well, but, in short, we did inadvertently get it on Mrs. Engblom's land for which she gave us an easement without cost or controversy.

The question now is whether or not we can honor her request and sell her the 1,000 gallons per week she requests. This would amount to approximately 33,000 gallons annually for the period March through October, as specified.

As mentioned in our letter of March 29th to her, we do not know what the combined requirements of the Forest Service and National Park Service will be but we predict they will be heavy with the Forest Service stating that they will need a maximum capacity of 200 gallons per minute. This seems all out of reason.

Will appreciate your reaction to this request.

Russell L. Mahan
Russell L. Mahan

In duplicate
Attachments (2)
(in duplicate)

L54 *Lucr*

hoping you and
Mrs. Mathan are enjoying
good health. We are
fine.

Sincerely,
Viola Engblom

Wupatki-Sunset Crater National Monuments
Tuba Star Route
Flagstaff, Arizona 86001

LSA

March 29, 1967

Mrs. Emil Engblom
3182 Highland Drive
Carlsbad, California

Dear Mrs. Engblom:

This will acknowledge receipt of your letter of March 14th advising us of your plans for utilization of your land in Bonito Park and requesting permission to purchase water from our water supply for the watering of stock at Bonito Park.

You did not state specifically how much water you would require and for what period of time you would have stock in that area. This question is asked due to the fact that the Forest Service is constructing a campground adjacent to Bonito Park and will be using water from our system. This will no doubt place a heavy load on the pumping system and we are not sure yet that we will have enough capacity to furnish the requirements for ourselves and the Forest Service. This remains to be seen.

If you will give us more specific information regarding your needs we will pass this information on to our Regional Office in Santa Fe, New Mexico for final determination.

It was nice to hear from you again and hope that both yourself and Mr. Engblom are enjoying good health.

Best regards,

Russell L. Mahan
Superintendent

3182 Highland Dr.
Carlsbad, Calif.
March 14, 1967

Dear Mr. Mayhan,

I changed my mind
about selling Bonita Park
to the government.

Since the soil bank
is out, I could no
longer keep it.

My daughter, Vella Plummer,
has always wanted it
and I had told her
that some day it might
be hers.

I was told that land
prices were down. I
was made two offers
which I considered very
low. So I just gave
it to Vella. Maybe someday
she will tire of it and
try to sell to the government.

She has several projects in mind. Walter Brandis, my nephew will be the operator. He and Vella will raise wheat.

Walter and I plan to graze some cattle on part of the farm.

Now I am asking you if it would be possible for the monument to sell us a few tanks of water for the cattle. It would save the long haul from Black Bill Park.

Will you let me know at your earliest convenience if this is possible?

Vella and her husband will probably visit the ruins at Wupatki in

May. John, Villishusband
will love the trip and
ancient ruins.

Emil and I are
sending our best wishes
to you and your wife.

Sincerely,
Viola Engblom



United States Department of the Interior
NATIONAL PARK SERVICE

Wupatki-Sunset Crater National Monuments
Tuba Star Route
Flagstaff, Arizona 86001

IN REPLY REFER TO:

February 23, 1983

Memorandum

To: Gary Moore, SWRO Hydrologist
From: Steve Cinnamon, Wupatki and Sunset Crater National Monument
Subject: Land Ownership near Sunset Crater

The enclosed maps are for your records regarding your question of land ownership near Sunset Crater National Monument.

The most notable information pertinent to your query and my research is that the area in and near Lockett Meadow is included in Doney Park Water Company Boundary. (The heavy dotted line outlined is their watershed). The water rights extend to T22N R7E.

All other land, except as noted, belongs to the U.S. Government (Coconino National Forest). The irregular tracts in section 21 T23 N R & E are properties recovered to the U.S. "free of all encumbrances."

Other land owners are as follows:

- 2 Section ¹³~~14~~ T23N R7E Fisher Contracting Company
Box 6537
Phoenix, AZ 85005
(Non-subdivided, commercial, 40 acres)
- 4 Section 13 T23N, R7E Placer claim, 19.971 acres
Mineral survey #4652
- 6 Section 18 T23N R8E Eagle Mountain Materials
80 Leisure Lane
Flagstaff, AZ 86001
40 Acres

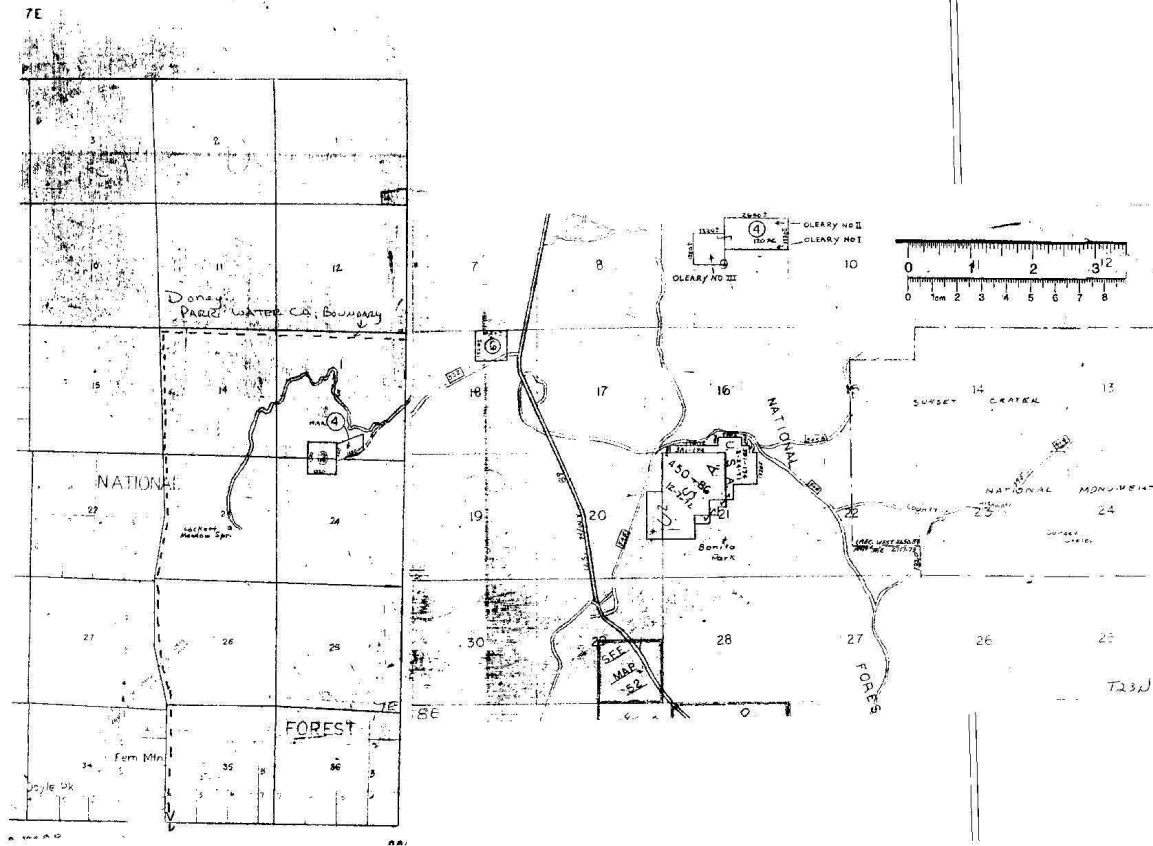
**★ Year of
the
Visitor**

Steve

Memoranda contin ued

The contact for the Blackville-Doney Park Water Service is a Mr. Bing HOWE. 526-1080. There are now two lines from the well site to Fernwood and Sunset Estates. Current cost is \$3.25/1000 gallons.

Virgil adds that Jack's Water Hauling could improve on last year's price of \$3.00/1000 if he was on contract.





UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Wupatki-Sunset Crater National Monuments
Tuba Star Route
Flagstaff, Arizona 86001

October 27, 1965

IN REPLY REFER TO:

63021

RECEIVED	
NPS SOUTHWEST REGIONAL OFFICE	
NOV 1 - 1965	
Regional Director	_____
Operations	_____
Administration	_____
Coop. Activities	_____
Development	_____
Research	_____
Files	_____

Land & S. Eng 11/29
Fields

Memorandum

To: Regional Director
From: Superintendent, Wupatki-Sunset Crater
Subject: Easement, Sunset Crater Well Site,
Viola Engblom Property.

This will supplement our memorandum of October 25th regarding the above subject.

Attached please find two copies of the completed easement and land plat covering same.

Russell L. Mahan
Russell L. Mahan

mlb

In duplicate

Attachments

*W/Geo Millers
memo 12/3
L 1425
sue
Engblom*

Wupatki-Sunset Crater National Monuments
Tuba Star Route
Flagstaff, Arizona 86001

L3027

October 14, 1965

Mrs. Viola Engblom
3182 Highland Drive
Carlsbad, California

Dear Mrs. Engblom:

In line with our conversation during your recent visit at Flagstaff we are enclosing the original and one copy of the easement discussed with you granting to the government the use of your land on which the National Park Service inadvertently drilled a water well for use in the development at Sunset Crater National Monument.

If this easement is acceptable to you it will be appreciated if you will sign same and have it notarized. Please return the original to us in the self-addressed envelope enclosed. If you will send us a receipt for the notary fee, or any other expenses incurred, we will reimburse you at once.

It was a pleasure to renew acquaintance with both yourself and Mr. Engblom and this superintendent wants to express his utmost thanks for your splendid cooperation in this matter.

We hope that on your next visit to Flagstaff that you will make it a point to visit Sunset Crater and look over the new development and come on to Wupatki and pay us a visit. May you both enjoy the best of health.

Sincerely yours,



Russell L. Mahan
Superintendent

Attachments

cc: Regional Director ✓
Supervisor, Coconino Nat Forest

RECEIVED		
NPS SOUTHWEST REGIONAL OFFICE		
OCT 15 1965		
Regional Director	Surname	Date
Questions		
Administration		
Public Affairs		
Education		
Interpretation		
Law Enforcement		
Records Management		
Training		
Wildlife		
Files		

Lands 11/29
Files

L 3031 Wupa

5460
Rights-of-Way Acquired - Coconino
Engblom, Viola
Bonita Park Well & Pipeline

RIGHT-OF-WAY DEED

THIS INDENTURE, MADE this 18th day of October, 1965, between Viola Engblom of 3182 Highland Drive, Carlsbad, California, Grantor, and the United States of America, Grantee.

W I T N E S S E T H:

That for and in consideration of One Dollar (\$1.00) the receipt of which is hereby acknowledged, and other good and valuable consideration, the grantor does hereby grant, bargain, sell and convey unto the grantee and its assigns an easement and right-of-way for a water well and pipeline to be located, constructed, operated, and maintained under the authority of the Secretary of Agriculture of the United States and known as the Bonita Park Well and Pipeline, more particularly described as a strip of land 50 feet in width, 25 feet on each side of the following described center line.

Commencing at the section corner common to Sections 15, 16, 21, and 22, Township 23 North, Range 8 East, Gila and Salt River Base and Meridian; thence from said section corner south 89 degrees, 40 minutes west for 1,326.6 feet to the 1/16th corner on the north boundary of Section 21; thence south 0 degrees 2 minutes for 132 feet to the point of beginning, which is on the 1/16 line; thence south 89 degrees, 40 minutes west for 31.6 feet to end of right-of-way.

The total distance of the above-described right-of-way line is 31.6 feet, lying in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 23 North, Range 8 East, Gila and Salt River Base and Meridian.

Provided, however, that if at any time this easement or any water well and pipeline constructed thereon, shall be abandoned by the United States of America or its assigns, the rights and privileges hereby granted shall cease and terminate and the premises traversed thereby shall be freed from said easement as fully and completely as if this indenture had not been made.

IN WITNESS WHEREOF, the said GRANTOR has hereunto subscribed her name and affixed her seal the day and year hereinabove written.

Viola Engblom
Viola Engblom

ACKNOWLEDGMENT

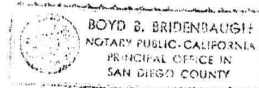
State of California) ss.
County of San Diego)

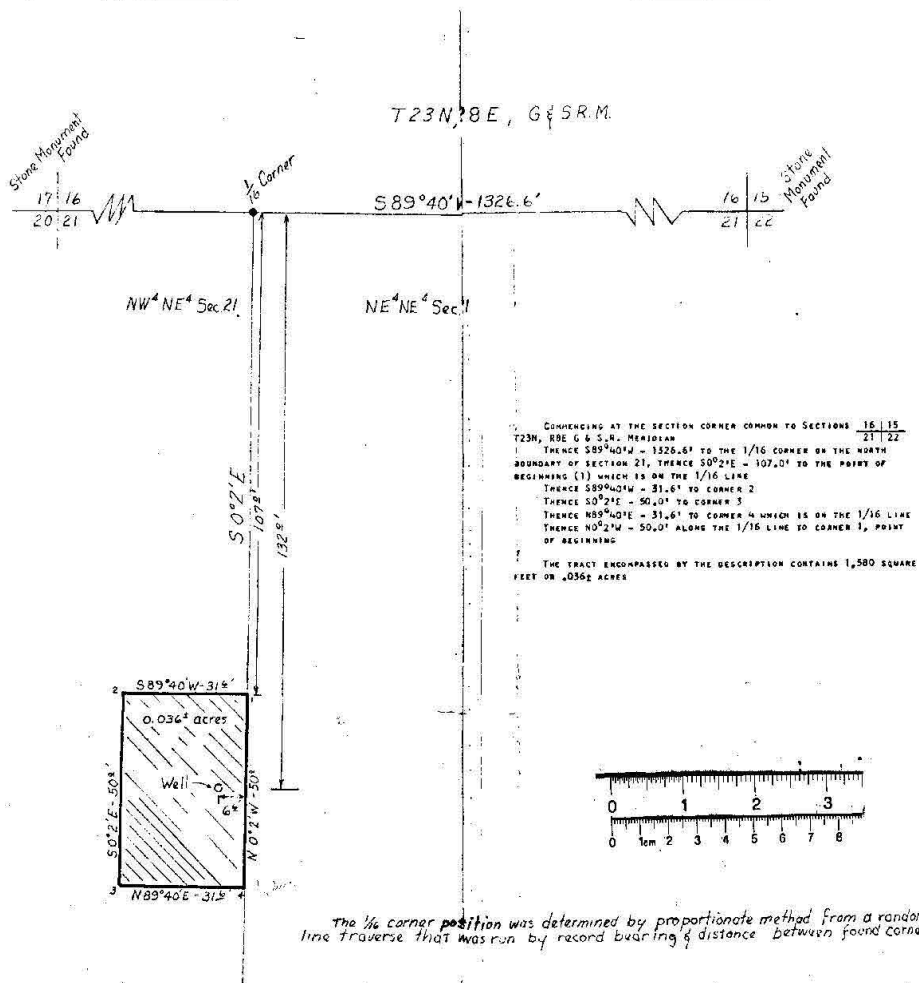
On this 18th day of October, 1965, before me Boyd S. Bridenbaugh, a notary public in and for the State of California, personally appeared Viola Engblom known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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

Boyd S. Bridenbaugh
Notary Public for the State of California, residing at San Diego.

My Commission Expires:
BOYD S. BRIDENBAUGH, Notary Public
in and for the State of California
My Commission Expires August 18, 1967





Wupatki-Sunset Crater National Monuments
Tuba Star Route
Flagstaff, Arizona 86001

L3027

October 25, 1965

received
Oct. 27, 1965

Memorandum

To: Regional Director
From: Superintendent, Wupatki-Sunset Crater
Subject: Easement, Sunset Crater Water Well Site,
Viola Engblom Property

This is to advise you that the subject easement has been signed by Mrs. Engblom and returned. It is being turned over to the Forest Service for their action on October 26, 1965.

We will get two additional copies of easement and land plat and submit to your office for your records.



Russell L. Mahan

mlb

In duplicate

Wupa - L 1425
XL 54
Engblom

L1425
Ragblom

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

October 13, 1965

CERTIFIED MAIL

Arizona Title and Trust
Company, Coconino
P.O. Box 1910
Flagstaff, Arizona

Attention: Richard E. Pagatt

Gentlemen:

This will confirm our telephone conversation of October 13 regarding Preliminary Title Owner's Policy No. 18050 in the amount of \$1,000 as covered by our Purchase Order No. 930-SWRO-130 dated September 20. I am returning all copies of the preliminary title report and your invoice for \$42 and I sincerely regret that I made the error and authorized payment to the wrong company. A Preliminary Starter's Report No. 199855, Policy No. 1300-298 was received in this office about September 30 from Phoenix Title and Trust Company, Northern Arizona Title Division. They recited our purchase order number in their billing and I misinterpreted "Northern Arizona Title Division" as being the same as the name of your company. I regret that I did not obtain the name of the young lady that I talked to by telephone and I am sorry that the purchase order did not reach you and apparently reached the wrong company.

I appreciate your willingness to accept the return of the preliminary title policy and will make a sincere effort to obtain the proper name and address for our next title transaction in your area.

Sincerely yours,

JOHN E. KELL

John E. Kell
Regional Chief of Lands

Enclosures

cc: Superintendent, Wupatki, w/o encs.
JE Acting AED, Administration, w/o encs.

JEKell:dmr
10/13/65

NOTE:

The order was placed by telephone and Purchase Order No. 930-SWRO-130 was given over the phone. I did not obtain the name of the lady that I talked to but apparently I talked to someone at Arizona Title and Trust Company of Arizona, 122 North San Francisco, Flagstaff, Arizona. The "Northern Arizona Title Company" had done work for us at Petrified Forest and somehow our purchase order was presumably delivered to Northern Arizona Title Company with the Post Office ignoring the 122 North San Francisco address. Mr. Richard E. Fugatt of the Arizona Title and Trust Company of Coconino was kind enough to allow me to return the preliminary title report with no cost.

JOHN E. KELL

J.E.K.

JEKell:dmr
10/13/65

DOCKET
#1

Wupatki-Sunset Crater National Monuments
Tuba Star Route
Flagstaff, Arizona 86001

L1425
Engblom

October 8, 1965

Memorandum

To: Regional Director
From: Superintendent, Wupatki-Sunset Crater
Subject: Easement, Sunset Crater Well Site, Viola Engblom Property

This has reference to our telephone conversation with Mr. Kell of September 27th and your letter of October 6th regarding the above subject.

To clarify this whole situation, this is the story. With our request to the Forest Service for a special use permit for use of their land for the Sunset Crater development, they requested a land description, tied in to known corners, to include in a complete revision of the present special use permit, or Memorandum of Understanding, covering our road-rights-of-way, etc. Frank Matteson, WODC engineer on the job, was requested to survey this proposed development area and his survey disclosed that the well-site was on private land, approximately 26' west of the east line of the 10 acre, E²E¹NE⁴, Section 21, T23N, R8E owned by Viola Engblom of Carlsbad, California. We contacted Ray Housley, Supervisor, Coconino National Forest, and discussed this matter with him and requested a survey by the Forest Service engineers. This was accomplished on September 16th and 17th by Mr. Long of the Forest Service and his survey showed we were 6.6 feet west of the east line of the land described above. This matter was discussed by telephone with Mr. Jerry Miller and Mr. Kell on two occasions and Mr. Kell advised us that he would take steps to try to clarify the matter. On September 23rd, we were advised by Mr. Matteson that Mrs. Engblom had visited the development site at Sunset Crater and had made herself known. I called Mr. Miller on the morning of the 24th and apprised him of this fact and that I was going to talk this matter over with Mrs. Engblom, he said OK. I contacted Mrs. Engblom in Doney Park, where she was staying with her sister, and laid the "cards on the table." She was very cooperative and said that the Service had nothing to worry about for regardless of what happened she would never sell the land upon which the well was situated to anyone else. We had an understanding with both she and

Orig L1425 Socr
Engblom

L54 Socr

To: Regional Director
Page two
October 8, 1965

her husband, Emil Engblom, before they moved to California that the government would be given the first chance if they ever decided to sell the 300 acres they hold in Bonita Park. Fred Ball, a local promoter, is trying to get Mrs. Engblom to sell this land to him, but she says she will not do so. If he would ever get hold of it, we could very well get an adverse development that would be detrimental to both the National Park Service and the Forest Service. Our thought was that between this Service and the Forest Service, both being interested in preserving the scenic values of this area, that BOR funds might be obtained to acquire same. She would not commit herself as to whether or not she wanted to sell and would not name a price but said she would notify us if, and when, she was ready to sell.

To get back to the subject at hand. After my morning talk with Mrs. Engblom, I discussed the matter with Mr. Housley and Mr. Gossard, engineer for the Forest Service, and it was decided that the first approach should be to determine whether she would grant an easement to the Forest Service to cover the well-site with a small buffer zone for access to same. That evening I discussed this matter with both Mr. and Mrs. Engblom and they were both agreeable to this arrangement. The Forest Service was notified on September 27th, that she would grant this easement and were requested to draw up same for her signature which we would mail to her at Carlsbad, California.

Then another fly fell into the ointment. They could not locate Mr. Long, the surveyor, who had promised to draw up a plat and land description and leave it at the Supervisor's office, so we had no description to include in the easement. They finally located him on October 7th and received the necessary information. I called Mr. Gossard today, the 8th, and he advised me he would not be able to prepare the easement until the 11th or 12th.

This is the way the situation stands at the present time. As soon as we receive these papers from the Forest Service we will forward them to Mrs. Engblom, with the hope that she feels the same as she did during our discussions, and will sign them.

To: Regional Director
Page three
October 8, 1965

We will keep you posted on further developments if this superintendent does not end up in the hospital with ulcers or some other ailment before that time.

A handwritten signature in cursive script, appearing to read "Russell L. Mahan".

Russell L. Mahan

mlb

In duplicate

cc: Supervisor, Coconino National Forest (attachment)

Southwest Region
Santa Fe, New Mexico
87501

11425
Engblom

OCT 6 1965

Memorandum

To: Superintendent, Wupatki
From: Regional Director
Subject: Preliminary Title Report, Viola Engblom Property,
Sunset Crater

Confirming your telephone discussion with Mr. Kell on Monday, September 27, we understand that you have met and conversed with Mrs. Viola Engblom, regarding the location of the well at Sunset Crater and Mrs. Engblom is willing to enter into a easement agreement covering an area in square form extending at least 25' in all directions from the well. We also understand that the local representatives of the Forest Service will handle the arrangements since the private land on which the well was drilled is adjacent to land administered by them.

We have enclosed a preliminary title report prepared by Phoenix Title and Trust Company, a division of Northern Arizona Title Company effective September 22, 1965 at 8:00 A.M. The preliminary report is designated as Starter No. 199858, Policy No. 1500-298. It shows the title to be in Viola Engblom, wife of Emil Engblom, in fee. The only outstanding reservations are in the 1965 taxes and the reservations contained in the patent from the United States of America.

Our Service made the arrangements to obtain the preliminary title report before we knew the attitude of Mrs. Engblom. We will make the payment to the Phoenix Title and Trust Co., which amounts to \$35.00, and if the U.S. Forest Services wishes a final title insurance policy you, or representatives for the Forest Service, are authorized to obtain the final policy. It can be obtained for no additional cost so long as the value of the policy does not exceed \$1,000. There is also enclosed for your reference a letter sized sketch map in duplicate showing the relationship of the Engblom property within the section.

We concur in your suggestion that we should encourage the Forest Service to purchase this property if at all possible. We are not familiar with Forest Service regulations on land acquisition but presume they are similar to ours. We have no authority to acquire private land unless it is inside the boundaries of Sunset Crater or needed for water rights purposes. In this instance we doubt that we could acquire the entire 20 acres even though the well was mistakenly drilled on private land. We would however like to be advised after you have talked with the Forest Service and obtained their reaction to acquisition for the property which they could probably not do until the 1967 Fiscal Year.

(SIGNED)

Daniel B. Beard

In duplicate

Enclosures

cc: Acting ARD, Adm. w/o enc.

JEKell:jfd
10/5/65

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

SEP 20 1965

~~(SIGNED)~~
Northern Arizona Title Company
122 North San Francisco St.
Flagstaff, Arizona

Dear Sir:

We have enclosed Purchase Order No. 930-SWRO-130 in the amount of \$42.00 to cover an interim binder or memorandum report for the E 1/2 E 1/2 NW 1/4 NE 1/4 of Section 21, T. 23 N., R. 8 E.

According to our records this property was formerly owned by Mr. John T. Allen but is now believed to be owned by Viola Engblom. In accordance with your telephone conversation with Mr. Kell on Monday, September 20, it is estimated that the property interest which we will require will probably not exceed \$1,000.

Therefore, if possible, the memorandum report or interim binder should be written with the understanding that eventually a final title policy report will be written and the amount set up on the Purchase Order for the preliminary search can eventually be applied to the final title policy.

The final policy should take a form prescribed by the Attorney General and most companies have such a form. We have enclosed a mimeographed form of a type of policy which should be used when the final title report is required.

Sincerely yours,

~~(SIGNED)~~

George W. Miller
Acting Regional Director

Enclosure

cc: Superintendent, Wupatki w/enc.

JEKell:jfd
9/20/65

WR 6/7
D-5039
(x) L-Sk

Region Three
Santa Fe, New Mexico

MAY 17 1957

Memorandum

To: Chief, Western Office Design and Construction
From: Regional Chief of Lands
Subject: Well Drilling, Sunset Crater National Monument

In Supervisory Engineer Smith's memorandum of May 1 to the Regional Director, he requests information regarding the legal aspects of ownership of ground water in aquifers underlying the Monument, more particularly in relation to the current proposal to drill a well at Sunset Crater National Monument.

The question has been referred to Solicitor Barton and a copy of his memorandum of May 16 to the Regional Director is attached.

JOHN E. KELL
John E. Kell
Regional Chief of Lands

Attachment

Copy to: Director (2) w/2 attach. ✓
Act. Gen Supt., SWNM w/1 attach. ✓
Supt., Wupatki w/2 attach.



UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR

P. O. Box 1726
Santa Fe, New Mexico

Reference: D5039 SUCR

Memorandum

May 16, 1957

To: Regional Director, Region Three, National Park Service

From: Field Solicitor, Santa Fe

Subject: Well drilling - Sunset Crater National Monument

The Western Office, Design and Construction, San Francisco, has requested a statement regarding the law of Arizona relating to ground water as it might affect the proposed contract for the drilling of a well to provide a water supply for Sunset Crater National Monument, Arizona. The well location is described as being in the vicinity of Section 16, T. 23 N., R. 8 E., G&SR&M. It is intended to drill a well of great depth if necessary, extending from elevation 7,050 to elevation 4,600. It is stated that it is intended to divert a daily maximum of 51,000 gallons. The actual proposed capacity is not stated, but it is assumed that pumping will be restricted to 35.4 gallons per minute and that the 51,000 gallons per day is based upon a constant withdrawal for 24 hours.

The ground water law of Arizona does not provide any system for applying the doctrine of appropriation to ground water. Bristor v. Cheatham, 75 Ariz. 227, 255 P. 2d 173. This has always been the law of Arizona relating to ground water, but the court in Bristor v. Cheatham for the first time judicially recognized the application of the doctrine of reasonable use as binding on users of ground water.

The statutes of Arizona relating to ground water are entirely in the exercise of the police power. Southwest Engineering Co. v. Ernst (1956), 79 Ariz. 403, 291 P. 2d 764. Therefore, technically, the United States would not be obliged to comply with them. However, it is the policy of this Department to cooperate with State water control agencies insofar as reasonably possible, and especially to comply with State water laws designed to prevent waste of water and to provide information regarding existing and proposed uses.

In view of the fact that the proposed well will be used for domestic purposes and not primarily for irrigation purposes, and will have a capacity of less than 100 gallons per minute, there is nothing in the Arizona ground water law which would require any application for a permit, or a notice of intention to drill. Arizona Revised

Statutes section 45-313 requires a permit before constructing an irrigation well in a critical ground water area. An irrigation well is defined in section 45-301 as "any well or works for the withdrawal of ground water primarily used for irrigation purposes and having a capacity in excess of 100 gallons per minute." Outside of a critical ground water area, sections 45-305 and 45-306 require notice to the State Land Department of intention to drill "any well for the development and use of ground water", and the filing of the well log and reports by drillers. These two sections standing by themselves are somewhat ambiguous, but are construed by the regulations of the State Land Department as applying only to irrigation or drainage wells with a planned capacity in excess of 100 gallons per minute. That construction is in accord with the definition of the word "well" in sections 45-301(14).

It is clear that the proposed well is an exempted well as defined by section 45-301(3), and would not be subject to regulation even if it were to be constructed and used for similar purposes by a private individual. This is true whether or not the State Land Department has established a critical ground water area which includes the site of the well.

About the only general provision which would apply to the well is section 45-319, which prohibits waste of ground water by requiring that flowing wells be capped or equipped with shut-off valves, requiring adequate casings, and other measures. As stated above, the National Park Service always takes the necessary measures to prevent waste of water, and thus automatically complies with that provision.

Harold Barton
Harold Barton
Field Solicitor, Santa Fe

In quadruplicate

Copy to: Regional Solicitor, Santa Fe Region



UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WESTERN OFFICE, DESIGN AND CONSTRUCTION
1000 GEARY STREET SAN FRANCISCO 9. CALIFORNIA

IN REPLY REFER TO

D 5039

May 1, 1957

Air Mail

Memorandum

To: Regional Director, Region Three

From: Supervisory Engineer, WODC

Subject: Well Drilling - Sunset Crater National Monument

Prior to preparing the specifications for the well drilling contract (PCP U-1-4) we should be advised as to the legal aspects of ownership of the ground water in the aquifers underlying the Monument. It is our understanding that, in view of its possible involvement in current water controversies, the matter of Sunset Crater water rights should be investigated in full legal detail by the Regional Field Solicitor. In the event that Mr. Barton already has performed the necessary investigation, he need give us only a brief statement to evidence our right to divert a daily maximum of 51,000 gallons of water from geologic formations that may be encountered in a vertical bore extending from elevation 7050 to elevation 4600, approximately. Pending determination of a specific location for the test hole, the well location is described as being in the vicinity of Section 16, Township 23 North, Range 8 East of Salt and Gila Rivers Base Line and Meridian.

P. E. Smith
Supervisory Engineer

In duplicate

Copy to: Gen. Supt., SWNM
Chief, Water Resources Section, WASO

→ 30.4.90
Palmira

Sunset Crater

In reply refer to:
D5059

WRCh
D

MAY 16 1957

Memorandum

To: Regional Director, Region Three
From: Chief, Water Resources Section
Subject: Proposed Well - Sunset Crater National Monument

The air mail memorandum of May 1 to you from Mr. P. E. Smith, WODC, raises several points, as follows:

1. We should determine whether a ground water law has been passed during the last session of the Arizona Legislature, which I believe to have been this winter.
2. We should have asked Mr. Conover of the Geological Survey, before this, whether the sources of potential water described in his report of July 1955 are recognized as tributary to the Colorado River.
3. Since we seem to be able to obtain no replies to our inquiries from Mr. Warner of the Department of Justice, it would help if Mr. Barton, or the Regional Solicitor, could advise us as to the extent the State is claiming ground water in Arizona vs. California. I have been advised by an attorney working on the California case, here in Washington, that Arizona has testified that all ground water is tributary for the suit, State water laws notwithstanding.
4. From all past experience, including recent grants of unrequested extensions of time on our existing permits, I am reasonably certain that the State of Arizona will grant the permit on any application we file for the appropriation of water while the suit is in progress.
5. The Park Service cannot prepare a water right application for said well, if one is needed; cannot define its claim, whether based on appropriation or not; and cannot describe the water system as needed to answer California's Interrogatory, until it has at least a tentative plan of the proposed water system with well located by tie to section corner (nearest 40-acre subdivision of Sec. 16 may serve to answer California), depth of well (best estimate),

size of pipe, reservoir capacity and material of construction, pump capacity, pipe alignment, and 40-acre subdivisions where water is to be used. To describe the 40-acre tracts of use, we should cover all possibilities. Excessive pipe length may also be necessary to serve all possible areas of use. It is easy to reduce claim later, but impossible to increase it under date of priority established by filing of application. On this basis, the first requirement is a plan, on 2' x 3' tracing cloth, in compliance with rules and regulations of State Land Department. The entire plan should be on scale to fit one 2' x 3' tracing, if possible, and certainly no more than two sheets.

An extra copy of this memorandum is attached for the General Superintendent if the records of that office are to be maintained.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

In triplicate

Copy to: WODC
Superintendent, Wupatki
✓Mr. Dunn (3)

AvVDunn:LF 5/15/57

C O P Y

D 5039

May 1, 1957

Air Mail

Memorandum

To: Regional Director, Region Three
From: Supervisory Engineer, WODC
Subject: Well Drilling - Sunset Crater National Monument

Prior to preparing the specifications for the well drilling contract (PCP U-1-4), we should be advised in regard to the legal aspects of ownership of the ground water in the aquifers underlying the Monument. It is our understanding that, in view of its possible involvement in current water controversies, the matter of Sunset Crater water rights should be investigated in full legal detail by the Regional Field Solicitor. In the event that Mr. Barton already has performed the necessary investigation, he need give us only a brief statement to evidence our right to divert a daily maximum of 51,000 gallons of water from geologic formations that may be encountered in a vertical bore extending from elevation 7050 to elevation 4600, approximately. Pending determination of a specific location for the test hole, the well location is described as being in the vicinity of Section 16, Township 23 North, Range 8 East of Salt and Gila Rivers Base Line and Meridian.

(Sgd) P. E. Smith

P. E. Smith
Supervisory Engineer

In duplicate

Copy to: Gen. Supt., SWNM
Chief, Water Resources Section, WASO

C O P Y

D 5039

May 1, 1957

Air Mail

Memorandum

To: Regional Director, Region Three
From: Supervisory Engineer, WODC
Subject: Well Drilling - Sunset Crater National Monument

Prior to preparing the specifications for the well drilling contract (PCP U-1-4), we should be advised in regard to the legal aspects of ownership of the ground water in the aquifers underlying the Monument. It is our understanding that, in view of its possible involvement in current water controversies, the matter of Sunset Crater water rights should be investigated in full legal detail by the Regional Field Solicitor. In the event that Mr. Barton already has performed the necessary investigation, he need give us only a brief statement to evidence our right to divert a daily maximum of 51,000 gallons of water from geologic formations that may be encountered in a vertical bore extending from elevation 7050 to elevation 4600, approximately. Pending determination of a specific location for the test hole, the well location is described as being in the vicinity of Section 16, Township 23 North, Range 8 East of Salt and Gila Rivers Base Line and Meridian.

(Sgd) P. E. Smith

P. E. Smith
Supervisory Engineer

In duplicate

Copy to: Gen. Supt., SWNM
Chief, Water Resources Section, WASO

Administrative Agreements

Form 10-114
(Rev. Oct. 1967)UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

This permit consists

of 5 pages

SPECIAL USE PERMIT

Sunset Crater National Monument
(Area)

PERMIT NO. <u>3-1-2-1</u>	EXPIRES
PREVIOUS PERMIT NO. <u>NONE</u>	

Mrs. Viola Englem, of 3182 Highland Drive, Carlsbad, Calif. is hereby authorized during the period from May 20, 1967, to October 31, 1971, to use the following-described land in the above-named area:

Not to exceed one thousand gallons of water per week during the period from March 1 to October 31:

for the purpose of watering livestock

subject to the conditions on the reverse hereof and attached pages and to the payment to the Government of the United States of the sum of Twenty-five Dollars (\$25.00) in advance Annually (Monthly, semiannually, etc.), or as follows:

(This fee may not be prorated)

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

Issued at Flagstaff, Arizona (City), this 25th day of May, 1967.

Russell L. Hansen
Superintendent.

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

TWO WITNESSES TO SIGNATURES		PERMITTEE (Signature)	
NAME <u>Walter A. Bond</u>	NAME <u>Mrs. Viola Englem</u>	ADDRESS <u>3182 Highland Dr.</u>	ADDRESS <u>Carlsbad Calif.</u>
NAME <u>Walter A. Bond</u>	NAME <u>Walter A. Bond</u>	ADDRESS <u>3154 Highland Dr., Carlsbad, Calif.</u>	ADDRESS <u>721 S</u>
APPROVED: (If approval is required by higher authority)			
NAME	TITLE	DATE	

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

10-35908-6

(This copy for Final Opinions and Orders File of Park)

Page 1

Form 10-114a
(Dec. 1958)UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SPECIAL USE PERMIT CONTINUATION SHEET

AREA	PERMIT NO.	PAGE NO.
Sunset Crater National Monument	3:152:1	3

16. The water herein authorized is subject to the availability thereof after the needs of the Government have been satisfied.

17. The permittee shall withdraw water from the Government's water system at such tap or outlet designated by the Superintendent.

18. Each and every withdrawal of water must first be approved by the Superintendent or his designated representative.

19. The water herein authorized shall be hauled by and at the expense of the permittee.

20. The privilege granted herein establishes no precedent or right for continuation of such privilege.

21. The permittee shall save the United States harmless against any damage or any action for damage which may result from the exercise of privileges authorized by this permit.

*Sunset Crater Inc (Basket 7 file)
Private Land*

A44 WUPA

Acting Assistant Regional Director,
Operations

March 21, 1966

Acting Regional Chief of Lands

Proposed Memorandum of Understanding, Forest Service, Land Use,
Wupatki-Sunset Crater

I agree with Russ that we should stipulate that the Forest Service install a satisfactory water meter at their take-off point for measurement of their water use.

We drilled this well supposedly on Forest Service land. The Forest Service Supervisor and Superintendent Mahon located the well. It was learned at a later date that the well is on private property. We have subsequently obtained a perpetual easement for the property and the well from the owner.

Compared to water costs in other areas, this is going to be expensive water. A close check should be made as to the actual costs of pumping this water. It is my guess that it will run approximately 40¢ per thousand gallons. We have to pump the water through a head of over 2,000 feet and because of the high iron content it will be necessary to treat it. In addition the chemical quality of the water indicates a high maintenance cost on the pump and water system.

(SIGNED)

William E. Fields

WEFields:po 3-21-66

Wupatki-Sunset Crater National Monuments
Tuba Star Route
Flagstaff, Arizona 86001

Alh

March 10, 1966

Memorandum

To: Assistant Regional Director, Operations
From: Superintendent, Wupatki-Sunset Crater
Subject: Proposed Memorandum of Understanding, Forest Service,
Land Use, Wupatki-Sunset Crater

This has reference to our telephone conversation of this date regarding your letter of March 3rd with rough draft of subject Memorandum of Understanding.

As you were advised we are not in agreement with some of the stipulations in what "The National Park Service Will" do, especially on the water situation and our suggestions are as follows:

Paragraph B-1 - Exhibit Space - Visitor Center, Sunset Crater, Until we get an exhibit plan from WML we do not know what space will be available for the Forest Service. It has been mutually agreed locally that we play it by ear and work it out here.

Water
Paragraph B-2. Water for F.S. campground. Our memorandum of September 15, 1965 expressed our worries about this situation. To digress, in first discussions with the Forest Service regarding drilling of a well for the Sunset Crater development the request was that should we obtain an ample supply of water a wildlife watering site would be supplied and that was it. At that time they talked about two campgrounds, one along the old entrance road to Sunset Crater from US-89 in the Doney Park vicinity, and the other along old US-89 north of Bonito Park on the summit north of the Sunset Crater entrance road. Both, of necessity, to be dry camps. When we came up with our present development site and requested permission to drill for water they came up with the proposed Bonito campground, directly across the entrance road from our development.

About a year ago I discussed this with Supervisor Housley and asked him whether or not they planned modern sanitary facilities. He advised me that they did not have funds for this type of development and we assumed water outlets only for camper convenience. Now they have come up with a development of 45 campsites and 3 comfort stations with flush type facilities. Each building to contain four flush conveniences plus service sink. They estimate use of 375 gal. per building per day which in our estimation is much too low, as each building will serve 15 sites. With this type of set-up their requirements could very well exceed ours. When this is completed it will be the only decent campground between Grand Canyon and Glen Canyon on the north and Oak Creek Canyon on the south and will get extremely heavy use. We predict it will prove inadequate after the first year's use and will have to be expanded adding an additional load to the water requirements. We cannot see furnishing them water free of charge when we have to pump from a 2,200 foot well and have the Service operating funds foot the bill for their operation. It just does not make sense. We believe there is enough water in the well to serve both installations but our pump could be working continuously to serve the demands of both areas and this would run into quite a power bill over the long haul. We suggest that the memorandum contain the stipulation regarding water as shown in the previous rough draft submitted with your memorandum of December 6, 1965 providing water at approved rates with the additional stipulation that they install a satisfactory water meter at their take off point for adequate measurement of their water use.

Paragraph B-6. Coconino National Forest identifying Markers on Sunset Crater visitor center. Cannot see this: We are going to provide display space in the visitor center. They will have identifying markers for their campground. Service funds built this facility despite the fact that they are allowing us a few acres of Government land for installation. Supervisory Park Ranger David Todd has come up with a suggestion of signs or exhibits on waysides along the roads near both entrances on the Wupatki-Sunset Crater loop road advising the visitor that the scenic loop road they will be travelling is a cooperative effort of the two agencies and this sounds like an excellent idea as about 50% of this road is over Forest Service land.

We will be very interested in your reaction to the exceptions we have taken. They are concentrating on their installation and we should get this water matter clarified in the near future.

(Sgd) Russell L. Mahan

Russell L. Mahan

In duplicate

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

DEC 3 1965

W O D C	
DEC 6 1965	
CHF	
ADM	
P & P	
ARCH	
ENGR	
L.A.	
CH. M.P.	
CONTR	
SFTY	
ELEC	
ACTION TAKEN - DATE	

file

Memorandum

To: Director

From: Assistant Regional Director, Operations

Subject: Material for Docket No. 1, Sunset Crater

Enclosed for insertion in your Docket No. 1 for Headquarters Well No. 1 is the Easement or Right-of-Way Deed signed by Mrs. Viola Engblom for the use of the well drilled on her property. Attached to the Easement is a land plat showing the property. Also enclosed is a letter to Mrs. Engblom dated October 14 and a memorandum to the Regional Director dated October 27 both from Superintendent Mahan.

By copies of this memorandum we are sending this material to Chief, WODC and Superintendent, Wupatki for insertion in their dockets.

(SIGNED)

George W. Miller

In duplicate

Enclosures

cc:
Chief, WODC (2), w/encs.
Superintendent, Wupatki
w/encs.

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

NOV 9 1965

W O D C
NOV 12 1965

CHF
ADM
P & P
ARCH
ENGR
L.A.
CH.M.P.
CONTR
SFTY
ELEC
1. Information
2. Richey
ACTION TAKEN - DATE

acty 3 11/15 11-16 file

Memorandum

To: Director

From: Assistant Regional Director, Operations

Subject: Material for Docket No. 1, Sunset Crater

We are enclosing a copy of a log of the Well at Sunset Crater. This log was prepared by Graham L. Conley, Well Driller, on June 23, 1965. This should be placed in Docket No. 1, Headquarters Well, together with the pictorial Well Log which was transmitted on November 3.

By copies of this memorandum we are sending a copy of the above to Chief, WODC and Superintendent, Wupatki for insertion in their dockets.

(SIGNED)

George W. Miller

In duplicate

Enclosure

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

194

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

NOV 3 1965

W O D C
NOV 5 1965

CHF	
ADM	
P & P	
ARCH	
ENGR	11/15
L.A.	
CH. M.P.	
CONTR	11/8
SFTY	
ELEC	
ACTION TAKEN - DATE	

W. J. Williams

Memorandum

To: Director

From: Acting Assistant Regional Director, Operations

Subject: Material for Water Rights Docket No. 1, Sunset Crater

Enclosed is a copy of a pictorial Well Log, NM-SUN-7102, for the well drilled by Cowley Brothers at Sunset Crater. This should be inserted in Docket No. 1, Headquarters Well No. 1, Sunset Crater National Monument.

By copies of this memorandum we are sending copies of this to Chief, WODC and Superintendent, Wupatki for insertion in their dockets.

(SIGNED)

Thomas J. Williams

In duplicate

Enclosure

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

United States Department of Agriculture Forest Service		NAME OF PERMITTEE Department of Interior National Park Service		KIND OF USE Water Supply (well)
SPECIAL USE PERMIT Act of June 4, 1897, or February 15, 1901 This permit is revocable and nontransferable		DATE OF PERMIT MAY 31 1962		FILE CODE 2710
REGION 3	STATE Arizona	FOREST Coconino	RANGER DISTRICT Elden	

Permission is hereby granted to Department of Interior, National Park Service
of Wupatki National Monument, Tuba Star Route, Flagstaff, Arizona,
hereinafter called the permittee, to use subject to the conditions set out below, the following described
lands or improvements:

SE $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16, E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 21, NW $\frac{1}{4}$ Section 22, SE $\frac{1}{4}$ NW $\frac{1}{4}$ section 15,
Township 23 North, Range 8 East, Gila and Salt River Base and Meridian,
as shown on the attached map platted by Russell Mahan on 4/12/62 which
is made a part of this permit.

This permit covers .5 acres ~~and four~~ ~~more~~ and is issued for the purpose of:

Drilling exploratory water wells in the above described locations and installing
a water pumping system with housing, 25,000 gallon storage tank, and necessary
distribution lines at the most suitable site. (See clause 18.)

The exercise of any of the privileges granted hereby constitutes acceptance of all the conditions of
this permit.

1. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of
Agriculture, the sum of No Charge -Reg. U11(1) Dollars (\$ -----) for the period
from ----- 19---, to -----, 19---, and thereafter
annually on -----,
----- Dollars (\$ -----):

Provided, however, Charges for this use may be made or readjusted whenever necessary to place the
charges on a basis commensurate with the value of use authorized by this permit.

2. Construction or occupancy and use under this permit shall begin within 2 months, and construction, if any, shall be completed within 26 months, from the date of the permit. This use shall be actually exercised at least 365 days each year, unless otherwise authorized in writing.

3. Development plans; layout plans; construction, reconstruction, or alteration of improvements; or revision of layout or construction plans for this area must be approved in advance and in writing by the forest supervisor. Trees or shrubbery on the permitted area may be removed or destroyed only after the forest officer in charge has approved, and has marked or otherwise designated that which may be removed or destroyed. Timber cut or destroyed will be paid for by the permittee as follows: Merchantable timber at appraised value; young-growth timber below merchantable size at current damage appraisal value; provided that the Forest Service reserves the right to dispose of the merchantable timber to others than the permittee at no stumpage cost to the permittee. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as may be approved by the forest officer in charge.

4. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the forest officer in charge.

5. This permit is subject to all valid claims.

6. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

7. The permittee shall take all reasonable precautions to prevent and suppress forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a written permit from the forest officer in charge or his authorized agent.

8. The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and shall pay the United States for any damage resulting from negligence or from the violation of the terms of this permit or of any law or regulation applicable to the national forests by the permittee, or by any agents or employees of the permittee acting within the scope of their agency or employment.

9. The permittee shall fully repair all damage, other than ordinary wear and tear, to national forest roads and trails caused by the permittee in the exercise of the privilege granted by this permit.

10. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

11. Upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements ~~except those owned by the United States~~ and shall restore the site, unless otherwise agreed upon in writing or in this permit. ~~If the permittee fails to remove all such structures and improvements within a reasonable period, they shall become the property of the United States, but that will not release the permittee of liability for the cost of their removal and restoration of the site.~~

12. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements other than those owned by the United States situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise reestablish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner above provided is qualified as a permittee and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises may be authorized by permit to him if, in the opinion of the issuing officer or his successor, issuance of a permit is desirable and in the public interest.

13. In case of change of address, the permittee shall immediately notify the forest supervisor.

14. The temporary use and occupancy of the premises and improvements herein described may be sublet by the permittee to third parties only with the prior written approval of the forest supervisor but the permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

15. This permit may be terminated upon breach of any of the conditions herein or at the discretion of the regional forester or the Chief, Forest Service.

16. In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provisions thereof, the preceding printed clauses will control.

17. This permit is accepted subject to the conditions set forth above and to conditions 18 to 31 attached hereto and made a part of this permit.

DATE MAY 31 1962	SIGNATURE OF ISSUING OFFICER <i>Dean M. Carl</i>	TITLE Acting Forest Supervisor
---------------------	---	-----------------------------------

18. No water shall be stored upon or transmitted across the national-forest lands covered by this permit until the facilities have been constructed in accordance with the approved plans and specifications, and the permittee has submitted certification thereof by a registered professional engineer and has received written approval from the Forest Supervisor.

19. This permit confers no rights upon the permittee to the use of the water involved.

20. The permittee shall provide suitable watering places for wildlife and for stock grazing under permit.

21. The Forest Service reserves the right to use water from these facilities for supplying water to a proposed recreation area in sections 16 and 21, Township 23 North, Range 8 East, and for use in the presuppression and suppression of fires.

22. The permittee shall, on or before July 1 of each year, inspect his improvements and complete any necessary repairs at his own expense. Repairs will be to the same standard as the original construction.

23. All earth cut or fill slopes favorable to revegetation flatter than 1 to 1, or other areas on which ground cover is destroyed in the course of construction, will be seeded or planted to grasses or other suitable vegetation as required by the Forest Supervisor. He may also require that ground cover be established on cut or fill slopes steeper than 1 to 1, in unusual situations if favorable to revegetation.

24. Seeding or planting will be done at a time of the year, in a manner, and with species which in the opinion of the Forest Supervisor offers the best chance of success.

25. Depending on the species used, 8 to 15 pounds per acre of seed will be required for revegetation, the minimum to be specified by the Forest Supervisor.

26. Neither the execution and delivery of this permit nor anything herein contained shall be construed as a representation, warranty or covenant by the United States as to the condition of the premises, the suitability for use or enjoyment or the future maintenance, development, improvement or protection of the premises.

27. The permittee shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of lands, facilities or equipment, covered by this permit, by the permittee, his customers or guests, provided this shall not be construed to indemnify the United States against its own negligence.

28. See attached sheet. (Nondiscrimination clauses)*

29. The permittee shall require its employees and its contractors and their employees to comply with all applicable provisions of this permit.

30. The permittee shall permit free and unrestricted access by the public to and upon the premises at all times for lawful and proper purposes, not inconsistent with the objects of the permit or with the reasonable exercise and enjoyment by the permittee of the privileges thereof.

31. None of the conditions of the permit as set forth herein can be varied or modified, except with the written consent of the Forest Supervisor.

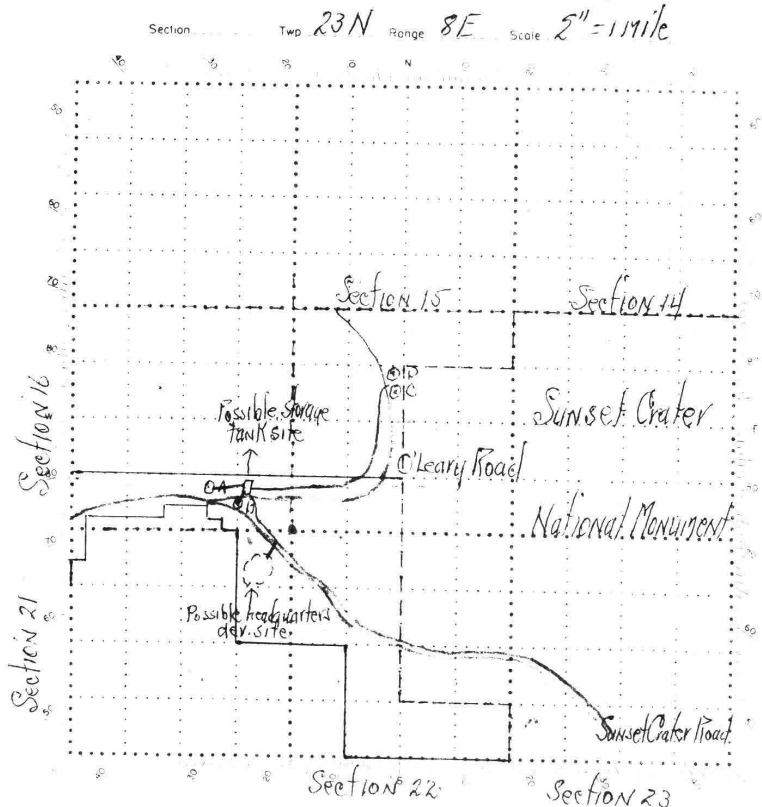
28 The permittee will comply with the following Nondiscrimination provisions:

- (1) The permittee will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The permittee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The permittee agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Forest Service setting forth the provisions of this nondiscrimination clause.
- (2) The permittee will, in all solicitations or advertisements for employees placed by or on behalf of the permittee state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.
- (3) The permittee will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Forest Service, advising the said labor union or workers' representative of the permittee's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (4) The permittee will comply with all provisions of Executive Order No. 10925 of March 6, 1961, and of the rules, regulations, and relevant orders of the President's Committee on Equal Employment Opportunity created thereby.
- (5) The permittee will furnish all information and reports required by Executive Order 10925 of March 6, 1961, and by the rules, regulations, and orders of the said Committee, or pursuant thereto, and will permit access to his books, records and accounts by the Forest Service and the Committee for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- (6) In the event of the permittee's noncompliance with the nondiscrimination clauses of this permit or with any of the said rules, regulations, or orders, this permit may be cancelled in whole or in part and the permittee may be declared ineligible for further government permits in accordance with procedures authorized in Executive Order No. 10925 of March 6, 1961, and such other sanctions may be imposed and remedies invoked as provided in the said Executive Order or by rule, regulation, or order of the President's Committee on Equal Employment Opportunity, or as otherwise provided by law.
- (7) The permittee will include the provisions of the foregoing paragraphs (1) through (6) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the President's Committee on Equal Employment Opportunity issued pursuant to section 303 of Executive Order No. 10925 of March 6, 1961, so that such provisions will be binding upon each subcontractor or vendor. The permittee will take such action with respect to any subcontract or purchase order as the Forest Service may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event the permittee becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Forest Service, the permittee may request the United States to enter into such litigation to protect the interest of the United States.

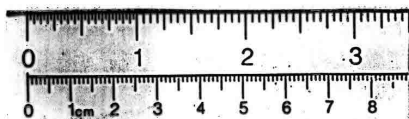
R3-2700-16
5/61

Additional conditions to be placed special-use permit (use additional sheet if needed)

—, Roads - (C), Possible well sites ("A" suggested by USGS, "B", "C" & "D"
 Alternate sites - —, Sunset Crater Monument Boundary - —, F. S.
 Land under NPS Administration (boundary) - —, Water distribution lines.



Drawn by Russell Alan
 4/12/62



UNITED STATES DEPARTMENT OF AGRICULTURE—FOREST SERVICE		NAME OF APPLICANT National Park Service	
SPECIAL USE APPLICATION		DATE OF APPLICATION April 12, 1962	
REGION	STATE Arizona	FOREST Cocconino	RANGER DISTRICT Klondike
(Entries above this line will be filled in by the Forest Service)			
Application is hereby made for a permit to use National Forest land as indicated below			
1. Description of land: SE 1/4 Sec. 15, NE 1/4 Sec. 21, NW 1/4 Sec. 22, T23N, R8E SE 1/4 NW 1/4 section 15, T23N, R8E			
2. Purpose of use: Construct water system for proposed development at Sunset Crater National Monument			
3. Acres of National Forest land to be used: Negligible. Water pump house site and storage tank site.			
4. Miles of National Forest land to be occupied (Applicable to road rights-of-way, pipe lines, telephone lines, power lines, etc.): Approx. 1 1/2 to 2 1/2 miles of pipe line right-of-way.			
5. Number of days that premises will be used each year: 365 days			
6. Improvements, a. Description: Water pumping system and housing, 25,000 gallon storage tank and distribution lines. Present project calls for drilling test wells. Three holes if needed.			
b. Approximate cost: \$1,600	c. Construction will begin within drilling 2 months		d. Construction will be completed within 25 months
DATE OF APPLICATION 4/12/62	SIGNATURE OF APPLICANT <i>Richard E. Deak</i> National Park Service, Superintendent		ADDRESS Supatki E. N., John Star Route, Flagstaff, Arizona

REPORT ON APPLICATION
(To be completed by Forest Officer)

- General description of the area and adaptability for the proposed use. Outline area on map on a separate map sheet if needed to clarify proposed use.
Suitable to use, according to U.S.G.S. geologists. See last Service drawing on the reverse.
- Status of the land requested, including description of any improvements or claims on area. If previously under permit indicate former permit date and permittee's name.
National Forest land. No known permits or claims.
- State approximate amount and kinds of timber to be cut, recommended stumpage prices, method of scaling, include recommendation on disposal of merchantable timber (a) to permittee at current damage appraisal due to others than permittee under regular timber sale procedure.
No timber involved.
- Recommendations, including any factors which might affect the granting of the permit or future use of the land.
Recommend approval - See attached draft of permit.
- List on the reverse side any additional conditions which should be made a part of the permit.

REPORT SUBMITTED	DATE 4-27-62	SIGNATURE <i>M. J. Howell</i>	TITLE DFR
REPORT APPROVED	DATE 5-1-62	SIGNATURE <i>Richard E. Deak</i>	TITLE

(OVER)

Supporting Hydro Data

lava flows. Cinders blown from the many cinder cones in the region form a mulch over much of the area, ranging from a few inches to a foot deep in wind-caused drifts (USDA, 1971). The influence of the cinders results in moderately rapid to very rapid infiltration of precipitation over most of the monument area, and runoff is generally slight (Patton and Meurisse, 1972).

5. Estimate of Quantity:

- a) Sunset Crater Well #1: Now abandoned due to repeated failures as a result of cinders of the (non-water-yielding) volcanic formation forming a pack around the well, isolating it from the limestone and sandstone layers which contain water.
- b) Sunset Crater Visitor Center's well (Sunset Crater Well #2); (A-25-10) 30-1 (717) located in Coconino National Forest approximately half a mile west of the boundary of the park, (NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, T23N R8E), in the Supai aquifer. Water is piped to the Visitors' Center. The well was tested for 73 hours at a discharge rate of 22.3 gallons per minute (g.p.m.). This produced six feet of drawdown in the Visitors' Center well and five feet of drawdown in the observation well (the well previously used as a drinking water source at the Visitor Center. The observation well was located at a distance of 30 feet from the Visitor Center well). Water level in the observation well recovered 90 per cent in three hours after pumping ceased.
- c) Wupatki National Monument Headquarters well: # (A-23-8) 21-1, (715) located in Sec. 30, T25N R10E. A pump test at the well showed a yield of 5 gpm.
- d) Citadel Well in Wupatki National Monument, drilled in January 1967 to a depth of 1780 feet. Static water level measured at 1582.9 feet below ground surface. It was pump-tested for 50 hours at a discharge rate of 17.6 gpm. Extreme drawdown was about five feet, and the water level recovered to 1582.5 feet, 100 minutes after shutting off the pump.

It was determined that it would be prohibitively expensive to bring electricity to the site to pump from the well. The Citadel well was capped.
- e) Heiser Spring (A-25-0) 32-1 (718): Estimated average annual flow 1500 gallons per day (gpd).

- f) Wupatki Spring: Correspondence in NPS files (SWRO) from the spring of 1955 indicates that this spring flowed an average of 600 gpd. It has not flowed since the mid-1960s.
- g) Cottonwood Spring (called Peshlaki on USGS maps of the area) - no estimate exists of flow.
- h) 1963 Shallow Well: A letter from Hydraulic Engineer William Fields to the Assistant Regional Director of Resource Planning dated 8/7/63 describes a shallow well developed on the northeast corner of Wupatki National Monument by a road contractor. It consists of the well, a 10-12 foot deep trench, 145 feet long, and a large holding tank. Water was pumped from the trench to the tank through a 2½-inch pipe. Tank truck drivers reported to Fields that they had pumped 30,000 to 85,000 gpd from the tank for at least a month at the time of writing. It is unknown for how long the water source was used or what its present condition is.

6. Water Quality:

- a) Sunset Crater Well #1: No water quality data exists.
- b) Sunset Crater Well #2: Copy of water quality analysis attached. Total dissolved solids (TDS) run about 550 milligrams/liter (mg/l) - within the potable range, but with a mineral taste.
- c) Wupatki Headquarters Well: Water quality analysis attached. TDS test at 1024 mg/l - an extremely high value, causing considerable problems with mineralization of the water delivery system of the park.
- d) No quality data available for Citadel well, Heiser Spring, Wupatki Spring, Cottonwood Spring, or the 1963 Shallow Well.

7. Water as it supports the purposes of the park:

The two functioning wells at Sunset-Wupatki are used for drinking water and sanitation purposes for visitors to the parks, and to service the residences of NPS employees. At Wupatki, an additional 50,000 gallon tank is under construction, the purpose of which is to double the present storage capacity at the park to provide sufficient fire protection.

Roughly half of the water supply at Wupatki is used to irrigate young trees around NPS residences at the headquarters, New Heiser, and at Heiser Spring. Well water is also used to make adobe for ruins stabilization.

Superintendent, Wupatki and Sunset Crater

October 5, 1972

Park Ranger, Sunset Crater

Water Use in Bontio Campground.

The USFS Bonito Campground opened for the season on May 12, 1972 and closed on September 5. During this period the campground water meter shows that a total of 385,090 gallons of water was used.

Don Magee

Reading May 11, 1972	01514460 gallons
Reading Sept 6, 1972	<u>01899550</u> gallons
	385090 gallons used

Superintendent, Wupatki and Sunset Crater

October 2, 1971

Park Ranger, Sunset Crater

Water use in Bonito Campground

A total of 439,790 gallons of water was used in the Bonito Campground during its opening from May 6 to September 12. This compares with 476,070 gallons used during the summer of 1970 and 406,800 gallons used during the summer of 1969.

The total amount of water pumped this summer is unknown as the meter was changed without recording the reading. However, from past experience I would estimate that the campground uses approximately 70% of the total amount of water pumped during the summer months.

FALL 1971 0108357 ~~10~~)

Don Magee

Superintendent, Wupatki and Sunset Crater

October 2, 1970

Supervisory Park Ranger, Sunset Crater

Water Use at Sunset Crater

<u>DATE</u>	<u>PUMP METER</u>	<u>ELECTRIC METER</u>	<u>CAMPGD METER</u>	<u>REMARKS</u>
5/1/70	4687164	97569	00607500	Campground Open
6/1/70	4834310	00981	00719180	
7/2/70	4837916	04194	00805910	
8/1/70		08388	00935230	Pump Meter Broken
9/1/70	4868760	13951	01049418	
9/18/70	4927640	14372	01083570	Campground Closed

58,880

421

Donald E. Magee

240,476
600,000
7 Kats / 1000 gallons

476,070

599,000
7/4194

1,454,000
2 10178
1,412,000
150,752
1,604,752
1/3

Superintendent, Wupatki-Sunset Crater N.M.

September 15, 1969

Supervisory Park Ranger, Sunset Crater N.M.

Water Use at Sunset Crater

DATE	PUMP METER	ELECTRIC METER	CAMPGD METER	REMARKS
5/3/69	3981020	81938	00200700	Campground Open
6/1/69	4078240	83018	00257700	
7/1/69	4230260	86294	00368800	
8/1/69	4379110	89554	00484700	
9/1/69	4527000	92730	00588600	
9/15/69	4561050	93484	00607500	Campground Closed

580,030.

11,546 Kwh

406,800

Donald E. Magee

1 Kwh = 50.2 gallons.

148,880 → 163,652 gal

34,080
45 gallons

37,851

BACK-UP MATERIAL

Existing Water Supply System

- A. Water Source: Double cased well - 2215 feet deep
 Diameter 8-5/8" - 730 feet
 7" - 2215 feet
 Static water level - 1943.15 feet (BTC)
 Perforations from 1983 feet to 2215 feet (BTC)
 Yield - 21 gpm with 69 feet drawdown
 Submersible Byron Jackson Pump (Series 400,
 Type H-27, 90 Stages) located at 2115 feet BTC.
 Water Quality - Corrosive calcium bicarbonate
 hardness with excessive iron. Well pumps excessive amount of cinders.
- B. Distribution system serves visitor center, maintenance area, four residences and Forest Service campground (32 designated sites).
- C. Reservoir: 50,000 gallon elevated tank
 Water level controlled in reservoir with pressure switch (Mercoïd Type DA 33-2, pressure setting - 42-47 psi).
 The above unit failed and was replaced with Square "D" Class 9012 (Type AM V3, pressure setting - 10-13 psi).
 The Square "D" unit is not operating. Reservoir level is now controlled manually.
 Pump-up time from well to booster station is 11 minutes and boosted with a 20 HP centerlift pump (20 gpm) approximately 130 feet to reservoir.
 Fluctuation of water level in reservoir reportedly varies from 1-1/2 feet to 8-1/2 feet.

Water Demand by agency use is as follows:

<u>Year</u>	<u>Total Pumped (Gallons)</u>	<u>Forest Service (Gallons)</u>	<u>Park Service (Gallons)</u>
1969	825,770	406,800	418,970
1970	- *	476,070	- *
1971	868,502	439,790	428,712
1972	829,620	385,090	444,530

All of the Forest Service water demand is consumed during the months of May to September. Based on a single sampling (1969), the Forest Service accounts for 70 percent of all waters pumped during the aforementioned months.

*Master meter out of order.



IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

WATER RESOURCES DIVISION
P.O. BOX 4070
TUCSON, ARIZONA 85717

March 29, 1967

Mr. Bill Fields, Hydraulic Engineer
Southwest Region, National Park Service
P. O. Box 728
Santa Fe, New Mexico 87501

Dear Mr. Fields:

Attached are all the data we have pertaining to the Citadel Well on the Wupatki National Monument in Coconino County, Arizona. Mr. McGavock, who did this work, does not plan to make a log of the well cuttings because the cuttings were badly contaminated by red shale dumped in the well during drilling.

Also attached is a well schedule and chemical analysis for the deep well at Sunset Crater National Monument.

Analysis of the pumping test data is complicated by the facts that the well is located in or near a fault zone and several severe storms occurred during the test. As a result, the time-drawdown curve obtained during pumping has numerous changes of slope which are difficult to interpret.

A semi-logarithmic plot of the recovery data also indicates variable permeabilities within the aquifer. The early part of the curve indicates an apparent transmissibility of 2,430 gpd/ft (gallons per day per foot). The later portion of the curve indicates an apparent transmissibility of 1,250 gpd/ft. This figure of 1,250 gpd/ft is probably representative of the aquifer's capability during long term pumping.

The well can produce at least 50 gpm (gallons per minute) from a pump setting of 1700 feet.

I trust this letter will satisfactorily suit your needs.

Sincerely yours,

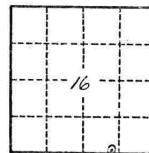
Edward S. Dinslow
for H. M. Babcock
District Chief

Enclosures

*New memo to
agencies in word like*

Geologic contacts by Driller

0-700 Volcanics
700-1000 Kaibab
1000-1830 Coconino
1830-2200 Supai

Well No. A-23-8 / 16 dcd

Assistant Regional Director, Operations
Through Regional Chief of Lands

May 11, 1965

Hydraulic Engineer

Cupit
Trip to Sunset Crater National Monument to Test Well

I departed from Santa Fe the afternoon of May 2 in order to arrive at Sunset Crater the early afternoon of May 3. This time had been set by the Superintendent and well driller as the beginning of the well test. I was accompanied by Clyde Arquero. We arrived at Sunset Crater shortly after lunch on Monday. The pump had been installed the previous week. Mr. Gillespie, a U.S.G.S. representative, was present. The pump test was begun at 12:33 p.m. on May 3. The pump used was a Roda submersible rated at 20 HP and had 100 stages. Because of the depth involved it had been determined through consultation with the U.S.G.S. representative that we would use a pressure gauge to test for drawdown. The initial pressure was 483 pounds and static water level was 1944 feet. By mid-night of May the 3rd, the pressure had dropped to 460 pounds psi. This indicated a drawdown to 2003 feet. The rate of flow was 21 gpm and from this point until the end of the test on Wednesday at 12:33 p.m. the rate of flow and drawdown remained constant at the above figures.

After 29 hours of pumping, I took a water sample and made field tests on the quality; the results are as follows:

Specific Conductance	800 ppm
Hardness	444 ppm
Chlorides	30 ppm
Iron	5 ppm
pH	6.5

Except for the iron, this water is good water for this part of the country and the iron can be eliminated easily.

I departed for Los, Utah at 12:35 p.m. on May 4. The purpose of that trip was to attend a hearing before Judge Ferdinand Erickson on the Capitol Reef Water Rights scheduled for 1 p.m. on May 5. This trip will be the subject of another report.

I returned to Sunset Crater at 12:20 p.m. on May 6. The test had been completed under Clyde's supervision and they were in the process of pulling the pump. As soon as the pump was out of the hole, I probed the depth of the well and found it to be 2215 feet and the static water level had returned

to 1944 feet. Superintendent Mahan, Graham Cowley of the Cowley Brothers Drilling Company and I went over the terms of the contract and decided on total costs for each item of the contract. Total cost of the well including the 48-hour test pumping, developing and casing came to \$39,400. An agreement was reached on this amount with all parties concerned.

We left Sunset Crater at 6:15 p.m. and arrived at Flagstaff at 6:40 p.m. The following morning Mr. Gillespie and I went over the bore samples. In all there were 443 samples taken. It was requested by the U.S.G.S. Geologists that they be allowed to retain these samples until a microscopic examination of these can be made at which time they will return the remainder of the samples to us along with a copy of the results with a lithographic log.

At 10 a.m. I met with representatives of the Culligan Water Softening Company in Flagstaff. I did this at the request of WODC Engineer Emmett Martin who wanted me to find the local approach and recommended treatment of soluble iron. Their suggestion was that we install a hypo-chlorination system at the well along with a storage tank which can double as a settling tank. In addition they recommend installing rapid sand filters before introducing the water in the distribution line. I relayed this information to Mr. Martin. The pH may be a problem and the final design may require the introduction of a soda-ash slurry to raise it.

We departed from Flagstaff at 12:30 p.m. and arrived in Santa Fe at 10:20 p.m. on May 7.

(SIGNED)

William E. Fields

cc: ARD, Administration
ARD, Cooperative Activities
Supervisory Engineer, WODC
Regional Chief of Maintenance
Chief of Resources Study

*May 7 I called
Emmett Martin*

WEFields:dmr
5/11/65

General Repair Auto and Machinery

Graham L. Cowley

Northern Arizona Utilities Company

COWLEY BROTHERS

ST. JOHNS, ARIZONA

June 23, 1965

Super

Well Drilling and Equipping
RECEIVED
WUPATKI NATL. MON. Hugh H. Cowley
JUN 25 1965

☒	SUPP.
☒	GEOLOGIST
☒	SURV. ENGINEER
☒	WATER ASST.
☒	MAINTENANCE
☒	SUNSET CRATER
☐	FILE

RAW

Mr. Russell Mahan, Superintendent
Wupatki National Monument
Tuba Star Route
Flagstaff, Arizona

Dear Mr. Mahan:

The following is a log of the well at Sunset
Crater:

SUNSET CRATER PARK SERVICE WELL

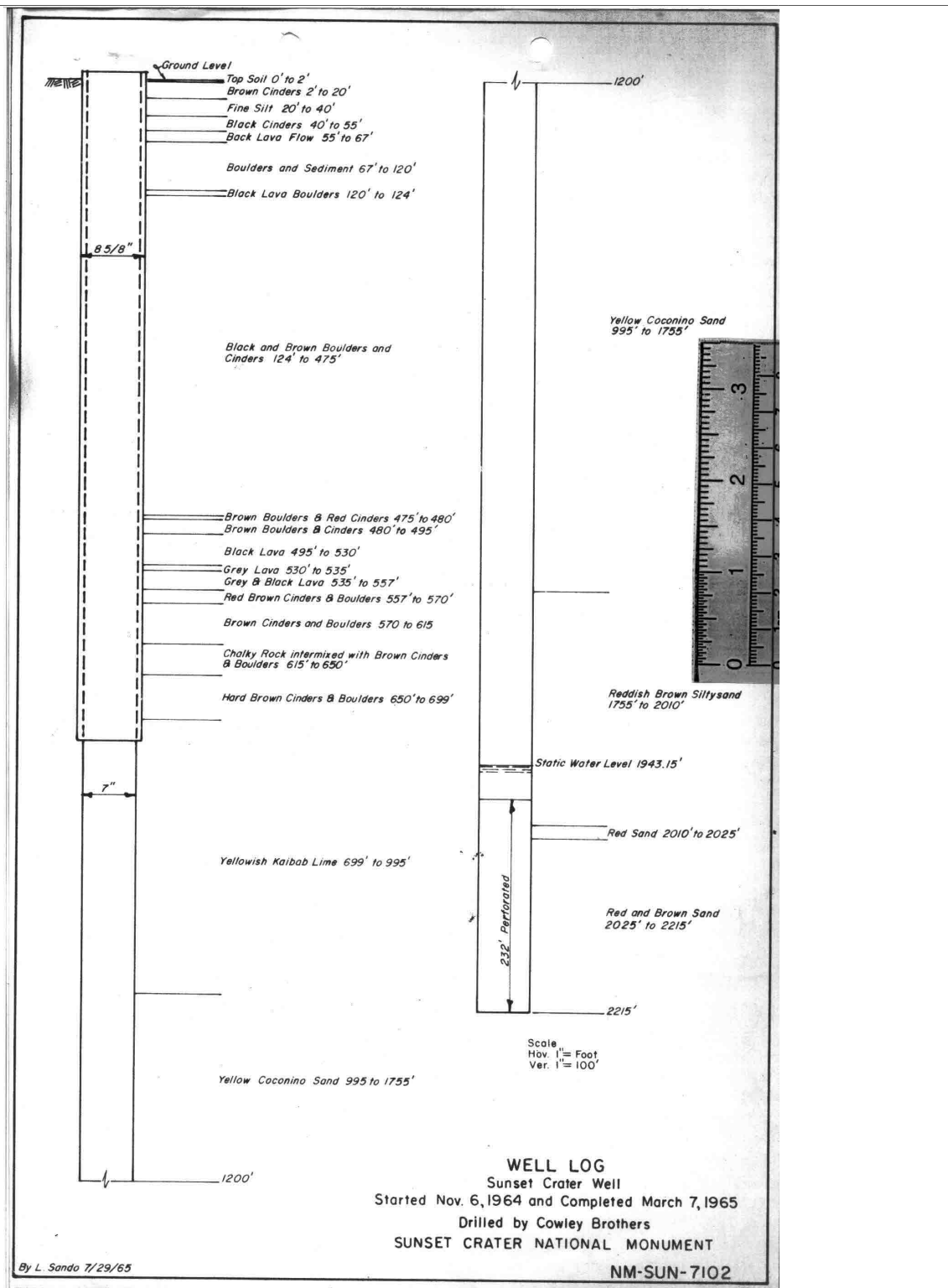
DRILLER: W. E. Cowley

0 - 2'	Top Soil	
2 - 20	Brown cinders	losing water
20 - 40	Fine silt	holding water
40 - 55	Black cinders	losing water
55 - 67	Black lava flow	
67 - 120	Boulders and sediment	
120 - 124	Black lava boulders	losing water
124 - 475	Black and brown boulders	
475 - 480	and cinders	
	Brown boulders and red cinders	
480 - 495	Brown boulders and cinders	
495 - 530	Black lava	very hard
530 - 535	Grey lava	losing water
535 - 557	Grey and black lava	very hard
	cinders and boulders	
	falling in	
557 - 570	Red - brown cinders and boulders	falling in
570 - 615	Brown cinders and boulders	" "
615 - 650	Chalky rock intermixed with brown cinders and boulders	
650 - 699	Hard brown cinders and boulders	
699 - 995	Yellowish Kaibab Lime	
995 - 1755	Yellow Coconino sand	
1755 - 2010	Reddish-brown silty sand	Supai
2010 - 2025	Red sand	clean - some water
2025 - 2215	Red and brown sand	
720' of 8 5/8 O.D. casing		
2227' of 7 O.D. casing		
232' of perforations at bottom		
Static Water level 1943.5		

Spudded in Nov. 6, 1964
Finished drilling Mar. 7, 1965.

COWLEY BROTHERS,

By *Graham L. Cowley*



Other Supporting Information

RECEIVED
NATIONAL PARK SERVICE
WASHINGTON OFFICE

JAN 18 1977

JAN 21 8 25 AM '77

*File
Sunset Crater
Water Rights Case*

L54(SWR)OM

Memorandum

To: General Superintendent, Navajo Lands Group
From: Hydraulic Engineer, Water Resources, SWR
Subject: Water Rights - Sunset Crater, Wupatki, Navajo, Hubbell Trading Post

We have just received information of the new Water Rights Registration Act of the State of Arizona. It appears that this Service will need to register the following water sources with the State of Arizona.

Sunset Crater - Headquarters Well

Wupatki - Headquarters Well
Citadel Well
Heiser Spring
Historical Spring

Navajo - Headquarters Well
Well at Keet Seel
Betatakin Well
All springs

Hubbell - Canado Irrigation Water
Headquarters Well

Canyon de Chelly - No action required as all water on the land is property of Indian Water Rights

All of the above water rights claims must be filed by June 30, 1977 unless a time extension is granted.

With your approval and assistance we will prepare the necessary drafts for submittal prior to the deadline.

WATER IS PRECIOUS - LET'S PROTECT IT

(SIGNED)

Garland Moore

cc: Supt., Sunset Crater
Wupatki, Navajo, Hubbell
Chief, Division of Natural Resources, WASO (Atten: Vic Berte')

RECEIVED
NATIONAL PARK SERVICE

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

8 19 AM '73

L54

DEC 19 1973

Memorandum

To: Superintendent, Wupatki/Sunset Crater NM
From: Hydraulic Engineer, Water Resources, SWRO
Subject: Well Schedule, Sunset Crater Well

Enclosed is well schedule received from USGS at Flagstaff. No test pumping data could be found except that the well is reported to yield 21 gpm.

Please file in Water Right Docket #1.

WATER IS LIMITED

(RECEIVED)

Garland Moore

GM:ba
Enclosures

cc:
Chief of Maintenance, MRM-WASO
Gen. Supt., Navajo Lands Group
Associate Regional Director, PSM-SWR
PSN-SWR

Shile file
Please file
enclosure in
Sunset Crater
WR Docket #1.
Cover memo in
encl. file.
Jai

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

LS4
X L1425

Memorandum

To: Director
From: Assistant Regional Director, Operations
Subject: Material for Docket No. 1, Sunset Crater

Enclosed for insertion in your Docket No. 1 for Headquarters Well No. 1 is the Easement or Right-of-Way Deed signed by Mrs. Viola Engblom for the use of the well drilled on her property. Attached to the Easement is a land plat showing the property. Also enclosed is a letter to Mrs. Engblom dated October 14 and a memorandum to the Regional Director dated October 27 both from Superintendent Mahan.

By copies of this memorandum we are sending this material to Chief, WODC and Superintendent, Wupatki for insertion in their dockets.

(SIGNED)

George W. Miller

In duplicate ✓

Enclosures

Filed
cc:
Chief, WODC (2), w/encs.
Superintendent, Wupatki
w/encs.

395-6-8-65

WRCopy

EVR
GWR

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

154-SLW

JUN 4 1965

Memorandum

To: Director

From: Acting Assistant Regional Director, Operations

Subject: Water Well at Sunset Crater

On April 2 the Chief, Branch of Water Resources requested information as to the quality of water at Sunset Crater.

We have submitted a water sample to the U.S.G.S., Quality of Water Branch for a complete analysis. However, the results have not yet been received.

Hydraulic Engineer Fields tested this well the week of May 17. The well was tested at a rate of 21 gpm with a drawdown of only 64'. Field tests of the quality of water indicated that the water is suitable for domestic use with the exception of iron which is in excess of 5 ppm. WODC has been notified of this situation and the design of the final water system will allow for treatment.

(SIGNED)

Thomas J. Williams

In duplicate

cc: Chief, WODC (2)
Superintendent, Wupatki



IN REPLY REFER TO:

D18

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Southwest Region
Santa Fe, New Mexico 87501

MAR 11, 1965

DCM

Memorandum

To: Director

From: Regional Director

Subject: Master Plan Drawing NM-WUP-SUN-3104-A, Developed Area, Sunset Crater, and Interim Master Plan Drawing NM-WUP-SUN-2050-D, General Development and Interpretation, Wupatki-Sunset Crater

In reply to Mr. Reshoft's memorandum of June 4, 1964 regarding the subject master plan drawings, we are enclosing two copies of our memorandum to WODC dated September 24, 1963 which covers in considerable detail the proposals for the requirements and developed facilities for Sunset Crater and Wupatki National Monuments. Evidently your office did not have these enclosures at the time of your review of this master plan.

A 2200' deep well has just been completed at Sunset Crater which on its initial test bailed 15 gallons per minute. Water stands in the bore at 1956'. After casing it is expected this well will produce at least 10 gallons per minute which is more than sufficient for the developments proposed on this master plan.

As there are wells on both sides of the Citadel area we do not question but that water can be obtained for this proposed development.

We are sure that three permanent residences will be necessary for protection at Sunset Crater. Need for the additional ones may be justified later. Their being shown on the master plan at this time would not imply approval for construction.

Second page not copied since information not needed: (Mrs. Setzler has so complete etc).

488-9-9-64
W. R. Copy.
EHR
WRS 9/9/64
BWR.

Southwest Region
Santa Fe, New Mexico

SEP 2 1964

154

Memorandum

To: Director
From: Assistant Regional Director, Operations
Subject: Notice of Intention to Drill Well, Sunset Crater
National Monument

We have enclosed a conformed copy of WD Form G-300 from the State of Arizona which is a Notice of Intention to Drill Well and a copy of WD Form G-308 which is a well drilling card. These should be inserted in Docket No. 1, Sunset Crater, Headquarters Well No. 1.

We have inserted a copy of these items in our Docket and by copies of this memorandum are sending them to Chief, WODC and Superintendent, Wupatki, for insertion in their Docket.

(SIGNED)

George W. Miller

In duplicate ✓

Enclosures → Filed in Docket NO. I

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

495-9-10-64

WR copy
GWR
WAB

Southwest Region
Santa Fe, New Mexico

SEP 1 1964

L54

Memorandum

To: Superintendent, Wupatki
From: Assistant Regional Director, Operations
Subject: Exempted Well Card and Report of Well Driller for
Sunset Crater Well, Sunset Crater National Monument

We have enclosed a WD Form G-308 from the State of Arizona which is an Exempted Well Card and should be given to the well driller, Graham, Cowley of St. John, Arizona, to be posted on or nearby the well rig during drilling operations. We have also enclosed the Report of Well Driller form WD Form G-301. This Report of Well Driller should be turned over to the well driller upon completion of the well. You should see to it that he completes this form and transmit it to this office before final payment for the construction is made.

We have notified the U.S. Geological Survey office in Tucson that this well is to be drilled very soon and they will assign a man from Holbrook to supervise the drilling and testing.

If any assistance from this office is required do not hesitate to call.

(SIGNED)

George W. Miller

Enclosures

cc: Director (2) w/o enc ✓
Chief, WODC (2) w/o enc.

Southwest Region
Santa Fe, New Mexico

L54
SUCR

OCT 24 1962

WR Copy
C 11/14/62
Vick to note
Gordon to
record +
file 2nd 11/14

Memorandum

To: Director
From: Regional Director
Subject: Establishment of Water Right Docket No. 1, Sunset
Crater National Monument

In the near future we are planning to drill a water well on Forest Service land, Sunset Crater National Monument. Because of this we have entered into a special use permit agreement with the U. S. Forest Service near Sunset Crater National Monument. This special use permit gives us the right to drill a well and utilize the water on Forest Service land near the boundaries of the Monument.

We have prepared a water right docket for this area and have called it Water Right Docket No. 1. We have inserted a copy of the special use permit in this docket and by copies of this memorandum are sending the prepared dockets to WODC and the Superintendent, Wupatki.

Thomas J. Allen ^(SIGNED)
Regional Director

In duplicate

Enclosure (1)

Copy to: Chief, WODC (2) w/1 enclosure
Supt., Wupatki w/1 enclosure

Sunset Crater
or
Wupatki
Region Three
Santa Fe, New Mexico
April 5, 1962

WRG
4/4
HR

L54

APR 6 1962

Memorandum

To: Superintendent Wupatki
From: Assistant Regional Director
Subject: Permission to Drill Well, U. S. Forest Service,
Sunset Crater National Monument

Representatives of this office have telephoned Lloyd Perry, one of the representatives of Perry Brothers Drilling Company, Flagstaff, Arizona, in order to obtain information for preparation of a contract for test drilling at Sunset Crater. We plan to write additional drillers before it is determined the type of contract to be used in drilling the test well.

According to information received from you we understand that the test sites most likely to produce shallow water are on Government Land administered by the U. S. Forest Service at the westerly portion of Sunset Crater National Monument north of the existing road.

Before we can enter into a drilling contract it will be necessary to obtain a formal agreement (probably a Forest Service Special Use Permit) authorizing the National Park Service to drill on Government Land administered by the Forest Service.

It is requested that you contact the proper representatives, obtain a draft of the proposed permit and transmit it to this office for review. The proposal should authorize the drilling of up to three test wells with the construction, operation and maintenance of a water well, storage tank and the necessary pipeline if water should be encountered in any one of the three test wells. There should also be a small map, preferably letter size, showing the proposed location of the three test sites and the general route of the proposed pipeline. This map should show sections, township and range. We would prefer to review this instrument in draft form before it is executed.

(SIGNED)

George W. Miller
Assistant Regional Director

Copy to: Director (2) ✓ WODC (2)

COPY

CITY OF FLAGSTAFF

Flagstaff, Arizona

September 28th, 1956

Mr. John M. Davis,
General Superintendent,
Southwestern National Monuments,
Box 1562,
Globe, Arizona.

Dear Mr. Davis:

With reference to your letter of August 29th, 1956, requesting contractual commitment by the City of Flagstaff that in case it is impossible for the National Park Service to drill a satisfactorily productive water well for service of the proposed residential housing area to be located adjacent to U. S. Highway 89 where the same intersects with the National Park Service road leading to Sunset Crater National Monument, the City will permit said National Park Service to tap its Jack Smith Springs water pipe line on the east slope of San Francisco Mountains for water service of the installation.

Notwithstanding the City's policy of zealously guarding and conserving the Jack Smith Springs water supply for use of its citizens within the city and even taking into consideration a possible hardship upon its citizens especially in times such as the present water shortage, our City Council has sympathetically considered the necessity of Park Service and have agreed to enter into contractual obligations whereby the tap may be made in case the well explorations prove unsuccessful.

We most sincerely trust the water well exploration proves successful as that would relieve much anxiety on the part of both the Park Service and the City in times of water shortage such as we have experienced at many times in the past and such as we have learned to expect in this mountainous area.

We trust the foregoing action on the part of our City Council will assist in your proposed project in which we assure you, we are all sincerely interested.

Respectfully yours,

/Sgd./ C. T. Pulliam, City Clerk

WRG
D5039-1

November 30, 1956

Memorandum

To: Regional Director, Region Three
From: Chief, Water Resources Section
Subject: Water Development for Sunset Crater National Monument

The memorandum of October 3 to you from Mr. Castellus advises that City of Flagstaff is willing to permit this Service to tap the Jack Smith Spring water system for Sunset Crater if the proposed well does not prove to supply an adequate amount of water.

The Geological Survey report seems to imply that an adequate groundwater supply can be obtained. On the other hand, we do not know how much water is available from Jack Smith Spring, how much is now used by the City, what the probable ultimate City demand therefrom will be, or how much water the City would be willing to supply to the Monument. By water (old travel) years the Monument visitation increased from 13,000 in 1941 to 38,000 in 1955 with no significant evidence of becoming static.

Considering these factors, it seems desirable to obtain more specific commitments from the City, and also to obtain further advice from the Geological Survey as to whether to try a deeper well or one at another locality before deciding on alternatives if the proposed well does not intercept adequate water.

(S I G N E D)

A. van V. Dunn
Chief, Water Resources Section

Copy to: General Superintendent, Southwestern National Monuments
Western Office of Design and Construction
Mr. P. Miller
Mr. Langley
Mr. Dunn

AvVDunn:lct

In reply refer to:
L54-L

February 25, 1955

Memorandum

To: Regional Director, Region Three
From: Chief, Water Resources Section
Subject: Possible Water Supply, Sunset Crater

Office of Chief, Western Office Div. of Design and Const.
MAR 4 1955 A.M.
Supv. Architect
Supv. Engineer <i>12/3/7</i>
Supv. Landscape Arch.
Safety Engineer

The memorandum of December 9, 1954, from Mr. Gastellum, of which copies were forwarded with the memorandum of February 17 from Mr. Bowen, presents the possibility of obtaining water from the City of Flagstaff with delivery near one source at Smith Spring. I have assembled some data with the same idea in mind, which are filed in Walnut Canyon Pocket No. 1 and Walnut Canyon Alien Water Right No. 1.

The plan I considered 6 or 8 years ago was never fully developed, but in general pattern it was to buy rights to enough water from some source such as Smith Spring, and construct a single water system to serve Sunset Crater, Walnut Canyon, and Wupatki. Unless the City of Flagstaff successfully developed other more adequate sources, as it appears to have done, it would not be justified in selling any of its rights to older sources. For that reason, I assumed it would be more practical to buy from the Mt. Elden or Doney Park water users association, or from Rabbitt Brothers, or some individual. I dropped my investigations at about that point because the construction project was further in the future than many of my other problems.

This Service was more averse to becoming involved in joint owned water systems and water rights in 1947 than it and the Department now seem to be. I have always believed that affiliation with a reliable organization, such as the City of Flagstaff, might offer financial savings and desirable operating features. My limited knowledge of the Mt. Elden Water Users Association, complete ignorance of the status of the Doney Park Association, and the questionable adequacy of the City water supply in 1947, led me to favor an independent Park Service water system at the time. I believe that the entire situation should be reconsidered and further investigated at this time.

As a part of the study, we should fully evaluate the alternative proposals which the Geological Survey may offer as a result of its investigations of last fall. By memorandum of February 24 to you, I advised that there are water right funds to pay for the Geological Survey report at a cost of \$500, provided the sum was not more urgently needed with the \$1,000 offered for investigation at Grand Canyon.

THOMAS A. VAN V. DUNN,

A. van V. Dunn
Chief, Water Resources Section

In triplicate

Copy to: Western Office of Design and Construction

154-1

WR Copy
②
AWR

Memorandum

JUL - 5 1955

To: Regional Director, Region Three
From: Assistant Director

**Subject: Report on Groundwater Investigation by Geological Survey,
Sunset Crater and Wupatki National Monuments**

The copy of the preliminary draft of the subject report by Mr. Cosner, dated June 1955, was forwarded with a memorandum of June 24 from Mr. Lassiter, requesting its return after review. It is returned herewith. It is noted that the only other copy was sent to the General Superintendent, Southwestern National Monuments. We believe that one copy should be referred to the Western Office of Design and Construction if time permits and there is any possibility that the final report will not be available for some time.

The bill for \$500, mentioned by Messrs. Lassiter and Heindl, was received about a week ago and is now being processed.

The report appears to supply all of the desired information for water development plans and contributes materially to the information on the water resources. It is noted that several test wells are recommended, and the use of alternative site (A-23-B) 33 ddd would require right-of-way and land use privileges. Estimates and proposals for these preliminary stages of development should be prepared at once.

As an alternative you have suggested that water might be obtained from springs on the San Francisco Peaks under rights which might be acquired from the City of Flagstaff or a neighboring water district. The subject report suggests that an adequate groundwater supply can be obtained with far less water right and right-of-way costs and pipeline lengths. However, such alternative sources should be investigated to the extent necessary to show that they are less desirable. They might have the merit of better quality of water.

Lemuel A. Garrison

Assistant Director

In duplicate

Attachment

Copy to: Mr. P. Miller
Mr. Gale
Mr. Langley
Mr. Dunn

AvDunn:let 6-29-55

WLC
In reply refer to:
L54-1

February 25, 1955

Memorandum

To: Regional Director, Region Three
From: Chief, Water Resources Section
Subject: Possible Water Supply, Sunset Crater

The memorandum of December 9, 1954, from Mr. Gastelum, of which copies were forwarded with the memorandum of February 17 from Mr. Bowen, presents the possibility of obtaining water from the City of Flagstaff with delivery near one source at Smith Spring. I have assembled some data with the same idea in mind, which are filed in Walnut Canyon Docket No. 1 and Walnut Canyon Alien Water Right No. 1.

The plan I considered 6 or 8 years ago was never fully developed, but in general pattern it was to buy rights to enough water from some source such as Smith Spring, and construct a single water system to serve Sunset Crater, Walnut Canyon, and Hupatki. Unless the City of Flagstaff successfully developed other more adequate sources, as it appears to have done, it would not be justified in selling any of its rights to older sources. For that reason, I assumed it would be more practical to buy from the Mt. Elden or Doney Park water users association, or from Habbitt Brothers, or some individual. I dropped my investigations at about that point because the construction project was further in the future than many of my other problems.

This Service was more averse to becoming involved in joint owned water systems and water rights in 1947 than it and the Department now seem to be. I have always believed that affiliation with a reliable organization, such as the City of Flagstaff, might offer financial savings and desirable operating features. My limited knowledge of the Mt. Elden Water Users Association, complete ignorance of the status of the Doney Park Association, and the questionable adequacy of the City water supply in 1947, led me to favor an independent Park Service water system at the time. I believe that the entire situation should be reconsidered and further investigated at this time.

As a part of the study, we should fully evaluate the alternative proposals which the Geological Survey may offer as a result of its investigations of last fall. By memorandum of February 24 to you, I advised that there are water right funds to pay for the Geological Survey report at a cost of \$500, provided the sum was not more urgently needed with the \$1,000 offered for investigation at Grand Canyon.

(SSE.) A. VAN V. DUNN

A. van V. Dunn
Chief, Water Resources Section

In triplicate

Copy to: Western Office of Design and Construction
Mr. P. Miller
— Mr. Dunn

AvVDunn:let

Docket Information

Number of Documents in Docket 128

Documents Dated from 2/25/1955 to 5/17/2000

Docket Compiled: 4/6/2012