Docket Number: 16

BIG STUMP AREA, UNNAMED SPRING.
(FORMERLY KICA - 001)

Preliminary Docket Information

WATER RIGHTS BRANCH INFORMATION TRACKING SYSTEM

ISSUES AND CONCERNS

ID# _____ ISSUE TITLE Report of Licensee - 1985, 1986, 1987

REGION _____ UNIT Sequoia - Kings Canyon NP

LAST UPDATE _____

CONTACTS:

Name Bob White Title District Ranger Phone (209) 565-3341

Name _____ Title _____ Phone _____

Name _____ Title _____ Phone _____

Name _____ Title _____ Phone _____

WRB Lead Contact Pat Larson

ISSUE/CONCERN:

Received Reports of Licensee for California park units. Included in the package was one application for Sequoia-Kings Canyon NP - Application #5687, License #961, Docket #1.

ACTION PLAN:

1. Contact Park staff to inquire about water usage for the application.
2. Prepare Report of Licensee.
3. Transmit Report to Western Region for submittal to State Water Resources Control Board.

ACTION SCHEDULE:

Action	Due Date	Completion Date	Responsible Person(s)
1	2/88	1/15/88	Pat Larson
2	3/88	3/1/88	Pat Larson
3	3/88	3/3/88	Pat Larson
4			
5			
6			
7			
8			

DATE	COMMENTS
1/15/88	Contacted Bob White, District Ranger, to inquire about water usage at Big Stump Water System, Application #5687, License #961, Docket #1. Mr. White said there have been no changes in water usage for this application.

COMPLETION SUMMARY:

05-24-1979: water right/source docket information

DATE MAY 24, 1979

DOCKET(FILE) TITLE

REGION Western AREA Kings Canyon National Park

SITE Big Stump Water System

STATE California COUNTY Tulare DOCKET NO. WR#1

LOCATION SW¼ SE¼ NW¼ Section 8, T14S, R 28E, MDB&M

REGIONAL BASIN Pacific Coast LOCAL BASIN

ACQUIRED BY Appropriation

APPLICATION 5687 PERMIT 2962 CERTIFICATE 961

ACTION DUE PRIORITY Sept.13,1927 RESERVATION March 4, 1940

QUANTITY 1100 gpd and 6500 gpd USE Domestic, recreation, fire protection, vehicle use

STATUS Active SOURCE surface water(2 unnamed springs)

REMARKS It is possible that this appropriative right was perfected before the lands that currently comprise Kings Canyon N.P. was transferred by the Forest Service. Big Stump is within Hydrologic Basin Unit No. 18030011.

NARRATIVE:

Congress established Kings Canyon National Park on March 4, 1940. Kings Canyon included lands that were once within General Grant N.P. (under the exclusive jurisdiction of the Secretary of the Interior since 1890) and some adjacent lands incorporated in Sequoia National Forest. The Big Stump Water System was located on territory administered by the Forest Service and transferred to the Department of the Interior when Kings Canyon N.P. was established.

Before the National Park Service administration began, the Forest Service had granted several permits dating back to 1927 for the use of the land in the Big Stump area for a fox farm and later for a resort hotel, service station, museum, and cottages. The first permittee, Mr. Howell Bone, was required under the terms of the agreement to obtain a state water right providing for the diversion of wataer from an unnamed spring for domestic use at his fox farm. He obtained a state water right (License No. 961) for the diversion of 1,100 gallons per day from an unnamed spring tributary to Mill Creek from April 1 to November 15. The ownership of he fox farm (later resort hotel) and appurtenant water right changed several times prior to acquisition of jurisdiction by the National Park Service in 1940. The National Park Service was assigned the ownership of License No. 961 by the then current owners, and the records of the State Water Rights Board were ammended to reflect this in 1950.

The NPS, in filing its Report of Licensee in 1950, reported that it was using water from the spring year round. The State requested the NPS to file a second application to cover the additional use (during the winter months). The State did not recognize a federal riparian right (as other California landowners were entitled to) and the Federal government had not established a policy on the issue. The NPS filed application No. 16184 on December 20, 1954, to appropriate 6500 gallons per day from the spring. Eventually, over 20 downstrem landowners protested the proposed diversion. The NPS claimed that the diversion would have no effect on the flow of Mill Creek (to which the spring was tributary). However, the NPS withdrew its application

Approved by

upon advice by the Assistant Solicitor of National Parks as a result of the pressure exerted by the numerous downstream landowners protesting the application.

It appears that the National Park Service is now diverting water year round from this source but has made no other efforts to supplement its rignts under License No. 961.

Ernesto Molina
May 1979

00-00-0000: water right/source docket information

Kings Canyon WR #1 - Big Stump Water System

On January 1, 1927, Mr. Howell Bone acquired a special use permit from the Forest Service for a pipeline and storage tank to convey water to his fox farm (see Park Service Drawing No. NP - SK 6979 which shows a lodge, fox pens and tennis courts). Condition 15 of the permit required the acquisition of a permit from the State Division of Water Rights for use of the water involved. If the State permit was not obtained, the special use permit was subject to revocation. Mr. Bone subsequently filed Application No. 5687 with the State of California on Sept. 13, 1927, to appropriate 1,100 gallons per day "from about April 1st to about November 15th each season" from an unnamed spring tributary to Mill Creek. The State issued License No. 961 for this diversion on January 7, 1931.

On March 16, 1931, Mr. V. H. Rowland notified the State of an assignment by Mr. Bone of the above water right to himself and Mr. H. D. Temple. Previously, on September 26, 1929, a special use permit had been issued by the Forest Service to Rowland and Temple for a piece of land consisting of approximately two acres known as "Bone's Fox Farm" (located near Big Stump) for the purpose of a fox farm, residence and store. This property (the structures) had been transferred from Bone to the above parties prior to the issuance of the permit. Also, on September 26, 1929, a special use permit was issued by the Forest Service to Temple and Rowland for a pipeline and storage tank "east of the SandCreek road on Mill Creek." These again had been transferred to them by Bone.

On August 2, 1938, the Forest Service issued a "Term Permit" to Mr. Tom P. Ferguson for a resort hotel, with a store, cottages and service station. This permit superceded the fox farm permit issued to Rowland and Temple which terminated on June 30, 1938. Rowland and Temple had transferred their property and their interest in License No. 961 to Ferguson and Ed Creighton. The transfer of the water right was recorded with the State Engineer on June 8, 1938. Condition 15 of the August 2nd permit provided that "In accepting this new permit the present permittee waives all rights to water formerly claimed by Mr. Rowland under State Water right." On June 30, 1938, the permit for the pipeline and storage tank terminated and a new permit for these was not issued. Under Condition 32 of the above permit no water rights were to accrue under the permit.

On November 29, 1939, the Forest Service issued a permit to Mr. and Mrs. Emery Whilton for the purpose of constructing and maintaining a resort hotel with store, cottages and museum (these were formerly a portion of the Ferguson permit). Condition 30 of this permit provided that "no water rights accrue under this permit." The permittee, however, was allowed to tie into the existing Forest Service water system in the Big Stump area.

On January 1, 1940, a special use permit was issued by the Forest Service to J.D. Neff for the service station and residence previously a part of the Ferguson permit. Condition 28 of this permit again provided that no water rights were to accrue under the permit but the permittee was to be allowed to tie into the Forest Service water system in the Big Stump area. Ferguson and Creighton assigned their interest in License No. 961 to Whilton and Neff and recorded the assignment with the State Engineer on December 18, 1939.

The Whiltons, in turn, transferred their rights under the Forest Service permit to the Sequoia and General Grant National Parks Company on May 14, 1940 and their interest License No. 961 on August 26, 1940. (This was the date of recordation with the State Engineer.) J. D. Neff assigned his interests in the service station permit to J. R. Dickson on April 8, 1947.

On March 4, 1940, by Act of Congress, jurisdiction over the land involved was transferred from the Department of Agriculture to the Dept. of Interior and this land (the Big Stump area) became a portion of Kings Canyon National Park.

On November 17, 1947, the Park Service filed a "Report of Licensee" for License 961 for 1947. In this report, the Park Service claimed federal ownership of the water right license as a result of the terms contained in the permit issued to Ferguson. These terms (as mentioned previously) provided for a waiver of his interests in the water right formerly owned by Rowland (License 961) in exchange for the issuance of a new special use permit.

The Park Service later questioned whether an assignment by Mr. Neff (or his successor in interest) might also be necessary in order to assure Park Service ownership in the entire water right. With this in mind, an assignment of the water right by J. R. Dickson (Mr. Neff's successor in interest) was obtained and submitted to the State on March 1, 1948.

The State Engineer responded in a letter dated March 9, 1948. He stated that the license stood upon their records in the names of J. D. Neff and the Sequoia and General Grant National Parks Company (the successor of Emery Whilton). In order to clear title in their records, an assignment by the company to the Park Service was necessary.

The Park Service responded in a letter dated April 15, 1948, in which the terms of the permits were again pointed out as the basis of the claim of federal ownership. The State replied on April 28 and stated that an assignment of the company's interest was still required by the State. The State acknowledged federal sovereignty in regard to federal lands but said,"a water right to appropriate water can only be initiated and acquired through the State..." On June 7, 1950, the Park Service submitted a copy of an assignment and waiver of interest in License 961 by Sequoia and Kings Canyon National Parks Company to the United States.

On June 14, 1950, the State notified the Park Service that the license stood solely in the name of the U. S. Department of the Interior, National Park Service. However, License 961 provided for the use of water from about April 1 to about November 15 each season. If, during the winter, use was contemplated by the Park Service, the State suggested a new application be submitted to cover this use.

The Park Service felt that it had adequate rights to use of the water in the winter under the riparian doctrine. However, this position was still under consideration at that time.

On November 7, 1950, the Park Service filed a Report of Licensee for License 961. In the accompanying letter, Mr. A. van V. Dunn informed the State that the original use for a fox farm was no longer in existence. The water was then being used at a checking station, a gas station, the residence of the gas station attendent, at comfort stations, for filling radiators, and for fire fighting. He suggested the use be reclassified to domestic and recreational (from the former fox farm use).

The State responded on December 13, 1950 and accepted the statements made in the reports and letter as a petition for change in character of use upon which the state would act. (An order granting the change was issued by the State on January 15, 1951.) The State noted that the water from this source was being used year round by the Park. The license, however, provided for use between April 1 and November 15. The State recommended a second application be filed to cover the use during the winter months and for any additional amount necessary for the anticipated needs of the area.

The Park Service, in deciding to file a second application began collecting data as to actual use and needs in the area. On April 2, 1951, the District Ranger filed a memo describing the water system then in existence in the Big Stump area. He found the spring flow to be about 2160 gallons per day during the preceding fall. He estimated 6,000 gallons per day as the amount needed for future development in the area. The Park Service believed that the spring could be developed to produce this amount by installation of an efficient collection system. It was recommended, at the same time, that a new pipeline and storage reservoir be built. At this time, the question of whether riparian

rights could be relied upon was still unanswered.

In a letter from the Assistant Director, Thomas J. Allen, to the State Engineer dated February 18, 1954, the Park Service stated its position that the diversions in the Big Stump area would fall under the riparian doctrine recognized by the State of California. However, the Park Service was going to comply with the State's appropriative water code, as suggested by the Park Service's Solicitor's Office, with a proviso that it would not constitute a waiver of any riparian rights which the government may have had.

The State's position at this time, relected in a letter dated March 3, 1954, was that the State did not recognize a federal riparian right. The U.S. could only acquire a riparian right if it purchased or condemned one from a private individual. The State had taken this position on legal advice that the U.S. had abrogated the riparian doctrine (on federally owned land) under an act of 1866 and the Desert Land Act of 1877.

The Park Service during this same period was conducting investigations to establish the water needs of the area. On December 20, 1954, the Park Service filed Application No. 16184 to appropriate 6,500 gallons per day, year round from an unnamed spring tributary to Mill Creek. The water was to be use for domestic, recreational and fire protection purposes in the Big Stump area of Kings Canyon National Park. The proposed diversion was to be made by a masonry dam 5 feet high and 30 feet long.

On July 29, 1955, the Park Service received notice of a protest to the proposed diversion by Mrs. Teddie Lee of Miramonte. Mr. A. van V. Dunn, of the NPS, in discussing the protest, felt that he could persuade her to withdraw it as he believed the new application covered a use that had been in existence since 1927 but not under a State appropriative license. The additional amount, which had not been used previously, he felt was largely consumed by native vegetation in a marsh area.

On August 4, 1955, the State notified the Park Service that a protest had been made to the application. Eventually, the Park Service received notice that over 20 protests (including the one made by the Forest Service) had been filed against the proposed diversion.

On August 17, 1955, the Park Service submitted a partial answer to the protests. The Park Service position was:

"1. The new water system will largely divert water now consumed by native vegetation, with little or no reduction in existing natural flow beyond the boundary of Kings Canyon National Park.

2. Most of the diverted water will be used for sanitary purposes, treated, and returned to the natural channel above said Park bounday and reach of intermittent flow, and actual depletion of flow to protestant headgates will be nominally unaltered.

3. That, with 25,000 gallons of proposed regulatory storage, the probably underground storage in intermittent reach of Mill Creek, and the distance between applicant's diversion and nearest protestant diversion, there should be no conflict in domestic uses."

The Park Service suggested that the protestants show that they would be injured by the proposed diversion (i.e., a portion of their water supply is produced by the spring flow).

One problem that was anticipated at that time was that even if an appropriative right had been acquired, downstream riparians would have a superior right under California law. This was particularly pointed out in the Assistant Director's memo to the Regional Director on December 2, 1955.

The State wrote to the Park Service on December 15, 1955 informing them that an investigation of the project area and a conference with all of the interested parties was being planned for the following spring.

The Regional Solicitor, William Burke, recommended a physical solution (i.e., a diversion from groundwater sources) be undertaken and the application be withdrawn.

Mr. A. van V. Dunn and the Assistant Director pointed out that the Park Service had no established policy in regard to water rights. The federal stand on federal water rights in California, where riparian and appropriative rights are recognized, had not been established. A clarification of the Park Service's legal position was requested of the Solicitor. The Assistant Solicitor responded on September 26, 1956, and stated that "no question has been presented that requires answer..." He recommended following Solicitor Burke's earlier suggestions. However, it appears that the Regional Solicitor again studied the riparian question. After an inquiry to the state relating to a position of the exclusive jurisdiction of the Federal Government in Federal Parks (which was rejected by the State in regard to sources which flow outside the Park), the Regional Solicitor recommended withdrawing the application. He thought this was best in light of the fact that a formal hearing was to be held in which 40 or more protestants would be presenting claims adverse to the Park Service.

Mr. A. van V. Dunn, in a memo dated April 17, 1959, was reluctant to give up on the Federal claims in view of the Justice Department's claims in Arizona v. California (recent Supreme Court case).

On July 2, 1959, the State held an investigation of the Big Stump area. Park representatives and a large group of protestants attended. Hydraulic Engineer Spaulding made his own investigation prior to the State's and attended the State's investigation, filing his report of both on July 8, 1959. He said in his report, "Briefly, the investigation consisted of an examination of the physical features, measurement of flows, explanation by Park Service of existing and proposed works and water use, statements by protestants as to downstream water supplies, and an explanation by the State's representatives as to future procedure." The result of the investigation was the scheduling of a formal hearing on the Park Service application. The State later set the date to be August 25th and it was to be held in Fresno.

The Assistant Solicitor of National Parks wrote a memo to the Director on July 27, 1959. He spoke of "several conferences" attended by the Chiefs of Lands and Water Resources and field Solicitor Taylor. It was the Assistant Solicitor's opinion that the water right application should be withdrawn. On July 28, 1959, the Assistant Director notified the State that the application was withdrawn and suggested the formal hearing be canceled. The hearing and application were both subsequently canceled by the State.

Mr. A. van V. Dunn, in a memo to the Regional Director, dated August 5, 1959, recommended that the Park Service complete the water system as planned under the application, or under a new design if desired, but without further recording with the State. The Regional Solicitor concurred in the above recommendation in a memo dated August 11, 1959.

It appears that the Park Service may have replaced the pipeline from the spring but there is no evidence in the docket of any other construction as proposed in the canceled application. In a memo dated January 31, 1963, the Chief of the Branch of Water Resources, NPS, E. W. Reed, warned that the Reports of Licensee should cover only the period from April 1 to November 15 as this was the only period licensed. The report filed for the years 1960 to 1962 gave a period of use as "all year." He warned that this was the cause for the State's first request for a supplemental application to be filed.

The Report of Licensee for 1971 through 1974 showed a year round period of use. This is probably true but is not licensed. However, the Park Service has a much stronger claim to the use of this water during the winter as a result of the Arizona v. California holding (regarding the Reservation Doctrine and the effect of the Acts of 1866 and 1877). Therefore, the Park Service might be able to claim under the reservation doctrine or as a riparian landowner.

Compiled by
Mike Ackerman
Nov. 1975

DOCKET INFORMATION

Compiled by: Chris Gable Date: July 07, 2023

Initial Docket Information Form ☐ Amendment # 3 (2,3,4 ...)

Park Unit: SEKI Docket #: 016 Docket Title Big Stump Area , Unnamed Spring (Formerly Docket - KICA 001)

Docket Type:

Select all applicable: ☐ PC/V (pre-code/vested) ☒ APP (appropriative) ☐ RIP (riparian)
☐ FRR (federal reserved right) ☐ PWR (public water reserve) ☐ ACQ (acquired)
☐ GW (groundwater) ☐ Own (ownership) ☐ Other _____

Region: ☐ NER & NCR ☐ IMR ☐ SER ☐ MWR ☐ IMR ☒ PWR ☐ AKR

Source:

☐ Groundwater
☒ Spring (When recognized by the State as separate from groundwater and surface water)
☐ Surface Water
☐ Direct Diversion ☐ Diversion to Storage ☐ Instream Flow
Name: _____

State: CA
County: Tulare

Owner: U.S. National Park Service (As listed by the State)

Application #: A005687 Date: 09/13/1927

Permit #: 2962 Date Issued: 02/08/1928

License / ~~Certificate~~ #: 000961 Priority Date: 09/13/1927

Ruling/Order/Decree #: _____ Date Issued: _____

Quantity: Rate: 1100 Duty: 0.8

Units: ☒ cfs ☐ gpm ☐ afy ☒ other gpd Units: ☐ cfs ☐ gpm ☒ afy ☐ other _____

Use(s): ☒ Domestic ☐ Livestock ☐ Irrigation ☐ Municipal ☐ Industrial/Commercial ☐ Wildlife ☐ Instream ☒ other Fire, Recreational

POD Name / Location: _____ ☐ Multiple PODs (see water right)

Qtr: _____ Qtr: _____ Sec: _____ T: _____ R: _____ PM: _____

Latitude: 36.7210424 Longitude: 118.96067934

UTM _____ , _____ Datum: _____

POU Name / Location: _____ ☐ Multiple POUs (see water right)

Qtr: SW Qtr: SW Sec: 8 T: 14 S R: 28 E PM: M.D.B.& M.

Latitude: _____ Longitude: _____

UTM _____ , _____ Datum: _____

Narrative / Remarks: Enter short narrative in the space below, attach additional page(s) as needed.

Docket SEKI 016, formerly known as KICA 001. The three KICA (Kings Canyon National Park) dockets were changed to SEKI (Sequoia and Kings Canyon National Park) when the Docket Project database was moved to Laserfiche® and Microsoft SQL server January 2021. This docket shares parts of information with Docket SEKI 006.

There are Docket information forms filled out in 1975 and again in 1979, which includes narratives covering the controversy raised by the State for reporting year round diversion (use) resulting in the filing of supplemental application No. 16184 (6500 gpd) and the subsequent withdrawal of that filing. Application Number 16184 is covered in Docket SEKI 017 (formerly KICA 002) and parts of SEKI 006 and SEKI 016. These forms are found in the Preliminary section of the Docket.

Reports of Licensee are on file within the docket for 1948 - 1962, 1969 - 1977 and 1979 -1987. Current reports of Licensee can be found in SEKI 006.

☐ Additional Page(s) Attached

02 STATE

Sequoia and Kings Canyon National Park

BIG STUMP AREA, UNNAMED SPRING.
(FORMERLY KICA - 001)

State Water Rights Documentation

Charles W. Pattes

Jeffrey C. Hughes

DRF for DI

September 14, 1998

L54(2380)
LAVO/Water Rights
PINN/Water Rights
SEKI/Water Rights

Memorandum

To: Superintendent, Lassen Volcanic National Park
Superintendent, Pinnacles National Monument
Superintendent, Sequoia Kings Canyon National Park

From: Chief, Water Rights Branch

Subject: California Report of Licensee Forms for National Park Service Water Rights

Please find Report of Licensee forms for water rights in your park attached. Submittal of these forms is required by the State of California as part of maintaining a California appropriative water right license. If the United States fails to submit the completed forms, the State could consider the water right forfeited at some point in the future.

After completing the forms, please return the forms to our office. After my staff reviews them, we will submit them to the State Water Resources Control Board and provide you with a copy for your records.

If you have any questions concerning this request, please contact Jeff Hughes of my staff at (970) 225-3527.

Attachments

cc: PGSO - Kolipinski (w/all Attachments)
2380 - McGlothlin (w/all Attachments)

FNP:JHUGHES:fbr:225:3527:9/14/98:S:WRB\JCH\PINNLAVO.DOC

Cal/EPA

State Water Resources Control Board

Division of Water Rights

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

901 P Street
Sacramento, CA
95814
(916) 657-1364
FAX (916) 657-1485

Pete Wilson
Governor

NOTICE TO LICENSEE

Enclosed is your Report of Licensee form for 1995, 1996, and 1997.

One of the requirements under which you received your license was that "Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board."

Section 1011.5 of the Water Code has been amended to include the use of groundwater in lieu of water that you are allowed to use under your appropriative right. If you wish to claim the use of groundwater as allowed under this section of the Water Code, please complete Item 22 of the form.

Please complete the enclosed report form to the best of your knowledge and return it to this office. Thank you for your cooperation.

If you have any questions or need assistance with completing the form, please call (916) 657-1364.

Sincerely,

David R. Beringer

David R. Beringer
Program Manager
Licensing and Hearing Section

Enclosure

00-00-1998: Report of Licensee form for 1995, 1996, 1997: app. no. a005687, lic. no. 000961

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

A 0 0 5 6 8 7

REPORT OF LICENSEE FOR 1995, 1996, 1997

OWNER OF RECORD: U S NATIONAL PARK SERVICE

APPLICATION: A005687

LICENSE: 000961

U S NATIONAL PARK SERVICE
SEQUOIA AND KINGS CANYON NATL PARK
1201 OAK RIDGE DR STE 250
FORT COLLINS, CO 80525-5596

TELEPHONE NUMBER:
(970) 225-3500

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

SOURCE:

UNSP

COUNTY:

TULARE

PURPOSE:	DIVERSION/STORAGE SEASON:	ACRES/HP:
FIRE PROTECTION	APR 01 TO NOV 15 /	0 AC
DOMESTIC	APR 01 TO NOV 15 /	0 AC
RECREATIONAL	APR 01 TO NOV 15 /	0 AC

AMOUNT: 1100 GPD 0 AC-FT

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

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

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

COMPLETE FOR DIRECT DIVERSION PROJECTS

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

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1995													
1996													
1997													

COMPLETE FOR STORAGE PROJECTS

	1995	1996	1997
3. Did your reservoir spill this year?			
4. If not, how many feet below spillway vertically was the water level at maximum storage?			
5. Have you emptied the reservoir?			
6. How many feet below spillway vertically was it drawn down at end of season?			

(Continues on reverse side)

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

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

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

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

CONSERVATION OF WATER

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

_____

_____

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

WATER QUALITY AND WASTEWATER RECLAMATION

19. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES [ ] NO [ ].
20. If credit toward use under this license through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under Section 1010 of the Water Code, please show amounts of reduced diversion and amounts of reclaimed water used: 19___ _____(af/mg) 19___ _____(af/mg) 19___ _____(af/mg)

CONJUNCTIVE USE OF SURFACE WATER AND GROUNDWATER

21. Are you now using groundwater in lieu of surface water? YES [ ] NO [ ]
22. If credit toward use under this license through substitution of groundwater in lieu of appropriated water is claimed under Section 1011.5 of the Water Code, please show the amounts of groundwater used:

19___ _____(af/mg) 19___ _____(af/mg) 19___ _____(af/mg)

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

_____

_____

_____

_____

_____

_____

_____

_____

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

Date:_____ Sign Here:_____

LICENSEE (OR AGENT OR DESIGNEE)

00-00-0000: letter to investigation and compliance section state water resources control board from associate regional director regarding completed report of licensee

DRAFT

L54 (479)
WR/SEKI Water Rights
X SEKI Docket #1

Glenn K. Mork, Chief
Investigation and Compliance Section
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95810

Dear Mr. Mork:

In response to your request, enclosed is a completed Report of Licensee for 1985, 1986 and 1987, for Application #5687, License #961, a water right located at Sequoia and Kings Canyon National Park.

If you have questions or comments regarding this form, please contact Ms. Pat Larson of the Water Rights Branch, National Park Service Water Resources Division in Fort Collins, Colorado, at 303/221-5341.

Sincerely,

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

Enclosure

cc: Superintendent, SEKI
Larson, WRD-WRB

02-22-1988: memorandum to associate regional director from nps regarding transmittal of reports for california park units

Sent to Western Region 3/3/88 pmd

February 22, 1988

L54 (479)
WR Water Rights

Memorandum

To: Associate Regional Director
Resources Management and Planning
Western Region

From: Acting Chief
Water Resources Division

Subject: Transmittal of Reports of Licensee for California park units

Attached are completed Report of Licensee forms for 1985, 1986 and 1987 water usage for water rights at Death Valley NM, Lassen Volcanic NP, Point Reyes NS, Redwoods NP, Sequoia-Kings Canyon NP, Whiskeytown NRA, and Yosemite NP. The Water Rights Branch of the Water Resources Division prepared the forms based upon information received from the respective park units.

The forms need to be transmitted to the State Water Resources Control Board from your office as soon as possible. We have attached proposed letters of transmittal to accompany each park unit's set of forms.

If you have any questions regarding the forms or their transmittal, please contact Pat Larson of the Water Rights Branch at 303/221-5341.

Stanley L. Ponce

Stanley L. Ponce

Attachments

00-00-0000: report of licensee for 1985, 1986, 1987: application no. a005687, license no. 000961

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

REPORT OF LICENSEE FOR 1985, 1986, 1987

OWNER OF RECORD:

SEQUOIA & KINGS CANYON NATL PARK
U S NATIONAL PARK SERVICE, WESTERN REGIO
DIVISION OF WATER RESOURCES
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIF 94102

APPLICATION: A005687

LICENSE: 000961

TELEPHONE NUMBER:
( ) -

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

SOURCE:

UNNAMED SPRING

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

COUNTY:

TULARE

PURPOSE:	DIVERSION/STORAGE SEASON:	ACRES/HP:
DOMESTIC	APR 01 TO NOV 15	.0 AC
FIRE PROTECTION	APR 01 TO NOV 15	.0 AC
RECREATION	APR 01 TO NOV 15	.0 AC

AMOUNT: 1100.000 GPD 0.0 AC-FT

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

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

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

COMPLETE FOR DIRECT DIVERSION PROJECTS

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

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1985	X	X	X	X	X	X	X	X	X	X	X	X	
1986	X	X	X	X	X	X	X	X	X	X	X	X	
1987	X	X	X	X	X	X	X	X	X	X	X	X	

COMPLETE FOR STORAGE PROJECTS

	1985	1986	1987
3. Did your reservoir spill this year?			
4. If not, how many feet below spillway vertically was the water level at maximum storage?			
5. Have you emptied the reservoir?			
6. How many feet below spillway vertically was it drawn down at end of season?			

USE (COMPLETE FOR ALL PROJECTS)

7. Acreage irrigated			
Crops grown			
8. Stockwatering — number of stock			
kind of stock			
9. Domestic — number of persons	5	5	5
garden area, etc.			
10. Recreational — nature of use	Ranger Station/used by approx. 300 people per day		
11. Industrial — nature of use			
12. Municipal — approximate population			
13. Power generation — K.W.			
14. Other Wildlife propogation	X	X	X

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

WR-17 (7-87)

(REPORT CONTINUES ON REVERSE SIDE)

REPORT OF LICENSEE FOR — PAGE 2

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

CONSERVATION OF WATER (WATER PURVEYORS)

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

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

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

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

CONSERVATION OF WATER (WATER USERS)

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

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

WATER QUALITY AND WASTEWATER RECLAMATION

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

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

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

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

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

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

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

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

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

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

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

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

29. No potential

30. No potential

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

31. N/A

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

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

02-04-1985: letter to state water resources control board from nps regarding report of licensee

TAPIA
WITUCKI
CHERRY

L54 (WR-RNW)
SEKI/WR # 1

February 4, 1985

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

Gentlemen:

In reply to your request for an update regarding the Report of Licensee for Sequoia and Kings Canyon National Park (1982, 1983, 1984), the enclosed is submitted.

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

Sincerely,

(Sgd) John D. Cherry

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

Enclosure

cc:
Superintendent, Sequoia & Kings Canyon, w/encl.

bc:
Fort Collins

(WR-RNW):Tapia:Witucki:ml:02/02/85

00-00-0000: report of licensee for 1982, 1983, 1984: application no. a005687, license no. 000961

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

REPORT OF LICENSEE FOR 1982, 1983, 1984

OWNER OF RECORD:

SEQUOIA & KINGS CANYON NATL PARK
U S NATIONAL PARK SERVICE, WESTERN REGIC
DIVISION OF WATER RESOURCES
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIF 94102

APPLICATION: A005687
LICENSE: 000961
TELEPHONE NUMBER: ( ) -

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

SOURCE: UNNAMED SPRING

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

COUNTY: TULARE

PURPOSE:	DIVERSION/STORAGE SEASON:	ACRES/HP:
DOMESTIC	APR 01 TO NOV 15	.0 AC
FIRE PROTECTION	APR 01 TO NOV 15	.0 AC
RECREATION	APR 01 TO NOV 15	.0 AC

AMOUNT: 1100.000 GPD 0.0 AC-FT

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

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

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

COMPLETE FOR DIRECT DIVERSION PROJECTS

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

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1982	x	x	x	x	x	x	x	x	x	x	x	x	
1983	x	x	x	x	x	x	x	x	x	x	x	x	
1984	x	x	x	x	x	x	x	x	x	x	x	x	

COMPLETE FOR STORAGE PROJECTS	1982	1983	1984
3. Did your reservoir spill this year?			
4. If not, how many feet below spillway vertically was the water level at maximum storage?			
5. Have you emptied the reservoir?			
6. How many feet below spillway vertically was it drawn down at end of season?			
USE (COMPLETE FOR ALL PROJECTS)			
7. Acreage irrigated			
Crops grown			
8. Stockwatering — number of stock			
kind of stock			
9. Domestic — number of persons	5	5	5
garden area, etc.			
10. Recreational — nature of use	Ranger Station - used by approx. 300 people per day		
11. Industrial — nature of use			
12. Municipal — approximate population			
13. Power generation — K.W.			
14. Other wildlife propagation	x	x	x

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

WR-17 (11-83)
0300

(REPORT CONTINUES ON REVERSE SIDE)

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

CONSERVATION OF WATER (WATER PURVEYORS)

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

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

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

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

CONSERVATION OF WATER (WATER USERS)

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

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

WATER QUALITY AND WASTEWATER RECLAMATION

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

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

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

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

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

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

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

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

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

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

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

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

29. No potential

30. No potential

31. N/A

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

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

Date: FEB 6 1985 Sign Here: (Sgd) Gerard S. Witucki

LICENSEE (OR AGENT OR DESIGNEE)

STATE OF CALIFORNIA Big Stump. Ranger Sta. GEORGE DEUKMEJIAN, *Governor*

STATE WATER RESOURCES CONTROL BOARD
THE PAUL R. BONDERSON BUILDING
901 P Street, Sacramento, CA
(916) 324-5626

DIVISION OF WATER RIGHTS
P. O. BOX 2000, Sacramento, CA 95810

	SUPT
✓	AS
✓	AO
	MA
	RS
	WS
	CPI
✓	CRM
	CPR
✓	CPM
	PSO
	BUDG
	CO
	PERS
✓	NEGRO
	[illegible]ES

12/12 LP 12/11

12/12/2

December 3, 1984

NOTICE TO LICENSEE

Enclosed is your Report of Licensee for 1982, 1983 and 1984.

You are reminded that one of the requirements under which you received your license was that "Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board". Your failure to complete and return this form will constitute noncompliance with the terms and conditions of your license.

Please complete the enclosed report form to the best of your knowledge and return it to this office promptly.

Additionally, as water available for appropriation becomes a scarcer commodity, adherence to terms and conditions of your license must be emphasized. Please be advised that the Division is required to initiate enforcement actions whenever violations are noted.

Thank you for your cooperation.

Sincerely,

Glenn K. Mork

Glenn K. Mork
Program Manager
Investigation and License Section

Enclosure

12-03-1981: report of licensee for 1979, 1980, 1981: application no. a005687, license no. 000961

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

DEC - 3 1981

REPORT OF LICENSEE FOR 1979, 1980, 1981

OWNER OF RECORD:

SEQUOIA & KINGS CANYON NATL PARK
U S NATIONAL PARK SERVICE, WESTERN REGIO
DIVISION OF WATER RESOURCES
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIF 94102

APPLICATION: A005687

LICENSE: 000961

TELEPHONE NUMBER:
(415) 556 - 8660

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

SOURCE:

UNNAMED SPRING

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

COUNTY:

TULARE

PURPOSE:	DIVERSION/STORAGE SEASON:	ACRES/HP:
DOMESTIC	APR 01 TO NOV 15	.0 AC
FIRE PROTECTION	APR 01 TO NOV 15	.0 AC
RECREATION	APR 01 TO NOV 15	.0 AC

AMOUNT: 1100.000 GPD 0.0 AC-FT

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

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

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

COMPLETE FOR DIRECT DIVERSION PROJECTS

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

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1979	x	x	x	x	x	x	x	x	x	x	x	x	
1980	x	x	x	x	x	x	x	x	x	x	x	x	
1981	x	x	x	x	x	x	x	x	x	x	x	x	

COMPLETE FOR STORAGE PROJECTS	1979	1980	1981
3. Did your reservoir spill this year?			
4. If not, how many feet below spillway vertically was the water level at maximum storage?			
5. Have you emptied the reservoir?			
6. How many feet below spillway vertically was it drawn down at end of season?			
USE (COMPLETE FOR ALL PROJECTS)			
7. Acreage irrigated			
Crops grown			
8. Stockwatering — number of stock			
kind of stock			
9. Domestic — number of persons	5	5	5
garden area, etc.			
10. Recreational — nature of use	Ranger Station - used by approx	300 people per day	
11. Industrial — nature of use			
12. Municipal — approximate population			
13. Power generation — K.W.			
14. Other wildlife propagation	x	x	x

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

WR-17 (8-80)
0341

(REPORT CONTINUES ON REVERSE SIDE)

REPORT OF LICENSEE FOR — PAGE 2

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

CONSERVATION OF WATER (WATER PURVEYORS)

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

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

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

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

CONSERVATION OF WATER (WATER USERS)

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

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

WATER QUALITY AND WASTEWATER RECLAMATION

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

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

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

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

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

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

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

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

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

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

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

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

29. No potential.

30. No potential.

31. N/A.

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

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

Date: MAR 2 1982 Sign Here: Gerard L. Ortuska

LICENSEE (OR AGENT OR DESIGNEE)

04-25-1973: report of licensee for 1975, 1976, 1977: application no. 5687, license no. 961

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

IGCA WR#1

REPORT OF LICENSEE FOR 1975, 1976, 1977

APPLICATION: 5687

LICENSE: 961

OWNER OF RECORD: (415) 556-3660
Area Code and Telephone Number

SEQUOIA & KINGS CANYON NATIONAL PARK
U S NATIONAL PARK SERVICE, WESTERN REGION, DIVISION OF WATER RESOURCES,
450 GOLDEN GATE AVENUE, BOX 36063,
SAN FRANCISCO, CALIF 94102

If the information shown above is wrong, please correct.

SOURCE: UNNAMED SPRING

COUNTY: TULARE

AMOUNT: 1100 GAL/DAY

PURPOSE: DOMESTIC, RECREATIONAL & FIRE PROTECTION

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

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

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

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

COMPLETE FOR DIRECT DIVERSION PROJECTS

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

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1975	x	x	x	x	x	x	x	x	x	x	x	x	
1976	x	x	x	x	x	x	x	x	x	x	x	x	
1977	x	x	x	x	x	x	x	x	x	x	x	x	

COMPLETE FOR STORAGE PROJECTS	1975	1976	1977
3. Did your reservoir spill this year? . . .			
4. If not, how many feet below spillway vertically was the water level at maximum storage?			
5. Have you emptied the reservoir?			
6. How many feet below spillway vertically was it drawn down at end of season?			
USE (COMPLETE FOR ALL PROJECTS)			
7. Acreage irrigated			
Crops grown:			
8. Stockwatering – number of stock			
kind of stock			
9. Domestic – number of persons	over 1,000,000	people annually	for above 3 years
garden area, etc.			
10. Recreational – nature of use			
11. Industrial – nature of use			
12. Municipal – approximate population . . .			
13. Power generation – K.W.			
14. Other			

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

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

Date: April 25, 1978 Sign Here: (Sgd) Gerard S. Witucki

Gerard S. Witucki LICENSEE

1977 Chief, Div.

SWRCB-17 (8-77)

(REPORT CONTINUES ON REVERSE SIDE)

REPORT OF LICENSEE FOR 1975, 1976, 1977—PAGE 2

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

CONSERVATION OF WATER

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

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

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

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

WATER QUALITY AND WASTEWATER RECLAMATION

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

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

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

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

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

REMARKS

Please indicate the number of the item you are explaining:

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

53944-938 8-77 BM ⓘ◇ OSP

154 (WR) DSW
WATER RIGHTS GENERAL

April 1, 1975
1975

The following was sent to the State of Calif. on today's date.

Mike Ackerman

Enclosed are Reports of Licensee for 1972, 1973, 1974 and Progress Reports by Permittee for 1974, as follows:

Reports of Licensee

Application No.	License No.	Application No.	License No.
15381	6110	12222	5141
8183	6343	21773	9017
18433	6740	17417	6748
19482	7577	20021	7941
19538	7578	20022	7942
10119	7854	21277	9049
12228	3442	5687	961 RICA

Progress Reports by Permittee

Application No.	Permit No.
21676	14911
19116	12387

06-27-1975: memorandum to superintendent from chief, division of water resources regarding transmittal of forms relating to park water docket #1

Werrell

~~Witucki~~

Kilgore

L54(WR)PSW
SEQU/KICA WR #1

June 27, 1975

Memorandum

To: Superintendent, Sequoia and Kings Canyon

From: Chief, Division of Water Resources, Western Region

Subject: Transmittal of forms relating to park Water Docket #1

Enclosed for your information and files (Water Right Docket) is the State of California form relating to:

Docket No.	Application No.	Permit No.	License No.
1	5687	2962	961

This report has been furnished to the State in the interest of comity according to procedures as outlined in "Adminstrative Policies" handbook. Please note that the report has been stamped with a declaration disclaiming the power of the state to regulate the rights of the United States to the use of water.

(SGD) GERARD S. WITUCKI

Gerard S. Witucki

Enclosure

cc:
WASO, Natural Resources Division,
Attn: Water Resources

(WR)PSW:WLWerrell:rc: 6/27/75

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

REPORT OF LICENSEE FOR 1972, 1973, 1974

OWNER OF RECORD: APPLICATION 5687

SEQUOIA & KINGS CANYON NATL PARK
U S NATIONAL PARK SERVICE, WESTERN REGION,
DIVISION OF WATER RESOURCES,
450 GOLDEN GATE AVENUE, BOX 36063,
SAN FRANCISCO, CALIF 94102

Telephone Number and Area Code

If the information shown above is wrong, please correct

SOURCE: UNNAMED SPRING

AMOUNT: 1100 GAL/DAY

PURPOSE: DOMESTIC, RECREATIONAL & FIRE PROTECTION

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

LICENSE 961

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

IMPORTANT! EVERY license is issued subject to the conditions therein expressed. I have currently reviewed my license: YES [X] NO [ ]. I am complying with the conditions under which my license has been issued: YES [X] NO [ ]. Identify any non-compliance by license term number under "remarks" on reverse side. This report is important in providing the record of use needed in establishing your water right. It should be filled out carefully and returned promptly to the *STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, 2125 Nineteenth Street, Sacramento, California 95818*

The project has been abandoned, and I request revocation of the License. [ ] Yes [X] No

DIRECT DIVERSION

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

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1972	x	x	x	x	x	x	x	x	x	x	x	x	
1973	x	x	x	x	x	x	x	x	x	x	x	x	
1974	x	x	x	x	x	x	x	x	x	x	x	x	

STORAGE

	1972	1973	1974
3. Did your reservoir spill this year?			
4. How many feet below spillway vertically was the water level at maximum storage?			
5. Have you emptied the reservoir?			
6. How many feet below spillway vertically was it drawn down at end of season?			

USE

7. Acreage irrigated			
Crops grown:			
8. Stockwatering – head			
Kind			
9. Domestic – number of persons			over 1,000,000 persons annually for above 3 years
Garden area, etc.			
10. Recreational – nature of use			
11. Industrial – nature of use			
12. Municipal – approximate population			
13. Power generation – K.W.			
14. Other			

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

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

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

SWRCB–17(9/74) Sent to State of Ca. on 4/11/75

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

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

CONSERVATION OF WATER

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

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

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

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

WATER QUALITY AND WASTEWATER RECLAMATION

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

_____

_____

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

_____

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

_____

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

_____

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

_____

_____

REMARKS

Please designate by number the question you are answering:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

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

STATE OF CALIFORNIA—THE RESOURCES AGENCY

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

CENTRAL REGION

REPORT OF LICENSEE FOR 1969, 1970, 1971

OWNER OF RECORD:

SEQUOIA & KINGS CANYON NATL PARK
DIVISION OF WATER RESOURCES, SSC,
450 GOLDEN GATE AVENUE,
BOX 36025,
SAN FRANCISCO, CALIF 94102

APPLICATION 5687

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

TELEPHONE NUMBER

If the information shown above is wrong, please correct

SOURCE: UNNAMED SPRING

WR # 1

AMOUNT: 1100 GAL/DAY

PURPOSE: DOMESTIC, RECREATIONAL & FIRE PROTECTION

LICENSE 961

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

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

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

DIRECT DIVERSION

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

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1969													
1970	x	x	x	x	x	x	x	x	x	x	x	x	
1971	x	x	x	x	x	x	x	x	x	x	x	x	
	x	x	x	x	x	x	x	x	x	x	x	x	

STORAGE

	1969	1970	1971
1. Did your reservoir spill this year?			
2. How many feet below spillway vertically was the water level at maximum storage?			
3. Have you emptied the reservoir?			
4. How many feet below spillway vertically was it drawn down at end of season?			

USE

1. Acreage irrigated			
Crops grown:			
2. Stockwatering—head			
Kind			
3. Domestic—number persons			
Garden area, etc.	over 1,000,000 persons annually for above 3 years		
4. Recreational—nature of use			
5. Industrial—nature of use			
6. Municipal—approximate population			
7. Power generation—H.P.			
8. Other			

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

If either the location of the point of diversion or place of use has changed and the permission of this Board has not yet been obtained, please describe nature of change No change

REMARKS

(If more space is needed, use reverse side)

Date MAY 4 1973

Sign Here (SGD) GERARD S. WITUCKI

Licensee

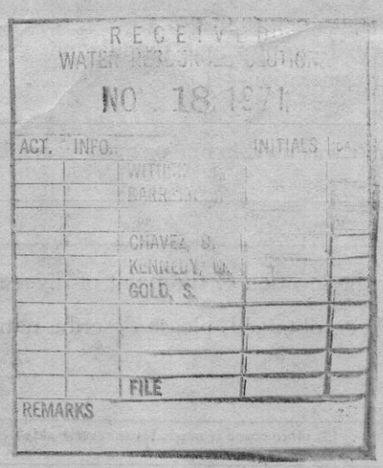
GERARD S. WITUCKI, CHIEF, DIVISION OF WATER RESOURCES

1971

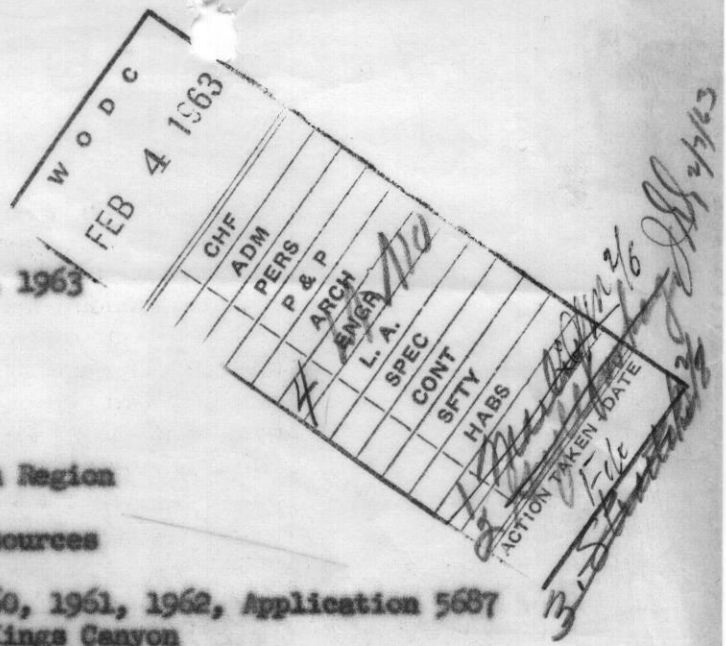
WRCB-17 (8-71)

55307-983 8-71 5M ① OSP

11-18-1971: statement of receipt



01-31-1963: memorandum to regional director from nps regarding report of licensee for 1960, 1961, 1962



L54

January 31, 1963

Memorandum

To: Regional Director, Western Region

From: Chief, Branch of Water Resources

Subject: Report of Licensee for 1960, 1961, 1962, Application 5687 License 961, Sequoia and Kings Canyon

In scanning the copy of the above-mentioned report by Mr. Ketcham to Mr. Hill of the California Water Rights Board, I note that the season of use is given as "All Year." Under the State License 961, the Park Service has the right to divert 1,100 gpd from about April 1 to November 15 of each year and not during the entire year.

Total annual use is reported as 130,000 gallons whereas if 1,100 gpd were used for the 229 days from April 1 through November 15, the total consumption would be 252,000 gallons. Thus the Park is using only about half the water it is entitled to, during the authorized season.

Nevertheless the report should have covered only the period April 1 through November 15. An earlier report of water use during more than the authorized season led to the demand by the Water Rights Board that a supplemental appropriation of water from November 15 through April 1 be filed (see letter of June 14, 1950, from State Engineer Edmonston to Acting Director Tolson in docket). The board also suggested that future use be considered and as a result, with the compliance of the Solicitor's office, an application for 6,500 gpd for the entire year was filed. This application drew many protests and, in accordance with the Solicitor's office directive, was withdrawn. The board may again suggest a supplemental application. Possibly an extension of the present 110 gpm over the entire season may not draw the protests that a six-fold increase did.

It may be advisable to discuss this with the Regional Solicitor's office to determine whether a revised report should be submitted and to alert him to what may occur if the report is not revised. Perhaps the board will overlook the discrepancy but future reports should be confined to the period stated in the license.

SIGNED

E. W. Reed

cc:
Superintendent, Sequoia and Kings Canyon
Chief, WODC (2)

KN

01-10-1963: letter to executive officer, state water rights board from superintendent regarding application 5687 license 961 spring tributary to mill creek

180 New Montgomery
San Francisco 5, California

Ketcham

L2415
Docket - 1
SEQU-KINGS

January 10, 1963

Mr. L. K. Hill
Executive Officer
State Water Rights Board
1401 - 21st Street
Sacramento, California

Dear Mr. Hill:

Re: Application 5687 License 961
Spring tributary to Mill Creek,
Sequoia and Kings Canyon National
Park

Enclosed is the report of Licensee for the year 1960, 1961 and 1962 for the subject water right for water serving Sequoia and Kings Canyon National Park.

Richard W. Ketcham

Richard W. Ketcham

Enclosure

cc:
Superintendent, Sequoia and Kings Canyon w/enclosure
Director w/enclosure
Chief, WODC (2) w/enclosure

RWKetcham:lsr 1/10/63

P.S. to Superintendent: Please sign these permits in the future as Superintendent of the Park; then forward to the Region for review and final distribution.

181

01-09-1963: report of licensee for 1960, 1961, 1962: application no. 5687

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

1401 21ST STREET
P. O. BOX 1592
SACRAMENTO

RECEIVED
DEC 5 1962
SEQUOIA-KINGS CANYON NAT'L PARKS

Report of Licensee for the Years 1960, 1961 and 1962

OWNER OF RECORD:

Sequoia and Kings Canyon National ~~Forest~~ Park
Three Rivers
California

APPLICATION 5687

Indicate Corrections Above If the Owner or Address Shown Are Incorrect

SOURCE: (1) Spring tributary to Mill Creek (2)
(3) (4)
(5) (6)

LICENSE 961

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

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

1960: Was water used? **Yes** Amount (if known) **130,000 gallons (estimated)**
Purpose (irrigation, domestic, etc.) **Domestic and vehicle use.** and recreation.
Season of use (months) **All Year**
Number of units served (acres, persons or ?) 740,250 **park visitors**

1961: Was water used? **Yes** Amount (if known) **130,000 gallons (estimated)**
Purpose **Domestic and vehicle use.** and recreation
Season of use **All Year**
Number of units served 731,544 **park visitors**

1962: Was water used? **Yes** Amount (if known) **130,000 gallons (estimated)**
Purpose **Domestic and vehicle use.** and recreation
Season of use **All Year**
Number of units served 809,609 **park visitors**

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

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

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

REMARKS The water was used for domestic and recreational purposes to provide for a checking station, gasoline station, employee residences and public picnicking at the entrance to Kings Canyon National Park from April 1 to November 15 of each year. The amount of use reached 1100 gallons per day being used by a resident population of from 3 to 6 persons and by some of the people entering or leaving the Park.

UNITED STATES OF AMERICA, DEPARTMENT OF THE INTERIOR for Sequoia & Kings Canyon National Parks, Regional Director

Date January 9, 1963

Sign Here James M. Sider
Regional Chief of Lands
Licensee
National Park Service, 180 New Montgomery Street, San Francisco, California

FORM 91

YEAR 1962

60112 7-62 3M SPO

05-05-1938: license for diversion and use of water: license no. 961, application no. 5687

FORM L-1929

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

Notice of Assignment (Over)

License for Diversion and Use of Water

ASSIGNMENT MADE

LICENSE 961 PERMIT 2962 APPLICATION 5687

DATE RECD 3/16/31 ASSIGNMENT TO ~~U. H. Rowland & W. D. Temple~~

THIS IS TO CERTIFY, That ~~Howell Bone of Miramonte, California~~
ASSIGNMENT MADE 5/29/38

has made proof to the satisfaction of the Division of Water Resources of California of a right to the use of the waters of an unnamed spring in Tulare County tributary of Mill Creek, thence Kings River

for the purpose of domestic use and washing fox pens Amended by Order of JAN 15 1951 under Permit 2962 of the Division of Water Resources and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Resources and the terms of the said permit; that the priority of the right herein confirmed dates from September 13, 1927;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed Eleven hundred (1100) gallons per day from about April 1st to about November 15th of each season.

The point of diversion of such water is located North two thousand seven hundred seven and one tenth (2707.1) feet and East one thousand six hundred eighty-eight and six tenths (1688.6) feet from the southwest corner of Section 8, T 14 S, R 23 E, M.D.B.& M., being within the SE¼ of NW¼ of said Section 8.

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

Within the SW¼ of SW¼ of Section 8, T 14 S, R 23 E, M.D.B.& M.

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

This license is granted and said appropriator takes all rights herein mentioned subject to the terms and conditions set forth in Section 20 of Chapter 586, Statutes 1913, which is as follows:

Sec. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this section and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; *provided*, that if, at any time after the expiration of twenty years after the granting of a license, the state, or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to purchase the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has ceased to put said water to such useful or beneficial purpose, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license, and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. And the findings and declaration of said commission shall be deemed to be prima facie correct until modified or set aside by a court of competent jurisdiction; *provided*, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And every licensee or permittee under the provisions of this act if he accepts such permit or license shall accept the same under the conditions precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulations by any competent public authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; *provided, however*, that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; *and providing, further*, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality; *and providing, further*, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation permitted; *and provided, further*, that when such municipality shall desire to use the additional waters granted in its said application it may do so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.

Witness my hand and the seal of the Department of Public Works of the State of California, this 7 day of January *, 19* 31

EDWARD HYATT
State Engineer

By Harold Conklin
Deputy

12/26/40 RECEIVED NOTICE OF ASSIGNMENT TO ~~of~~ ½ Interest of Emery Whilton to Sequoia & General Grant National Parks Co.

3/16/31 RECEIVED NOTICE OF ASSIGNMENT TO U. W. Rowland & H. D. Temple.

5/29/38 RECEIVED NOTICE OF ASSIGNMENT TO Thomas Ferguson & Ed Creighton

1/26/40 RECEIVED NOTICE OF ASSIGNMENT TO J. D. Neff & Emery Whilton

3/5/48 RECEIVED NOTICE OF ASSIGNMENT TO ½ Int of J. D. Neff to J. R. Dickson

LICENSE 961

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATER RESOURCES

LICENSE
TO APPROPRIATE WATER

ASSIGNMENT RECD 3/16/31 ASSIGNMENT TO U. W. Rowland & H. D. Temple
ISSUED TO Harold Bone
DATED January 7, 1931

15-5 8-29 1500 CALIFORNIA STATE PRINTING OFFICE

06-06-1950: statement of receipt

L461

3/5/48 RECEIVED NOTICE OF ASSIGNMENT ~~to~~ of Sgt J. R. Dickson to U. S. Sequoia Kings Canyon Natl Park.

6/12/50 RECEIVED NOTICE OF ASSIGNMENT TO US Dept of Interior, National Park Service

12/5/60 - Name Chgd. to Sequoia Kings Canyon Nat'l. Park

10-30-1959: letter to executive officer, state water rights board from regional chief of operations regarding application 5687, license 961

file KINGS Docket

154

~~Spaulding~~ 155

~~Manbey~~ BFM

~~Wosky~~ JBW

FILE COPY

Region Four
100 Bay Montgomery Street
San Francisco 5, California

October 30, 1959

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

Re: Application 5687, License 961
Spring Tributary to Mill Creek,
Kings Canyon National Park

Dear Mr. Hill:

Attached is a report of Licensee for the Years 1957, 1958 and 1959 for the subject water right for water serving the Big Stump entrance to Kings Canyon National Park.

Sincerely yours,

John B. Wosky
Regional Chief of Operations

Attachment

Copy to: Director (w/cy of report)
Superintendent (w/cy of report)
Chief, WODC(w/cy report)

LSSpaulding:hat

177

10-30-1959: report of licensee for the years 1957, 1958, 1959: application no. 5687, license no. 961

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

Report of Licensee for the Years 1957, 1958 and 1959

For the mutual benefit of licensee and the public a report is requested concerning the license noted below. With the information made available thereby this office will be in a position to readily advise licensee concerning new applications to appropriate from the same source or any other matters which might affect this appropriation. And if the report is carefully made it will enable this office to protect the owner of the license from any possibility of jeopardizing his rights under the license by reason of unauthorized changes in location of point of diversion or place of use, or otherwise. May we therefore have from you promptly a report upon the following matters? The reverse side of this sheet may be used if the spaces provided are inadequate.

THIS REPORT SHOULD COVER USE BY ALL RECORD HOLDERS OF THIS LICENSE

SOURCE Spring tributary Mill Creek APPLICATION 5687

LICENSE 961

1. Names of all present holders of this license United States of America, Department of the Interior for Kings Canyon National Park
Address Regional Director, National Park Service, 180 New Montgomery Street, San Francisco, California

2. Was beneficial use of water made under this license in 1957? Yes. In 1958? Yes.
In 1959? Yes. If no use of water was made in any one or more of the past three years please state the reason

3. Describe briefly the use of water made during the past three years by all users under the license, indicating (a) the purposes for which used, i.e., power, municipal, mining, industrial, recreational, irrigation, domestic, etc.; (b) the season (particular months) of use; and (c) the amount, if known, and the extent of use, i.e., if for irrigation, give number of acres irrigated, if for domestic use give number of persons served, etc., The water was used for domestic and recreational purposes to provide for a checking station, gasoline station, employee residences and public picnicking at the entrance to Kings Canyon National Park from April 1 to November 15 of each year. The amount of use reached 1100 gallons per day being used by a resident population of from 3 to 6 persons and by some of the people entering or leaving the Park. The visitation to the Park over the last three years was approximately 675,000 people annually.

4. If either the location of point of diversion or place of use has been changed and the permission of this office has not yet been obtained, please describe nature of change No change in location of point of diversion or place of use.

5. If the project has been abandoned, please so state and license will be revoked not abandoned.

UNITED STATES OF AMERICA, DEPARTMENT OF THE INTERIOR (SGD) JOHN B. WOSKY
By: John B. Wosky *Licensee*
Regional Chief of Operations
National Park Service

Date October 30, 1959

(OVER)

FORM 91

YEAR 1959

93948 3-59 2500 ① SPO

NOTE

This space may be used for amplification of statements on the reverse side or other matters pertinent to this license.

DO NOT WRITE IN THIS SPACE

11-27-1956: report of licensee for 1954, 1955, 1956: application no. 5687, licensee no. 961

2

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
PUBLIC WORKS BUILDING
P. O. BOX 1079
SACRAMENTO 5

Reg. Pocket 1 KC

OCT 17 AM 9 19

Report of Licensee for the Years 1954, 1955 and 1956

For the mutual benefit of licensee and the public a report is requested concerning the license noted below. With the information made available thereby this office will be in a position to readily advise licensee concerning new applications to appropriate from the same source or any other matters which might affect this appropriation. And if the report is carefully made it will enable this office to protect the owner of the license from any possibility of jeopardizing his rights under the license by reason of unauthorized changes in location of point of diversion or place of use, or otherwise. May we therefore have from you promptly a report upon the following matters? The reverse side of this sheet may be used if the spaces provided are inadequate.

THIS REPORT SHOULD COVER USE BY ALL RECORD HOLDERS OF THIS LICENSE

SOURCE Spring Trib. Mill creek APPLICATION 5687

LICENSE 961

1. Names of all present holders of the license United States of America, Department of the Interior for Kings Canyon
Address National Park Service, Washington 25, D. C.

2. Was beneficial use of water made under this license in 1954? yes. In 1955? yes.
In 1956? yes. If no use of water was made in any one or more of the past three years please state the reason --

3. Describe briefly the use of water made during the past three years by all users under the license, indicating (a) the purposes for which used, i.e., power, municipal, mining, industrial, recreational, irrigation, domestic, etc.; (b) the season (particular months) of use; and (c) the amount, if known, and the extent of use, i.e., if for irrigation, give number of acres irrigated, if for domestic use give number of persons served, etc., The water was used for domestic and public needs to provide water for checking station, gasoline station, public comfort stations and employees residences from April 1 to November 15 to full extent of authorized 1100 gallons per day. The Ranger Station has been occupied by one or two rangers, and the gas station attendant and his wife occupy another residence. Approximately 550,000 visitors to Kings Canyon passed through the Big Stump Entrance per year, and made normal use of the comfort stations and gas station.

4. If either the location of point of diversion or place of use has been changed and the permission of this office has not yet been obtained, please describe nature of change The original point of diversion is still used with minor changes described in Application 16184.

5. If the project has been abandoned, please so state and license will be revoked not abandoned.

United States of America, Dept. of Interior
by A. van V. Dunn
A. van V. Dunn, Chief, Water Resources Sec.
National Park Service

Date November 27, 1956 (OVER)

FORM 91 YEAR 1956 40645 8-56 2M ① SPO

11-03-1953: report of licensee for 1951, 1952, 1953: application no. 5687, license no. 961

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

Report of Licensee for the Years 1951, 1952 & 1953

For the mutual benefit of licensee and the public a report is requested concerning the license noted below. With the information made available thereby this office will be in a position to readily advise licensee concerning new applications to appropriate from the same source or any other matters which might affect this appropriation. And if the report is carefully made it will enable this office to protect the owner of the license from any possibility of jeopardizing his rights under the license by reason of unauthorized changes in location of point of diversion or place of use, or otherwise. May we therefore have from you promptly a report upon the following matters? The reverse side of this sheet may be used if the spaces provided are inadequate.

THIS REPORT SHOULD COVER USE BY ALL RECORD HOLDERS OF THIS LICENSE

APPLICATION 5687 LICENSE 961

SOURCE spring trib Mill creek

United States of America, Department of the Interior,

1. Name of present holder of license National Park Service
   Address National Park Service, Washington 25, D. C.
2. Was beneficial use of water made under this license in 1951? Yes. In 1952? Yes. In 1953? Yes. If no use of water was made in any one or more of the past three years please state the reason
3. Describe briefly the use of water made during the past three years by all users under the license, indicating (a) the purposes for which used, i.e., power, municipal, mining, industrial, recreational, irrigation, domestic, etc.; (b) the season (particular months) of use; and (c) the amount, if known, and the extent of use, i.e., if for irrigation, give number of acres irrigated, if for domestic use give number of persons served, etc., The water was used for domestic and recreational purposes to provide the water for the checking station, gas station, an attendant's residence, and the public comfort stations at the Big Stump Entrance to Kings Canyon National Park. Annual visitors to the Park have increased from 330,913 in 1950 to 426,416 in 1953, the travel year being from October 1 to September 30, most of them using the Big Stump Entrance. There were also a ranger, and the gas station attendant and his wife, who may be classed as residents.
4. If either the location of point of diversion or place of use has been changed and the permission of this office has not yet been obtained, please describe nature of change There has been no change in point of diversion or place of use.
5. If the project has been abandoned, please so state and license will be revoked Not abandoned.

United States of America, Department of the Interior, National Park Service
By: [signature]
Chief, Water Resources Branch *Licensee*
National Park Service

Date November 3, 1953

(OVER)

FORM 91 YEAR 1953 82375 7-53 2M SPO

01-15-1951: order allowing change in character of use: application no. 5687, permit no. 2962, license no. 961

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

ORDER

APPLICATION 5687 PERMIT 2962 LICENSE 961

ORDER ALLOWING CHANGE IN CHARACTER OF USE

Licensee having established to the satisfaction of the State Engineer that the change in character of use under Application 5687, Permit 2962, License 961 for which petition was submitted on November 13, 1950 will not operate to the injury of any other legal user of water, the State Engineer so finds, and

IT IS ORDERED that permission be and the same is hereby granted to change the character of use under said Application 5687, Permit 2962, License 961 to character of use as follows, to wit:

DOMESTIC, RECREATIONAL AND FIRE PROTECTION PURPOSES

WITNESS my hand and the seal of the Department of Public Works of the State of California this 15th day of January, 1951.

A. D. Edmonston
State Engineer

FORM 100

89390 4-48 1M SPO

11-07-1950: letter to division of water resources from nps regarding reports of licensee under water right application 5687, license 961

COPY

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

In reply refer to:
L54 REG4

November 7, 1950

Division of Water Resources
Public Works Building
P. O. Box 1079
Sacramento 5, California

Gentlemen:

Enclosed are the triennial Reports of Licensee under Water Right Application 5687, License 961, at Kings Canyon National Park, and Application 8714, License 2291, at Lassen Volcanic National Park.

License 961 authorizes the use of water for domestic purposes and to operate a fox farm. The fox farm is a thing of the past. Most of the water is now used at the residence of the gas station attendant and his wife, and at the comfort stations provided for the checking ranger and the public. A certain amount of water is also used in connection with the servicing of motor cars at the gas station--many radiators need refilling after the long uphill drive. The water is also available for fire fighting.

On this basis, it seems probable that the purpose of use should be reclassified as domestic and recreational, and might include industrial use. Since only 1100 gallons of water per day are involved, it is wondered if the reclassification can be made without the formality of an application, advertising, and proof.

Sincerely yours,

(SGD.) A. VAN V. DUNN.

A. van V. Dunn
Chief, Water Resources Branch

Enclosures 2

11-02-1950: report of licensee for 1948, 1949, 1950: application no. 5687, license no. 961

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

Kings Canyon Headq-

Report of Licensee for the Years 1948, 1949 & 1950

For the mutual benefit of licensee and the public a report is requested concerning the license noted below. With the information made available thereby this office will be in a position to readily advise licensee concerning new applications to appropriate from the same source or any other matters which might affect this appropriation. And if the report is carefully made it will enable this office to protect the owner of the license from any possibility of jeopardizing his rights under the license by reason of unauthorized changes in location of point of diversion or place of use, or otherwise. May we therefore have from you promptly a report upon the following matters? The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 5687 LICENSE 961

SOURCE unnamed spring

1. Name of present holder of license United States of America, Department of the Interior, National Park Service
   Address National Park Service, Washington 25, D. C.
2. Was beneficial use of water made under this license in 1948? Yes. In 1949? Yes. In 1950? Yes. If no use of water was made in any one or more of the past three years please state the reason
3. Describe briefly the use of water made during the past three years by all users under the license, indicating (a) the purposes for which used, i.e., power, municipal, mining, industrial, recreational, irrigation, domestic, etc.; (b) the season (particular months) of use; and (c) the amount, if known, and the extent of use, i.e., if for irrigation, give number of acres irrigated, if for domestic use give number of persons served, etc., The water was used for domestic and recreational purposes to provide the water for the checking station, gas station, an attendant's residence, and the public comfort stations at the Big Stump Entrance to Kings Canyon National Park. There were 330,913 visitors at the Park during the 1950 travel year, most of whom used the Big Stump Entrance. There were also a ranger, and the gas station attendant and his wife, who may be classed as residents.
4. If either the location of point of diversion or place of use has been changed and the permission of this office has not yet been obtained, please describe nature of change There has been no change in point of diversion or place of use.
5. If the project has been abandoned, please so state and license will be revoked Not abandoned.

United States of America, Department of the Interior, National Park Service
By Conrad L. Wirth.
Chief, Water Resources Branch
National Park Service
Licensee

Date November 2, 1950

(OVER)

YEAR 1950

FORM 91

24690 3-50 1M SPO

THIS REPORT SHOULD COVER USE BY ALL RECORD HOLDERS OF THIS LICENSE

11-02-1950: letter to nps from supervisory hydraulic engineer regarding letter of june 7

COPY

A. D. Edmonston, State Engineer
Chief of Division

Earl Warren
Governor of California

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO

Address Reply to
Division of Water Resources
Public Works Building
P. O. Box 1079
Sacramento 5

June 14, 1950

L54 KICA

Application 5687

Mr. Hillory A. Tolson
Acting Director
U. S. Department of the Interior
National Park Service
Washington 25, D. C.

Dear Mr. Tolson:

Receipt is acknowledged of your letter of June 7 and the document providing evidence that the Sequoia and General Grant National Parks Company has transferred all of its right, title, and interest in Application 5687, Permit 2962, License 961, to your agency. The filing now stands solely in the name of United States-Department of the Interior, National Park Service.

License 961 provides for the use of water only from about April 1 to about November 15 of each season. If the use of water during the winter months at the place of use under the license is more than nominal, it is suggested that a new filing be made with this office for the use present and prospective, not covered under the license. Appropriate forms will be forwarded upon request.

If you have maps of Sequoia-Kings Canyon and Lassen Volcanic National parks available we would appreciate having a copy of each.

Very truly yours,

A. D. EDMONSTON, STATE ENGINEER

By /s/ Harrison Smitherum
Harrison Smitherum
Supervising Hydraulic Engineer

06-07-1950: statement by acting director, nps

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

JUN 7 1950

Pursuant to the act of August 24, 1912 (37 Stat. 497, 5 U. S. C. 488), I hereby certify that the attached is a true copy of the Assignment and Waiver covering water rights under Application No. 5687, Permit 2962, License 961, Kings Canyon National Park, as the same appears in the records and files of the National Park Service, United States Department of the Interior.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the seal of the National Park Service to be affixed, this 5th day of June, 1950.

(Sgd) Hillory A. Tolson
Acting Director
National Park Service
Department of the Interior



00-00-0000: assignment and waiver

MARG. NOTATION

12633

ASSIGNMENT AND WAIVER

WHEREAS, on May 24, 1940, Mr. Emery Whilton transferred or assigned to the Sequoia and General Grant National Park Company (now known as, and hereinafter referred to as the Sequoia and Kings Canyon National Parks Company, by reason of a change in corporate name approved by the Secretary of State of California) certain rights or interests in an operation in the Big Stump area of what is now the Kings Canyon National Park, California; and,

WHEREAS, it appears that the records of the Department of Public Works of the State of California reflect that by virtue of the transfer or assignment made by Emery Whilton as aforesaid the Sequoia and Kings Canyon National Parks Company became record holder of an interest in or title to a portion of the water rights under Application No. 5687, Permit 2962, License 961:

NOW, THEREFORE, the Sequoia and Kings Canyon National Parks Company, by its President, does hereby waive all interest in, and assign and quitclaim to the United States of America all water rights under Application No. 5687, Permit 2962, License 961.

Done, in duplicate, this 21st day of Feb., 1950.

Sequoia and Kings Canyon National Parks Company

By /s/ Howard H. Hays (SEAL)
President

Attest:

(SEAL) /s/ M. J. Morton
Secretary

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) SS.

"On this 21st day of March, 1950, before me, Elizabeth K. Felt, Court Commissioner in and for the County of Riverside, State of California, residing therein, duly commissioned and sworn, personally appeared Howard H. Hays, President, and M. J. Morton, Secretary, of the Sequoia and Kings Canyon National Parks Co., known to me to be the persons described in and whose names are subscribed to and who executed the within instrument, and acknowledged to me that they executed the same on behalf of said Company.

IN WITNESS WHEREOF I have hereunto set my hand and official seal at my office in the City of Riverside, County of Riverside, State of California, the day and year in this Certificate first above written."

/s/ Elizabeth K. Felt
Court Commissioner, Superior Court
Riverside County, California

(SEAL)

The foregoing assignment and waiver has been executed on behalf of the Sequoia and Kings Canyon National Parks Company, pursuant to and in accordance with a resolution duly passed by the Board of Directors of said Company, dated February 21st, 1950, a copy of which is annexed hereto.

/s/ M. J. Morton
Secretary

Recorded at Request of U. S. Dept. Interior,
Park Service
Vol. 1442 page 53
10:55 a.m. May 2, 1950

Official Records Tulare County, Calif.
W. W. Sunkel, Recorder

W. W. Sunkel Indexed Copied Three Rivers, Calif.
Compared

04-28-1948: letter to nps from state engineer regarding receipt of april 15 letter

COPY

Edward Hyatt, State Engineer
Chief of Division

Earl Warren
Governor of California

C. H. Purcell
Director

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO

Address reply to
Division of Water Resources
Public Works Building
P. O. Box 1079
Sacramento 5

April 28, 1948

Application 5687

Mr. A. E. Demaray
Associate Director
National Park Service
Washington 25, D. C.

Dear Mr. Demaray:

This is to acknowledge the receipt of your letter of April 15 together with the following documents.

(1) Photostatic copy of Special Use Permit dated January 26, 1927, issued by the Forest Service to Howell Bane.

(2) Photostatic copy of Special Use Permit dated September 28, 1929, issued by the Forest Service to Rowland and Temple.

(3) Photostatic copy of Special Use Permit dated August 2, 1938, issued to Tom P. Ferguson.

(4) Typed copy of Term Permit dated November 29, 1939, issued to Mr. and Mrs. Emery Whilton.

(5) Photostatic copy of Special Use Permit dated December 4, 1939, issued to J. D. Neff.

(6) Typed copy of assignment dated May 24, 1940, of Term Permit from Mr. and Mrs. Emery Whilton to Sequoia and General Grant National Parks Company.

(7) Typed copy of supplemental agreement dated May 6, 1941, issued to Sequoia and General Grant National Parks Company.

This record of issuance of Special Use Permits agrees very closely with the records of assignments of Application 5687, License 961, which are on file with this office.

Under date of March 1, 1948, Mr. Dunn submitted for our files a copy of an assignment from J. R. Dickson to the United States in which it appears that he had succeeded to the interests of J. D. Neff in Application 5687, License 961, and upon this evidence we may change our records to indicate that the portion of the water right formerly held by J. D. Neff has been assigned to United States-Sequoia-Kings Canyon National Park.

A water right is a property right and can be assigned in the same manner as any other property right. As yet, we have no evidence of the assignment of that portion of the water right which stands upon the records of this office in the name of Sequoia and General Grant National Park.

May we direct attention to the fact that while permission to use or occupy government lands can only be obtained from the government, a right to appropriate water can only be initiated and acquired through the State and unless the United States can acquire by assignment that portion of the right now or formerly held by Sequoia and General Grant National Park Company, it should protect its interests by filing an application with this office. Appropriate forms will be forwarded upon request.

Very truly yours,

EDWARD HYATT, STATE ENGINEER

By (Sgd) Gordon Zander
Gordon Zander
Principal Hydraulic Engineer

cc - Mr. A. van V. Dunn, Chief
Water Resources Branch
National Park Service
Washington 25, D. C.

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

Report of Licensee

For the mutual benefit of licensee and the public a report is requested concerning the license noted below. With the information made available thereby this office will be in a position to readily advise licensee concerning new applications to appropriate from the same source or any other matters which might affect this appropriation. And if the report is carefully made it will enable this office to protect the owner of the license from any possibility of jeopardizing his rights under the license by reason of unauthorized changes in location of point of diversion or place of use, or otherwise. May we therefore have from you promptly a report upon the following matters? The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 5687 LICENSE 961

SOURCE unnamed spring

1. Name of present holder of license United States of America, Department of the Interior, National Park Service.

   Address National Park Service, Interior Building, Washington 25, D. C.

2. Was beneficial use of water made under this license in 1945? Yes. In 1946? Yes In 1947? Yes. If no use of water was made in any one or more of the past three years please state the reason

3. Describe briefly the use of water made during the past three years by all users under the license, indicating (a) the season (particular months) of use, (b) the amount, if known, and (c) the purposes which were served, stating *acreage irrigated* or *average number of people served with domestic supply* if such uses were made Water is used throughout the year, to extent of available spring flow for domestic purposes at the Big Stump Entrance of Kings Canyon National Park, the development at said entrance consisting of a checking station, gas station, and attendant's residence, and sanitary facilities for the Park visitors. (For further information see other side of page.)

4. If either the location of point of diversion or place of use has been changed and the permission of this office has not yet been obtained please describe nature of change There has been no change in point of diversion. There has been no change in place of use except for slight expansion.

5. If the project has been abandoned please so state and license will be revoked Not abandoned.

United States of America, Department of the Interior, National Park Service.

By [signature] Licensee
Chief, Water Division.

Date November November 17, 1947.

(OVER)

FORM 91

YEAR 1947

THIS REPORT SHOULD COVER USE BY ALL RECORD HOLDERS OF THIS LICENSE

NOTE

This space may be used for amplification of statements on the reverse side or other matters pertinent to this license.

The original Forest Service permit to the licensees granted the use of Federal land, and there was apparently a supplemental "Rowland and Temple Water Transmission Conduit," dated Sept. 26, 1929, which was terminated June 30, 1938. New land use permits were issued to, and accepted by, Tom P. Ferguson on August 2, 1938, and J. D. Neff on Jan. 1, 1940, both of which specified that in accepting this new permit the present permittee waives all rights to water formerly claimed by P. W. Rowland under State water right, and no water right shall accrue under the land use, and that permittees are authorized to take water from the Forest Service pipe line. Said Forest Service pipe line, now under National Park Service jurisdiction, is still in use and diverts full flow of springs covered by this license.

By Act of Congress, approved March 4, 1940 (54 Stat. 41), the Federal land involved became part of Kings Canyon National Park and administrative jurisdiction passed from the Forest Service, Department of Agriculture, to the National Park Service, Department of the Interior. Under the latter administration, the original Forest Service development has been replaced by a major Park Entrance and Checking Station which serves nearly all visitors to the consolidated Kings Canyon and former General Grant National Parks; the gasoline station permit has passed from J. D. Neff to a new concessioner and has been expanded to serve the increasing travel; and the small lodge development, which superseded the fox farm, has been razed and the accommodations are now provided elsewhere in the Park. The full spring flow is now fully used by the new developments.

While research is still insufficient to prove full Federal title to the water right under License No. 961, the United States claims all rights to the use of said springs under that license and by riparian use, and all water is being fully and beneficially used by the United States and its concessioner, during the period from April 1 to November 15 of each year. In addition, increasing use is being made of the water between November 16 and March 31 of each year, to accommodate those who visit the Park to engage in winter sports.

DO NOT WRITE IN THIS SPACE

COPY

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO

March 28, 1941

Application 5687 - License 961

Mr. A. van V. Dunn
Hydraulic Engineer
U.S. National Park Service
Region Four
San Francisco, Calif.

Dear Sir:

Your letter of March 26, together with blank voucher is acknowledged.

Application 5687 was filed September 13, 1927 by Howell Bone for 3000 gallons per day throughout the entire year from an unnamed spring within the Sequoia National Forest for domestic, irrigation of lawns and washing fox pens. The application was approved on February 8, 1928.

On January 7, 1931 the right to 1100 gallons per day from about April 1 to about November 15 of each season for domestic use and washing fox pens was confirmed by License 961. The 1100 gallons per day having been put to a beneficial use.

On March 16, 1931 this office was advised by Mr. Bone that he had sold the fox farm to V. H. Rowland and H. D. Temple and that it was O.K. with the Forest Service.

On June 8, 1938 a letter was received from Rowland and Temple in which it was stated that Ed Creighton and Thomas Ferguson had taken over the place.

The place was again transferred to Emery Whilton and Johnny D. Neff in accordance with a letter received on December 18, 1939. The letter stated that Mr. Whilton and Mr. Neff were not in partnership, as Mr. Whilton had purchased the Lodge and Mr. Neff had purchased the Service Station.

Under date of May 24, 1940, Emery Whilton transferred his interest to the Sequoia and General Grant National Parks Company and Mr. Neff still retains his one-half interest in License 961, for use of water at the Service Station.

The Forest Service does not have any application with this office for use of water from this spring.

Since the license supersedes the approved application a copy of the license and the map are enclosed as requested, together with the signed copy of the voucher.

Very truly yours,

EDWARD HYATT, State Engineer

By /s/ Harold Conkling
Deputy State Engineer

enc.

03-16-1931: license for diversion and use of water: license no. 961, permit no. 2962, application no. 5687

FORM L-1529

See Memo 4/7/41.

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

Notice of Assignment (Over)

License for Diversion and Use of Water

ASSIGNMENT MADE

LICENSE 961 PERMIT 2962 APPLICATION 5687

DATE RECD 3/16/31 ASSIGNMENT TO ~~U. N. Rowland & W. D. Temple~~

THIS IS TO CERTIFY, That ~~Howell Done of Miramonte, California~~ ASSIGNMENT MADE 5/29/38 has made proof to the satisfaction of the Division of Water Resources of California of a right to the use of the waters of an unnamed spring in Tulare County

tributary of Mill Creek, thence Kings River

for the purpose of domestic use and washing fox pens under Permit 2962 of the Division of Water Resources and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Resources and the terms of the said permit; that the priority of the right herein confirmed dates from September 13, 1927;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed Eleven hundred (1100) gallons per day from about April 1st to about November 15th of each season.

The point of diversion of such water is located North two thousand seven hundred seven and one tenth (2707.1) feet and East one thousand six hundred eighty-eight and six tenths (1688.6) feet from the southwest corner of Section 8, T 14 S, R 28 E, M.D.B.& M., being within the SE¼ of NW¼ of said Section 8.

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

Within the SW¼ of SW¼ of Section 8, T 14 S, R 28 E, M.D.B.& M.

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

This license is granted and said appropriator takes all rights herein mentioned subject to the terms and conditions set forth in Section 20 of Chapter 586, Statutes 1913, which is as follows:

Sec. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this section and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; *provided*, that if, at any time after the expiration of twenty years after the granting of a license, the state, or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to purchase the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has ceased to put said water to such useful or beneficial purpose, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license, and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. And the findings and declaration of said commission shall be deemed to be prima facie correct until modified or set aside by a court of competent jurisdiction; *provided*, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And every licensee or permittee under the provisions of this act if he accepts such permit or license shall accept the same under the conditions precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulations by any competent public authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; *provided, however*, that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; *and providing, further*, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality; *and providing, further*, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation permitted; *and provided, further*, that when such municipality shall desire to use the additional waters granted in its said application it may do so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.

Witness my hand and the seal of the Department of Public Works of the State of California, this 7 *day of* January, 19 31

EDWARD HYATT
State Engineer

By Harold Conkling
Deputy

8/26/40 RECEIVED NOTICE OF ASSIGNMENT TO ½ Interest of Emery Whilton to Sequoia & General Grant National Parks Co.

LICENSE 961

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATER RESOURCES

LICENSE
TO APPROPRIATE WATER

DATE RECD 3/16/31 ASSIGNMENT TO U. N. Copeland & A. D. Temple
ISSUED TO Powell Bone

DATED January 7, 1931

3225-8 6-30 1500 CALIFORNIA STATE PRINTING OFFICE

00-00-0000: division of water resources - plan map; sec. 8, t.14s., r.28e.

Application 5687
Permit 2962
License 961

Form 17-A

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

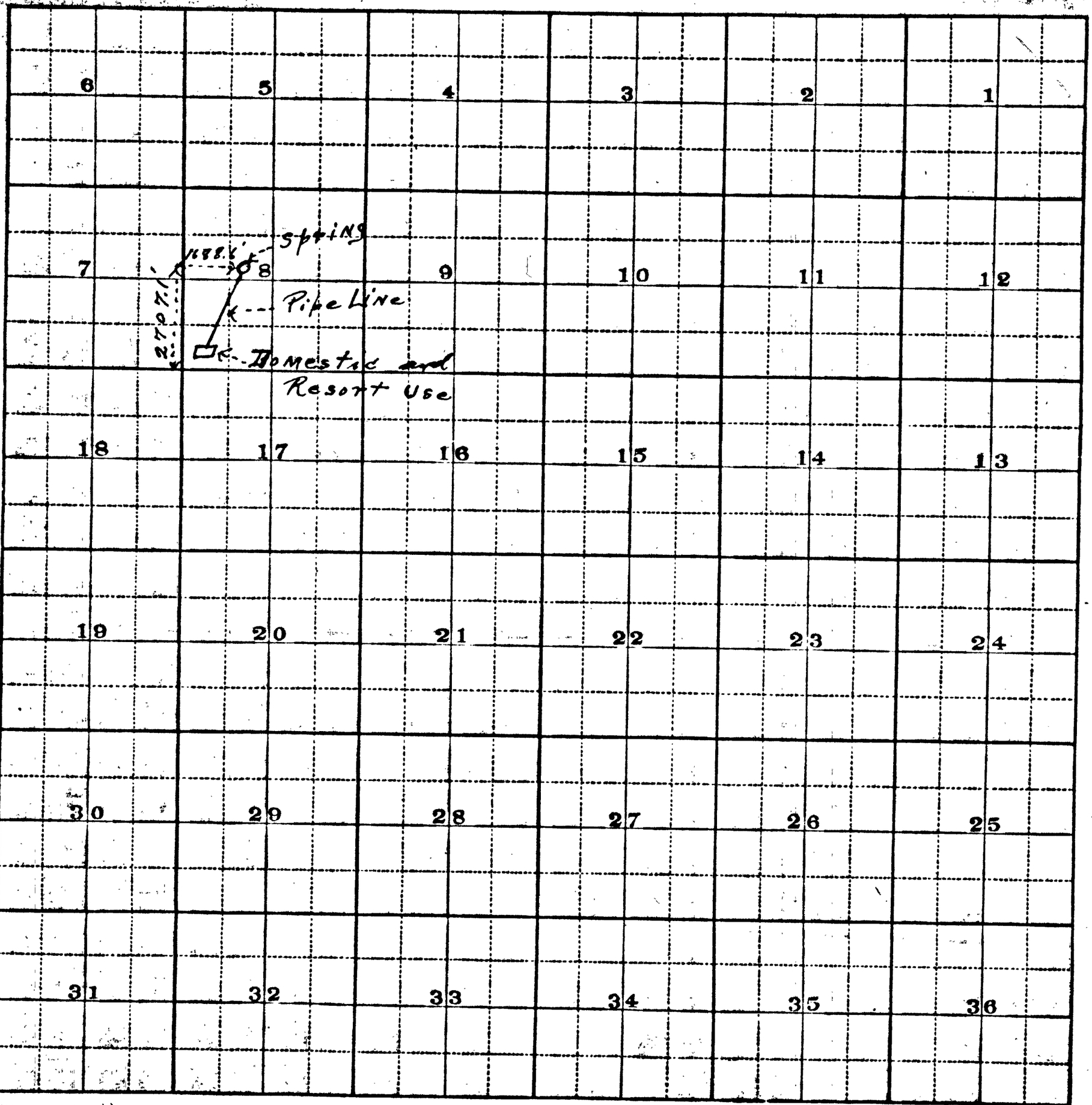
Applicant Sequoia & General Grant Nat'l. Parks Company

Sec. 8 Township 14S Range 28E, M.D.B. Meridian

Mapped by C.K. Morton

County Tulare

NOTE.—Maps are to be drawn on this plat only when total amount of water to be diverted does not exceed three cubic feet per second for direct diversion or two hundred acre-feet per annum for storage. For amounts less than those above stated the average applicant can prepare a very satisfactory map without the aid of a surveyor by observing instructions on the reverse side of this plat.



03 HISTORY

Sequoia and Kings Canyon National Park

BIG STUMP AREA, UNNAMED SPRING.
(FORMERLY KICA - 001)

Land History

09-26-1951: memorandum to regional director from chief, water resources branch regarding water rights, big stump area

In reply refer to:
L54 KICA

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

September 26, 1951

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Branch

Subject: Water Rights, Big Stump Area, Kings Canyon National Park

From the memorandum of September 11 for you from Mr. Carlson, it is evident that there are no records of the Forest Service development of the subject area. However, it is possible that Mr. Littlefield, or some one else in the Regional Office of the Forest Service, might have a record of the date of first development and whether such development included a water system. While there is no controversy over water rights to justify pressing the matter much further, it might be of future value to make such an inquiry while some of the old employees are still in that office.

It is suggested that the copies and original of Mr. Carlson's memorandum of September 11 be inserted in the Regional and Park assemblies of Kings Canyon Deed No. 5 to prevent needless future search for the information.

(SGD.) A. VAN V. DUNN.
A. van V. Dunn
Chief, Water Resources Branch

In duplicate

AvanVDunn: sh

09-11-1951: memorandum to regional director from acting superintendent regarding water right application no. 5687, lic. no. 961, deed 5

H. C. Deed 5

COPY

UNITED STATES

DEPARTMENT OF THE INTERIOR

L54 KICA

NATIONAL PARK SERVICE

SEQUOIA AND KINGS CANYON NATIONAL PARKS
THREE RIVERS, CALIFORNIA

September 11, 1951

Memorandum

To: Regional Director, Region Four

From: Acting Superintendent, Sequoia and Kings Canyon National Parks

Subject: Water Right Application No. 5687, License No. 961
Deed 5, Big Stump Area, Kings Canyon National Park

We asked the Sequoia National Forest for the information requested in Mr. Van Dunn's memorandum of July 19, 1951, and have received the following letter from Forest Supervisor McNutt:

"Your letter of August 8 has been received. Due to off-forest fires we have delayed our reply to you.

"There is very little information that we can give you on these permits, as Mr. Neff's was closed on July 18, 1940 and the Rowland and Temple permit which was transferred to Ferguson was closed on December 4, 1939. Information on these permits are retained by us for five years after closing, and then destroyed. Consequently, we have no detailed information in our files on them.

"There is no one now on the Forest who is familiar with these permits so there is little additional information we can give you. We have asked the District Ranger at Hume Lake regarding this and he also can contribute no light to the matter."

O. W. Carlson
Acting Superintendent

08-08-1951: letter to supervisor, kica from superintendent, nps regarding water right application no. 5687

WR Copy

In reply refer to:
L54 KICA

UNITED STATES

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE
SEQUOIA AND KINGS CANYON NATIONAL PARKS
THREE RIVERS, CALIFORNIA

1951 AUG 13 AM 9 21

August 8, 1951

Jack J. McNutt, Supervisor
Sequoia National Forest
Porterville, California

Dear Mr. Mc Nutt:

The National Park Service holds a water right application, No. 5687, License No. 961, Deed 5, Big Stump Area in Kings Canyon National Park. This water right assembly as it now stands is in need of break down as to land occupancy, water right definition and title.

We have been advised that condition 28 of the Forest Service Permit to Mr. Neff of January 1, 1950, authorizes connection to a Forest Service water system, and that the Rowland and Temple Water Transmission Conduit Permit was terminated by condition 15 of the permit of July 1, 1938, to Mr. Tom P. Ferguson. There is a suggestion that the United States has claimed the right to divert and use, and to allow the permittees to use, water in excess of rights under License 961 since 1938; and that the United States has an unrecorded riparian claim which may date back to 1927 or before.

It will be appreciated if you can furnish us any information to show whether there was a Forest Service development in the Big Stump Area between 1927 and 1938, and approximately its extent and date of construction.

We want to thank you in advance for any assistance you can give in this matter.

Sincerely yours,

E. T. Scoyen
Superintendent

Copy to: Director
Regional Director, Region Four

01-23-1948: assignment and waiver

Assignment and Waiver

Whereas, Howell Bone obtained a special use permit from the U. S. Forest Service on January 1, 1927, to construct a pipe line in the Big Stump Area of what is now Kings Canyon National Park, which prescribed that he should perfect the necessary water rights in compliance with the State water laws; and

Whereas, said Howell Bone filed Application No. 5687 on September 13, 1927, and perfected said right under License No. 961; and

Whereas, said Howell Bone assigned said right to V. H. Rowland and H. D. Temple as recorded by letter of said V. H. Rowland to the State Engineer on March 16, 1931; and

Whereas, said Rowland and Temple assigned said right to Ed Creighton and Tom P. Ferguson as recorded with the State Engineer on June 8, 1938; and

Whereas, the special use permit for the construction and maintenance of said pipe line was cancelled by the U. S. Forest Service on June 30, 1938; and

Whereas, said Tom P. Ferguson waived his interest in said water right pursuant to condition No. 15 in a new permit issued to him by the U. S. Forest Service for the operation of a hotel and related developments, the use of water to be provided from the same source by the United States; and

Whereas, said Creighton and Ferguson assigned their interests in the water rights and developments to Emery Whilton and J. D. Neff, as recorded with the State Engineer on December 18, 1939; and

Whereas, said J. D. Neff assigned his interests to J. R. Dickson, with the approval of the Acting Director, National Park Service, given on April 8, 1947; and

Whereas, the Big Stump Area was made part of Kings Canyon National Park and transferred from the U. S. Forest Service to the jurisdiction of the National Park Service by the act of March 4, 1940 (54 Stat. 41, 16 U.S.C. 80-80d); and

Whereas, the National Park Service has rebuilt said water system, and now provides water for use at all developments in said Big Stump Area of Kings Canyon National Park:

Now, therefore, the undersigned, said J. R. Dickson, being the concessioner under Contract I-36np-37, approved July 2, 1947, from the United States, Department of the Interior, does hereby waive all interest in, and assign, all water rights under License No. 961 to the United States of America.

Executed at Kings Canyon Nat'l Park on January 23, , 1948.

J. R. Dickson.
J. R. Dickson.

Witnesses:

Stanley H. Bechtel

W. C. Griffith

04 LEGAL

Sequoia and Kings Canyon National Park

BIG STUMP AREA, UNNAMED SPRING.
(FORMERLY KICA - 001)

Legal Opinions

05 ADMIN

Sequoia and Kings Canyon National Park

BIG STUMP AREA, UNNAMED SPRING.
(FORMERLY KICA - 001)

Administrative Agreements

00-00-0000: assignment and waiver

Assignment and Waiver

Whereas, Howell Bone obtained a special use permit from the U. S. Forest Service on January 1, 1927, to construct a pipe line in the Big Stump Area of what is now Kings Canyon National Park, which prescribed that he should perfect the necessary water rights in compliance with the State water laws; and

Whereas, said Howell Bone filed Application No. 5687 on September 13, 1927, and perfected said right under License No. 961; and

Whereas, said Howell Bone assigned said right to V. H. Rowland and H. D. Temple as recorded by letter of said V. H. Rowland to the State Engineer on March 16, 1931; and

Whereas, said Rowland and Temple assigned said right to Ed Creighton and Tom P. Ferguson as recorded with the State Engineer on June 8, 1938; and

Whereas, the special use permit for the construction and maintenance of said pipe line was cancelled by the U. S. Forest Service on June 30, 1938; and

Whereas, said Tom P. Ferguson waived his interest in said water right pursuant to condition No. 15 in a new permit issued to him by the U. S. Forest Service for the operation of a hotel and related developments, the use of water to be provided from the same source by the United States; and

Whereas, said Creighton and Ferguson assigned their interests in the water rights and developments to Emery Whilton and J. D. Neff, as recorded with the State Engineer on December 18, 1939; and

Whereas, said J. D. Neff assigned his interests to J. R. Dickson, with the approval of the Acting Director, National Park Service, given on April 8, 1947; and

Whereas, the Big Stump Area was made part of Kings Canyon National Park and transferred from the U. S. Forest Service to the jurisdiction of the National Park Service by the act of March 4, 1940 (54 Stat. 41, 16 U.S.C. 80-80d); and

Whereas, the National Park Service has rebuilt said water system, and now provides water for use at all developments in said Big Stump Area of Kings Canyon National Park:

Now, therefore, the undersigned, said J. R. Dickson, being the concessioner under Contract I-36np-37, approved July 2, 1947, from the United States, Department of the Interior, does hereby waive all interest in, and assign, all water rights under License No. 961 to the United States of America.

Executed at Kings Canyon Nat'l Park on January 23, , 1948.

J. R. Dickson

J. R. Dickson.

Witnesses:

Stanley H. Bechtel

W. C. Griffith

05-18-1944: letter to hydraulic engineer from forest supervisor regarding copies of special use permits

COPY

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
SEQUOIA NATIONAL FOREST

Address reply to
Forest Supervisor
and refer to

Porterville, California

U
USES
General
Sequoia

May 18, 1944

VIA REGISTERED MAIL - Return Receipt Requested

Mr. A. Van V. Dunn
Hydraulic Engineer
Water Rights Section
National Park Service
601 Sheldon Building
San Francisco 5, California

Dear Mr. Dunn:

Your letter of May 8 is received.

We are enclosing our file copies of Special Use Permits issued to Rowland and Temple for a fox farm and conduit. We have been unsuccessful as yet in securing the initial permit for the fox farm issued to Howell Bone for the fox farm in 1926. We are attempting to secure a copy from our District Ranger headquarters at Pinehurst and if successful in locating it, will forward it to you. The complete file on the Whilton case was transferred to the Kings Canyon National Park following its creation.

When the attached permits have served your purpose, we should appreciate having them returned to us.

Very truly yours,

NORMAN L. NORRIS, Forest Supervisor

By (Sgd) W. E. Bawcombe
Acting

Enclosures

04-27-1944: letter to acting superintendent from forest supervisor regarding term permit issued to mr. tom p. ferguson

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
SEQUOIA NATIONAL FOREST

Address Reply to
Forest Supervisor
and refer to
U
USES
General
Sequoia

Porterville, California

April 27, 1944

VIA REGISTERED MAIL- Return Receipt Requested

Mr. Daniel J. Tobin
Acting Superintendent
Sequoia-Kings Canyon National Parks
Sequoia National Park, California

Dear Mr. Tobin:

In accordance with your request of April 4, we are enclosing Term Permit issued to Mr. Tom P. Ferguson for resport, and a special use permit granted to John D. Neff for gasoline station and residence. The original permit issued to Howell Bone for a fox farm in 1926 is no longer in our files, since this permit was closed in 1929.

This area in which these permits are located was transferred to the jurisdiction of the National Park Service from the Sequoia Nation Forest with the creation of the Kings Canyon National Park.

Since these are the only records of permits issued Messrs. Ferguson and Neff, we should like to have them returned to our file as soon as they have served your purpose.

Very truly yours,

NORMAN I. NORRIS, Forest Supervisor

By (Sgd.) W. E. Bawcombe
Acting

Enclosures

C
O
P
Y

00-00-1945: report face page: contract no. 1-1p-246, kings national park

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

-ooOoo-

SEQUOIA AND KINGS CANYON NATIONAL PARKS

SEQUOIA AND KINGS CANYON NATIONAL PARKS COMPANY

-ooOoo-

Contract No. I-1p-246

January 1, 1926, to December 31, 1945

KINGS CANYON NATIONAL PARK

3261

01-12-1942: letter to nps from general manager regarding name change of company

SEQUOIA AND KINGS CANYON NATIONAL PARKS CO.
Room 15 - 129 East Center St.
Visalia, Calif.

January 12, 1942.

Mr. Newton B. Drury, Director,
NATIONAL PARK SERVICE,
Washington, D. C.

Dear Mr. Drury:

Following your approval for the change in name of our Company, we have taken the necessary legal steps in the State of California, and have received final acceptance and certification from the Secretary of State, California, effective immediately, for the name of our Company to be as follows:

SEQUOIA AND KINGS CANYON NATIONAL PARKS CO.

If any additional notification to your office or any legal forms still remain to be complied with, will you please advise me of the procedure to follow?

With best regards, I am

Very truly yours,

(SGD) GEORGE L. MAUGER
George L. Mauger,
General Manager.

03-27-1926: supplemental agreement to contract no. I-1p-246 authorizing operations in kica

148882

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

---oooOooo---

SEQUOIA AND GENERAL GRANT NATIONAL PARKS COMPANY

KINGS CANYON NATIONAL PARK

---oooOooo---

Supplemental Agreement to Contract No. I-1p-246, dated March 27, 1926, authorizing operations in Kings Canyon National Park.

148882-1

SUPPLEMENTAL AGREEMENT

THIS AGREEMENT, entered into this 13th day of June, 1941 by and between Oscar L. Chapman Under Secretary of the Interior, acting for and on behalf of the UNITED STATES OF AMERICA, party of the first part, and the SEQUOIA AND GENERAL GRANT NATIONAL PARKS COMPANY, a corporation organized and existing under the laws of the State of California, by Howard R. Hays, its president, as party of the second part,

WITNESSETH:

WHEREAS, Hubert Work, the Secretary of the Interior, acting for and on behalf of the United States of America, as party of the first part, and the Sequoia and General Grant National Parks Company, a corporation organized and existing under the laws of the State of California, as party of the second part, entered into an agreement under date of March 27, 1926 (No. I-lp-246), covering certain privileges for the operation of public accommodations and conveniences in the SEQUOIA and GENERAL GRANT NATIONAL PARKS, for a period of twenty (20) years from January 1, 1926, and

WHEREAS, John H. Edwards, Assistant Secretary of the Interior, acting for and on behalf of the United States of America, as party of the first part, and the Sequoia and General Grant National Parks Company, a corporation organized and existing under the laws of the State of California, by Howard H. Hays, its President, as party of the second part, entered into a SUPPLEMENTAL AGREEMENT under date of March 1, 1933, amending in certain parts the above-mentioned contract, dated March 27, 1926, and covering the purchase of the assets of "Park Studios", a co-partnership composed of Howard H. Hays, O. K. Morton and George L. Mauger, including an agreement entered into under date of April 7, 1927 (No. I-lp-28), by and between the United States of America and Lindley Eddy, and assigned to said partnership under date of February 20, 1932, covering the privilege of operating certain other public accommodations and conveniences in the Sequoia National Park, and

WHEREAS, by Act of Congress approved March 4, 1940 (Public No. 424--76th Congress) General Grant National Park was absorbed and included in an extended area known as the Kings Canyon National Park, and

WHEREAS, the said Sequoia and General Grant National Parks Company has made application for the privilege to establish facilities for the accommodation and convenience of the public in the additional area included in the Kings Canyon National Park (except the Big Stump area covered by separate lease agreement issued to Mr. and Mrs. Emery Whilton on November 29, 1939 and transferred to the said Sequoia and General Grant National Parks Company on May 14, 1940) for and during the term of five (5) years from January 1, 1941, and has made request that the privilege to establish such facilities be consolidated with and incorporated in its operating agreement No. I-lp-246, dated March 27, 1926, supplemented as aforesaid,

NOW, THEREFORE, the said parties of the first part and of the second part have covenanted and agreed, and by these presents do covenant and agree to and with each other, in consideration of the premises above recited as follows:

That the said agreement No. I-lp-246, dated March 27, 1926, as supplemented under date of March 1, 1933, by and between the United States of America and the Sequoia and General Grant National Parks Company, be and the same is hereby amended to extend to the aforesaid additional area included in the Kings Canyon National Park and to the Cedar Grove development area adjacent to the Kings Canyon National Park, administered by the National Park Service under a cooperative agreement with the National Forest Service, Department of Agriculture, for the period of five (5) years from January 1, 1941, pursuant to Section 4 of the Act of Congress dated March 4, 1940, establishing the Kings Canyon National Park.

And it is hereby further understood and agreed by and between the said parties that, except as herein amended, the said agreement dated March 27, 1926, as heretofore supplemented, shall in all other respects remain, and be in full force and effect.

No Member of or Delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this supplemental contract or to any benefit that may arise herefrom, but this restriction shall not be construed to extend to this contract as made with corporations or companies for its general benefit.

IN WITNESS WHEREOF the said parties have hereunto subscribed their names and affixed their seals the day, month, and year first above written.

UNITED STATES OF AMERICA

By (Sgd) Oscar L. Chapman
Acting Under Secretary of the Interior
Party of the First Part

SEQUOIA AND GENERAL GRANT NATIONAL PARKS COMPANY

By (Sgd) Howard H. Hays, President
Party of the Second Part

Attest: (SEAL)

(Sgd) O. K. Morton
Assistant Secretary

06-06-1941: memorandum to secretary from acting assistant director regarding the supplemental agreement

148882-2

UNITED STATES
DEPARTMENT OF THE INTERIOR
National Park Service
Washington

June 6, 1941

MEMORANDUM for the Secretary.

On April 17 the Department approved as to form and substance a draft of supplemental agreement proposed to be entered into with the Sequoia and General Grant National Parks Company, for the purpose of extending to the area comprising Kings Canyon National Park (except that portion known as the Big Stump area), the provisions of that company's contract No. I-lp-246 with this Department, covering the furnishing of accommodations and conveniences for the public in Sequoia and the former General Grant National Park, the latter now being a part of Kings Canyon National Park pursuant to the act of March 4, 1940 (Public No. 424 - 76th Cong.). The approved draft of supplemental agreement and pertinent correspondence are attached.

(to which this water right is appurtenant)

A supplemental agreement in the form approved by the Department on April 17 has been executed by the park operator and is submitted herewith, with the recommendation that it be executed on behalf of the United States. A certified copy of a resolution of the Board of Directors of the Sequoia and General Grant National Parks Company, authorizing the signing officers to execute the agreement, also is attached.

(Sgd) A. E. Demaray,

Acting Director.

Enclosure 2457159

Approved by: June 13, 1941
(Stamped signature)

(Sgd) Oscar L. Chapman

Acting Under Secretary
and returned to the
National Park Service.

LM

03-14-1941: memorandum to secretary from acting assistant director regarding act of congress concerning kica

UNITED STATES
DEPARTMENT OF THE INTERIOR
National Park Service
Washington

March 14, 1941

MEMORANDUM for the Secretary.

The act of Congress approved on March 4, 1940 (Public No. 424 - 76th Congress), absorbed and included General Grant National Park in an extended area now known as the Kings Canyon National Park. Section 4 of that act provides that no privileges shall be granted within the area for a period in excess of five years.

The terminus of the new highway constructed in the Kings Canyon area, now administered by the National Park Service by arrangement with the Forest Service, is at the present time at Cedar Grove. Plans for the development of Kings Canyon National Park contemplate the ultimate extension of this highway into the park area and the establishment of permanent facilities for the accommodation and convenience of the public at its terminus. While a study is being made of a permanent location for an operator's unit, this Service desires the establishment of temporary facilities at Cedar Grove in the nature of a store, restaurant, and service station with the buildings necessary for the furnishing of such facilities to be of frame lumber type, easily removable.

It is reflected in the present contract between this Department and the Sequoia and General Grant National Parks Company that the company shall have a priority to privileges in the area which is now the Kings Canyon section of the Kings Canyon National Park. That conclusion is based upon the language in Article XII in the above-mentioned contract which provides that the terms thereof shall comply to any enlargement or addition to the General Grant or the Sequoia National Park by the Government.

It is deemed advisable, in the circumstances, to supplement the agreement between this Department and the Sequoia and General Grant National Parks Company, No. I-lp-246 dated March 27, 1926, to extend it to the additional area included in the Kings Canyon National Park and to such adjacent areas as may be administered by the National Park Service, for and during a term of five years from January 1, 1941. In accordance therewith, there is attached, with the recommendation that it be approved as to form and substance, a proposed supplemental agreement which is satisfactory to this Service and to the Sequoia and General Grant National Parks Company.

(Sgd) A. E. Demaray,
Acting Director.

Enclosure 2521350

Approved by: April 17, 1941
(stamped signature)
(Sgd) A. J. Wirtz

Under Secretary
and returned to the
National Park Service.

00-00-0000: supplemental agreement

148882-4

SUPPLEMENTAL AGREEMENT

THIS AGREEMENT, entered into this _____ day of _____, 1941 by and between _____Under Secretary of the Interior, acting for and on behalf of the UNITED STATES OF AMERICA , party of the first part, and the SEQUOIA AND GENERAL GRANT NATIONAL PARKS COMPANY, a corporation organized and existing under the laws of the State of California, by Howard H. Hays, its president, as party of the second part,

WITNESSETH:

WHEREAS, Hubert Work, the Secretary of the Interior, acting for and on behalf of the United States of America, as party of the first part, and the Sequoia and General Grant National Parks Company, a corporation organized and existing under the laws of the State of California, as party of the second part, entered into an agreement under date of March 27, 1926 (No. I-lp-246), covering certain privileges for the operation of public accommodations and conveniences in the SEQUOIA and GENERAL GRANT NATIONAL PARKS, for a period of twenty (20) years from January 1, 1926, and

WHEREAS, John H. Edwards, Assistant Secretary of the Interior, acting for and on behalf of the United States of America, as party of the first part, and the Sequoia and General Grant National Parks Company, a corporation organized and existing under the laws of the State of California, by Howard H. Hays, its President, as party of the second part, entered into a SUPPLEMENTAL AGREEMENT under date of March 1, 1933, amending in certain parts the above-mentioned contract, dated March 27, 1926, and covering the purchase of the assets of "Park Studios", a co-partnership composed of Howard H. Hays, O. K. Morton and George L. Mauger, including an agreement entered into under date of April 7, 1927 (No. I-lp-28), by and between the United States of America and Lindley Eddy, and assigned to said partnership under date of February 20, 1932, covering the privilege of operating certain other public accommodations and conveniences in the Sequoia National Park, and

WHEREAS, by Act of Congress approved March 4, 1940 (Public No. 424—76th Congress) General Grant National Park was absorbed and included in an extended area known as the Kings Canyon National Park, and

WHEREAS, the said Sequoia and General Grant National Parks Company has made application for the privilege to establish facilities for the accommodation and convenience of the public in the additional area included in the Kings Canyon National Park (except the Big Stump area covered by separate lease agreement issued to Mr. and Mrs. Emery Whilton on November 29, 1939 and transferred to the said Sequoia and General Grant National Parks Company on May 14, 1940) for and during the term of five (5) years from January 1, 1941, and has made request that the privilege to establish such facilities be consolidated with and incorporated in its operating agreement No. I-lp-246, dated March 27, 1926, supplemented as aforesaid,

to which this water right is appurtenant

NOW, THEREFORE, the said parties of the first part and of the second part have covenanted and agreed, and by these presents do covenant and agree to and with each other, in consideration of the premises above recited as follows:

That the said agreement No. I-lp-246, dated March 27, 1926, as supplemented under date of March 1, 1933, by and between the United States of America and the Sequoia and General Grant National Parks Company, be and the same is hereby amended to extend to the aforesaid additional area included in the Kings Canyon National Park and to the Cedar Grove development area adjacent to the Kings Canyon National Park, administered by the National Park Service under a cooperative arrangement with the National Forest Service, Department of Agriculture, for the period of five (5) years from January 1, 1941, pursuant to Section 4 of the Act of Congress dated March 4, 1940, establishing the Kings Canyon National Park.

And it is hereby further understood and agreed by and between the said parties that, except as herein amended, the said agreement dated March 27, 1926, as heretofore supplemented, shall in all other respects remain, and be in full force and effect.

No Member of or Delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this supplemental contract or to any benefit that may arise herefrom, but this restriction shall not be construed to extend to this contract as made with corporations or companies for its general benefit.

IN WITNESS WHEREOF the said parties have hereunto subscribed their names and affixed their seals the day, month, and year first above written.

UNITED STATES OF AMERICA

By
Under Secretary of the Interior
Party of the First Part

SEQUOIA AND GENERAL GRANT NATIONAL PARKS COMPANY

By
Party of the Second Part

Attest: (SEAL)

DEPARTMENT OF THE INTERIOR
Washington.
4/17/41

Approved as to form and substance:

(Sgd) A. J. Wirtz

Under Secretary

05-19-1941: note about meeting with directors of sequoia and general grant national parks company

148882-5

Riverside, California

May 19th, 1941

A special meeting of the Directors of the Sequoia and General Grant National Parks Company, a corporation, was held in the office of the Company at the hour of three o'clock, P.M. on Monday, May 19th, 1941.

The following directors were present; Howard H. Hays, George L. Mauger and Oakley K. Morton.

President Howard H. Hays called the meeting to order and presented for consideration the proposed additional supplemental agreement to the existing contract between the United States of America and the Sequoia and General Grant National Parks Company, dated March 27th, 1926 as supplemented under date of March 1st, 1933, two copies of which additional proposed supplemental agreement had been received with a letter of transmittal dated May 2nd, 1941 from Guy Hopping, Assistant Superintendent of Kings Canyon National Park. Upon motion duly made, seconded and carried the following Resolution was unanimously adopted:

RESOLVED that the Sequoia and General Grant National Parks Company, a corporation, hereby accepts and approves the said additional supplemental agreement to the existing contract dated March 27th, 1926, as supplemented under date of March 1st, 1933, between the United States of America and the Sequoia and General Grant National Parks Company; and that Howard H. Hays, President is hereby authorized, directed and empowered to execute in the corporate name of the Company said proposed additional supplemental agreement.

There being no further business the meeting adjourned.

(Sgd) O. K. Morton
Assistant Secretary

I hereby certify that the foregoing is a true and correct copy of said Resolution as it appears on the Minutes of the Director's Meeting of this Company held on the 19th day of May, 1941.

(SEAL)

(Sgd) O. K. Morton
Assistant Secretary

00-00-0000: supplemental agreement modifying original permit with sequoia and general grant national parks company

146521

UNITED STATES
DEPARTMENT OF THE INTERIOR
National Park Service

--oooOooo--

SEQUOIA AND GENERAL GRANT NATIONAL PARKS COMPANY

KINGS CANYON NATIONAL PARK

--oooOooo--

Forest Service Permit originally issued to Mr. and Mrs. Emery Whilton, Assignment to Sequoia and General Grant National Parks Company, and Supplemental agreement modifying original permit.

--oooOooo--

WHEREAS, the Act of Congress approved March 4, 1940, (Public No. 424-76th Congress) establishing the Kings Canyon National Park, embraced land in the area that was formerly under the jurisdiction of the Forest Service, Department of Agriculture, and

WHEREAS, the Forest Service had issued a permit to Mr. and Mrs. Emery Whilton, to use certain specified land for the purpose of constructing and maintaining a resort hotel with store, cottages and museum, and

WHEREAS, the Department of the Interior has ruled that under the terms of the above mentioned Act of Congress the National Park Service must recognize Forest Service permits as constituting valid existing rights, and

WHEREAS, the Sequoia and General Grant National Parks Company with the approval of the Department of the Interior has purchased the rights of Mr. and Mrs. Emery Whilton and has secured an assignment of the Forest Service permit, and

WHEREAS, the Sequoia and General Grant National Parks Company as assignee of the Forest Service permit above mentioned now desires that the same be amended in certain particulars, now, therefore

This supplemental agreement made and entered into this 6th day of May, 1941, by and between the Acting Under Secretary of the Interior, as party of the first part, hereinafter referred to as the "Secretary", on behalf of the United States, and the Sequoia and General Grant National Park Company, by Howard H. Hays, its President, as party of the second part, hereinafter referred to as the "Company", is in modification of a term permit issued November 29, 1939 by J. E. Elliott, Forest Supervisor of the Sequoia National Forest in the State of California, on behalf of the United States to Mr. and Mrs. Emery Whilton, who on May 24, 1940, assigned all their rights in this term permit to the Company.

In consideration of the mutual promises herein expressed, and in consideration of the fact that the Company purchased all right, title and interest in the term permit from Mr. and Mrs. Emery Whilton, and that the Company agrees to the cancellation of all existing approvals of building plans by the Forest Supervisor, United States Department of Agriculture, the parties covenant and agree as follows:

I. The Secretary agrees to waive those provisions of the first paragraph of the term permit which make the continuance of the permit after five (5) years conditional on the requirements of clause 3 of the permit.

II. Clause I of the permit shall be modified to read as follows:

For so long as there shall be no construction on the property by the permittee, the permittee shall pay to the Secretary at his Office in the City of Washington, D. C., or to such person and at such place as he may designate, from and after January 1, 1941, the sum of Ten Dollars ($10) annually in advance; if, as of January 1 of any year or years prior to 1946, there is any building on the property constructed by the permittee, the permittee shall pay to the Secretary at his Office in the City of Washington, D. C., or to such person and at such place as he may designate, the sum of One Hundred and Seventy-Five Dollars ($175) annually in advance; if, as of January 1, 1946, or the first of any subsequent years, while the permit is in force, there is any building on the property, the permittee shall pay to the Secretary at his Office in the City of Washington, D. C., or to such person and at such place as he may designate, the sum of Two Hundred and Fifty Dollars ($250) annually in advance.

III. The Secretary agrees to waive the provisions of clause 3 of the permit.

IV. The Secretary agrees to waive the provisions of clause 8 of the permit, and it is mutually agreed that if, on the expiration of the permit by limitation of time or otherwise, the premises shall be leased to some one other than the Company, the latter shall be given an opportunity to be reimbursed for the reasonable value of such of its buildings, fixtures, stock, equipment, and other property thereon as the Secretary may, by an inspection made within six (6) months prior to such termination, determine to be appropriate for use on said premises and in enhancement of the value thereof for the purposes of conducting operations authorized by the permit, together with the cost plus transportation charges of all merchantable supplies on hand at the time of transfer. The value of such property shall then be ascertained by a board of three (3) appraisers appointed as follows: At least ninety (90) days before the expiration of the permit, each of the parties hereto shall choose one appraiser, and the two so selected shall choose a third. If they do not, within thirty (30) days' of their designation, agree upon the third appraiser, such third appraiser shall be selected by the Secretary. The salary and expenses of the third appraiser shall be paid by the Company. This board, or a majority thereof, shall within thirty (30) days from the designation of the third member, and after an inspection of the property to be appraised, and the taking of such testimony as may be adduced by the parties in interest, report their conclusions to the Secretary, who may approve, set aside, or modify the same, or order a new appraisal, as he may

see fit. The value of such buildings and property when determined by the Secretary whose decision in the premises shall be final, shall be paid at the time and in the manner directed by him, to the Company hereunder by the person to whom the premises are to be leased; PROVIDED: That nothing herein shall be construed as creating a claim against the United States, or shall prevent the Secretary from leasing or subletting said property and the improvements thereon in such manner and upon such terms as may be necessary for the full protection of the interests of the Government, or shall delay the surrender of the premises with all buildings, fixtures, and appurtenances thereon upon any termination of this contract, or shall in any manner charge the Government for the use of such buildings, or other property.

V. The Secretary agrees to cancel Clause 15 provided the company will make expenditures to the amount therein stated, or in such greater sum as is mutually agreeable, at such time as the Secretary of the Interior shall deem such improvements necessary for the convenience and accommodation of the visiting public.

VI. In clauses 17 and 18 of the permit the words "Forest Supervisor" shall be replaced by the words "Secretary of the Interior".

VII. The Company agrees to the cancellation of its construction rights under the existing building plans approved by the Forest Supervisor, Forest Service, United States Department of Agriculture, prior to the creation of the Kings Canyon National Park.

VIII. The Secretary agrees to waive the provisions of clause 23 of the permit, and the parties mutually agree that if, at any time while the permit is in force the Company operates any tourist accommodations on the property, it will furnish accommodations free of charge or at reduced rates to employees of the Department of the Interior visiting the park on official business relating to Kings Canyon National Park, and to the executive officers of the park away from their regularly assigned stations, but only upon certification by a presentation of proper credentials signed by the Secretary or the Director of the National Park Service or by his duly authorized representative in charge of the park; but payments made by such employees in the absence of such evidence shall be without prejudice to a refund upon later submission thereof.

IX. Clause 30 of the permit shall be amended with the following:

The Company shall lose no right or interest in any water through non-use. | NB

X. The Secretary agrees that he will make every reasonable effort to prevent commercial development adjacent to the highway in Section 7, township 14 south, range 28 east, Mount Diablo meridian, which section is in the Sequoia National Forest, State of California.

XI. Where the words "Forest Service", "Forest Supervisor", "Department of Agriculture", "National Forest", and "Forest Officers" appear in the Forest Service permit, they shall be construed to mean "National Park Service", "Superintendent of the Park", "Department of the Interior", "National Park", and "National Park Service Officers", respectively.

XII. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this contract or to any benefit that may arise herefrom, but this restriction shall not be construed to extend to this contract if made with a corporation or company for its general benefit.

IN WITNESS WHEREOF, the parties hereto have hereunder subscribed their names and affixed their seals, the day and year first above written.

UNITED STATES OF AMERICA

By (Sgd) Oscar L. Chapman
Acting Under Secretary
Department of the Interior.

SEQUOIA AND GENERAL GRANT NATIONAL PARKS COMPANY

Attest:

By Howard H. Hays
President

05-24-1940: note to permit

146521-2

FOR VALUE RECEIVED, I hereby assign to the Sequoia and General Grant National Parks Company, a corporation, all my rights in and to the above fifteen year permit attached hereto from the Forest Service, U. S. Department of Agriculture to Emery Whilton and Mrs. Emery Whilton together with the water rights appertaining to same.

(SGD) Emery Whilton

Mrs. Emery Whilton

State of California)
County of Tulare) ss

On this 24th day of May, 1940, before me F. J. Heid, Jr., a Notary Public, in and for said County, personally appeared Emery Whilton, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same.

Witness my hand and official seal.

(SGD) F. J. Heid, Jr.
Notary Public in and for the County of Tulare, State of California.
My commission expires Feb. 2, 1944.

State of California)
County of Los Angeles) ss

On this 27th day of May in the year one thousand nine hundred and Forty (1940) before me, Ethel F. Simpson, a Notary Public in and for the County of Los Angeles, State of California, residing therein, duly commissioned and sworn, personally appeared Mrs. Emery Whilton, 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, in the County of Los Angeles, the day and year in this certificate first above written.

(SGD) Ethel F. Simpson

Notary Public in and for the County of Los Angeles, State of California.

My commission expires October 19, 1943.

146521-3

TERM PERMIT
Act Mar. 4, 1915.

Case Designation:
U
Uses
Sequoia
Whilton, Emery & Mrs.
Resort - 1/1/40

Permission is hereby given to MR. AND MRS. EMERY WHILTON of Hotel Tulare, Tulare, California, hereinafter called the permittee, to use the following-described lands for a period of five years from date hereof, and in case the construction of improvements is completed as provided in clause 3 hereof, for a further period of ten years (accurately described by metes and bounds the land to be occupied):

See Clause #35.

for the purpose of constructing thereon all necessary structures for maintaining a (describe the use)

resort hotel, with store, cottages and museum.

This permit shall have no force or effect until the first annual payment is made and the permittee has signified his acceptance thereof by signing and returning the duplicate copy to the Forest Supervisor.

(SGD) J. E. ELLIOTT

Forest Supervisor

Dated November 29, 1939.

This permit is accepted subject to the conditions set out below.

(SGD) Mr. Emery Whilton
Permittee

Mrs. Emery Whilton
Permittee.

This permit is issued subject to the following conditions:

1. The permittee shall pay to the Regional Fiscal Agent, U. S. Forest Service of 760 Market Street, San Francisco, California (United States Depositary), to be placed to the credit of the Treasurer of the United States, in consideration for this use, the sum of One Hundred and Seventy-five Dollars ($175.00) annually in advance for the period from January 1, 1940, to December 31, 1945, and thereafter on January 1, annually in advance, Two Hundred and Fifty Dollars ($250.00).

2. The permittee shall comply with the regulations of the Department of Agriculture governing the national forests, shall observe all sanitary laws and regulations applicable to the premises, and shall keep the premises in a neat and orderly condition and dispose of all refuse and locate septic tanks as required by the forest officers.

3. Construction work under this permit shall begin within six months from date hereof and be completed by December 31, 1945.

4. (This condition eliminated)

5. The permittee shall take all reasonable precaution to prevent and suppress forest fires.

6. The permittee, if engaged in business, shall conduct same in an orderly manner and in accordance with all requirements of the laws of the State in which the land used is located, as well as the laws of the United States.

7. This permit is subject to all valid claims.

8. Within 90 days after the cancelation of this permit either for cause or by expiration of its term, the permittee, if all rental charges due the Government have been paid, may remove all structures which have been placed on the premises, but upon failure to remove the structures within that period they shall become the property of the United States.

9. This permit may be transferred with the approval of the officer by whom it was given or his successor. Hotels and resorts may be sublet only with the approval of the district forester.

10. No national forest timber may be cut or destroyed without first obtaining a permit from the forest supervisor.

11. On expiration of this permit, the permittee shall be considered the preferred applicant for a new permit, which may be given subject to the conditions under which new permits for like uses are then granted.

12. The permittee shall provide, whenever requested by the forest officers, a way across the land, covered by this permit for the free ingress or egress of forest officers and for users of national forest land and purchasers of national forest products.

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

14. If the permittee, through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding under the laws of the State, shall cease to be the owner of the physical improvements 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 cancelation. Issuance of a new permit to the record-owner of said improvements shall be discretionary with the Forest Service, dependent upon said owner's qualifications as a permittee, and subject to such new conditions and stipulations as existing or prospective circumstances may warrant.

15. Under the terms of this permit at least Twenty-five Thousand ($25,000.00) Dollars must have been expended on all approved improvements before December 31, 1945.

16. The present improvements, consisting of resort buildings, shacks, etc., are to be removed by not later than December 31, 1940.

17. Plans and specifications for all buildings and other improvements to be erected on the area must be submitted to the Forest Supervisor and his approval obtained before any construction work is started.

18. The approval for the location of all buildings and other improvements must be secured from the Forest Supervisor before construction is begun.

19. No fencing will be allowed except that permitted by the Forest Supervisor.

20. Grounds are to be well kept and buildings must be neat in appearance.

21. Chimneys or flues must be of brick, stone, terra cotta, or vitex pipe encased in galvanized iron. Spark arrester approved by Forest officer must be placed over the outlet of all chimneys and flues.

22. The permittee shall build no campfires or bonfires, except in locations approved by the Forest officer.

23. The permittee shall furnish accommodations to members of the Forest Service at the lowest rate given any guest.

24. Disorderly or otherwise objectionable conduct by the permittee or those occupying the premises with his permission shall upon proof thereof be cause for cancelation of the permit.

25. Special permission to keep domestic stock or fowl must be secured from the Forest Supervisor.

26. If permittee desires to dispose of any improvements constructed under authority of this permit, he shall immediately notify the Forest Supervisor to that effect.

27. A clearing satisfactory to the Forest Officer in charge shall be made around each building and in addition the permittee shall clear and keep clear the premises of all inflammable brush, undergrowth and other debris as directed by the Forest Officer. No burning of debris shall be done without the consent of the Forest Officer.

28. The permittee shall provide an incinerator of an approved type to take care of the refuse from the improvements covered by this permit.

29. The permittee will take all possible precautions to prevent the pollution of all streams in the vicinity of this area. All cans and refuse must be burned, buried, or otherwise disposed of in a sanitary manner and satisfactory to the Forest Service, and shall not be allowed to pollute any stream or spring or form unsightly rubbish heaps.

30. No water rights accrue under this permit. The permittee will be allowed to connect to the existing Forest Service water system and use for resort purposes its proportional share of the water from Big Stump Spring, giving due consideration to the water requirements for the Forest Service Big Stump public camp ground, and the Big Stump gas station permittee. NB

31. Promiscuous advertising signs will not be permitted. Such dignified and harmonious signs as are necessary will be permitted subject to approval of the Forest Supervisor.

32. Permittee shall pile all brush resulting from the construction of improvements under this permit in such a manner that it may be burned without damage to young growth and standing timber.

33. In case of violation of the Fish and Game Laws of the State of California by the permittee, this permit will be revoked.

34. The permittee shall comply with the regulations of the Forest Service, Department of Agriculture, and all State laws and regulations applicable to the occupancy and use of the premises.

35. Following is the description of the land to be occupied under this permit:

Beginning at corner No. 1, a 20" redwood scribed 1 which bears N 39 E 706' from corner common to sections 7, 8, 17 and 18, T 14 S. R. 28 E, M. D. M.,

Thence S 63-3/4° W 300.5' to Corner No. 2, a 24" ponderosa pine scribed 2;

Thence N 17° W 174.4' to corner No. 3, a 3/4 iron pipe, three feet long.

Thence N 7-3/4° W 144.7' to corner No. 4, a 6" cedar scribed 4,

Thence N 13½° W 54.3' to corner No. 5, a 12" cedar scribed 5;

Thence N 9½° W 76' to corner No. 6, a 3/4" iron pipe 3' long, from which a water storage tank bears S 77½° E 15.8' distant;

Thence N 52° E 72.1' to corner No. 7, a 3/4" iron pipe 3' long;

Thence N 20½° E 95.5' to corner No. 8, a 3/4" iron pipe 3 ' long;

Thence N 6° E 130.2' to corner No. 9, a redwood stump 20' in diameter and 18' high scribed 9.

Thence S 82½° E 173.5' to corner No. 10, a 2"x2" stake painted white;

Thence S 3° W 76' to corner No. 11, a 2"x2" stake painted white, from which a service road bears S 10' distant;

Thence S 78° E 162.3' to corner No. 12, an iron rod flush with the ground;

Thence S 10½° W 437' to corner No. 1 and place of beginning, containing 4.66 acres, more or less, as shown on map filed in Supervisor's office.

36. This permit is subject to cancelation if any of the survey stakes or marks are removed or changed by the permittee or those who occupy the premises with his permission.

37. Whenever requested to do so by the Forest Officer in charge, the permittee shall be responsible for the removal of any diseased or insect infested trees on the area held under permit, the work to be done within the time limits specified and in accordance with instructions issued by the Forest Officer.

38. The permittee in his advertisements, signs, circulars, pamphlets, letterheads, or like material, shall refrain from misrepresenting in any way either the accommodations provided or the status of his permit, or the area covered thereby, or tributary thereto.

39. All buildings and roofs, of lumber, iron, tin, shingle, or shake, must be painted or stained. Only colors harmonizing with the forest background will be allowed.

116257

SEQUOIA AND GENERAL GRANT NATIONAL PARKS COMPANY Contract No. I-1P-246

SUPPLEMENTAL AGREEMENT

THIS AGREEMENT, entered into this 1st day of March, 1933, by and between John H. Edwards, Asst. Secretary of the Interior, for and on behalf of the UNITED STATES OF AMERICA, as party of the first part, and the SEQUOIA AND GENERAL GRANT NATIONAL PARKS COMPANY, a corporation organized and existing under the laws of the State of California, by Howard H. Hays, its President, as party of the second part.

WITNESSETH:

WHEREAS, Hubert Work, as Secretary of the Interior, acting for and on behalf of the United States of America, as party of the first part, and the Sequoia and General Grant National Parks Company, a corporation organized and existing under the laws of the State of California, as party of the second part, entered into an agreement under date of March 27, 1926 (No. I-1p-246), covering certain privileges for the operation of public accommodations and conveniences in the SEQUOIA and GENERAL GRANT NATIONAL PARKS, for a period of Twenty (20) years from January 1, 1926, and

WHEREAS, the said Sequoia and General Grant National Parks Company has, with the consent and approval of the Department of the Interior, purchased the assets of "Park Studios", a co-partnership composed of Howard H. Hays, C. K. Morton and George L. Mauger, including an agreement entered into under date of April 7, 1927 (No. I-1p-28), by and between the United States of America and Lindley Eddy, and assigned to said partnership under date of February 20, 1932, covering the privileges of operating certain other public accommodations and conveniences in the Sequoia National Park for the period of Ten (10) years from January 1, 1927, and

WHEREAS, the said Sequoia and General Grant National Parks Company has agreed to the cancellation of the said agreement No. I-1p-28 dated April 7, 1927, and has requested that the additional privileges covered thereby be consolidated with and incorporated in its operating agreement No. I-1p-246 dated March 27, 1926, aforesaid,

NOW, THEREFORE, the said parties of the first and of the second part have covenanted and agreed, and by these presents do covenant and agree to and with each other, in consideration of the premises above recited as follows:

That the said agreement No. I-1p-28 dated April 7, 1927, by and between the United States of America and Lindley Eddy, now held by the Sequoia and General Grant National Parks Company be, and the same is hereby cancelled and terminated.

That the said agreement No. I-lp-246 dated March 27, 1926, by and between the United States of America and the Sequoia and General Grant National Parks Company be, and the same is hereby amended and supplemented in the following particulars:

FIRST. Paragraph (e) of Article I of the said agreement is hereby cancelled and the following paragraph substituted therefor:

"(e) To sell in the hotels, chalets, inns, camps, etc., any and all supplies, commodities and articles, not objected to by the Secretary of the Interior, which it is customary to provide for sale in enterprises of the character to be maintained under this contract."

SECOND. The following paragraphs are hereby added to Article I of the said agreement:

"(f) To establish, maintain and operate in the Sequoia National Park, a general photographic business including the making and sale of scenic photographs of the park, of individual and group pictures; of oil and water color paintings, and the sale of photographic supplies and accessories, art goods, novelties, souvenirs, and photographs of other national parks, and

"(g) To erect and maintain in the Sequoia National Park during the life of this contract studio buildings and such other buildings, including living quarters for its employees, as may be approved by the Secretary of the Interior and as may be necessary for the conduct of said photographic business."

THIRD. Paragraph (b) of Article VI of the said agreement is hereby amended to read as follows:

"(b) That compensation to the party of the first part for the franchises herein granted, except as covered by paragraphs (f) and (g) of Article I, for each calendar year, shall be a sum equal to one (1) per centum of the gross revenues of the party of the second part which accrue from its said operations within the Sequoia and General Grant National Parks for the first five years; two (2) per centum for the next five years, and three (3) per centum for the remainder of the term of this franchise, said sums to be paid to the Secretary of the Interior at his office in the city of Washington, D. C., or to such person and at such place as he may designate, on or before the 31st day of December of each year of the franchise, and

"That with respect to the privileges covered by paragraphs (f) and (g) of Article I, the said party of the second part will pay as annual compensation to the party of the first part sums equal to the following percentages of all gross revenues over the amount of five thousand dollars ($5,000) accruing to the party of the

second part by, through or under the privileges therein granted during any year, said amount of five thousand dollars ($5,000) to be deducted from gross receipts accruing from both retail and wholesale sales in the same ratio each bears to the total gross receipts; Provided, however, that an annual payment of not less than one hundred dollars ($100) shall be made, such payment to be made in the manner above referred to within thirty (30) days following the close of the calendar year on the business of which said annual compensation is calculated:

4% of gross revenues from all retail sales, and
2% of gross revenues from all sales made by the party of the second part at wholesale to dealers operating within or without the park.

"Gross revenues for the purpose of this contract shall be understood to mean the total amount received, realized, or accuring to the Company from all sales, for cash or credit, of services, accommodations, materials, and other considerations made pursuant to the privileges authorized in this agreement, including commissions earned on contracts or agreements with other persons or companies operating in the park, and excluding intra-company earnings on account of charges to other departments of the corporation, (such as laundry; charges to employees for meals, transportation, laundry, etc.; cash discounts on purchases; interest on money loaned or in bank accounts; income from investments or from subsidiary companies outside of the park; and sales of property other than that purchased in the regular course of business for the purpose of resale;) PROVIDED, HOWEVER, the right is reserved to the Secretary, in case of dispute as to any item or items of revenue, to determine whether or not said item or items should be included in the amount of gross revenues reported by the Company for the purpose of computing the compensation to be paid the government under this contract, and his decision in the premises shall be final."

And it is hereby further understood and agreed by and between the said parties that except as herein modified the said agreement dated March 27, 1926, shall in all other respects remain, and be in full force and effect.

No Member of or Delegate to Congress, or Resident Commissioner, after his election or appointment, or either before or after he has qualified and during his continuance in office, and no officer, agent, or employee of the Department of the Interior shall be admitted to any share of any part of this contract or derive any benefit which may arise therefrom, and the provisions of section 3741 of the Revised Statutes of the United States and sections 114, 115 and 116 of the Codification of the Penal Laws of the United States, approved March 4, 1909, relating to contracts, shall enter into and form a part of this agreement, so far as the same may be applicable.

IN WITNESS WHEREOF the said parties have hereunto subscribed their names and affixed their seals (in quintuple) the day, month and year first above written.

UNITED STATES OF AMERICA

By (S) John H. Edwards,

Asst. Secretary of the Interior
Party of the First Part.

SEQUOIA AND GENERAL GRANT NATIONAL PARKS COMPANY

By (S) Howard H. Hays, Pres.

Party of the Second Part.

By (S) O.K. Thortan, Secy.

Attest:

(SEAL)

FRANCHISE CONTRACT - SEQUOIA AND GENERAL GRANT NATIONAL PARKS CO.

THIS AGREEMENT made and entered into this 27th day of March 1926, by and between HUBERT WORK, SECRETARY OF THE INTERIOR, for and on behalf of the UNITED STATES OF AMERICA, party of the first part, and the SEQUOIA AND GENERAL GRANT NATIONAL PARKS COMPANY, a corporation organized and existing under the laws of the State of California, by HOWARD H. HAYS, its President, party of the second part.

WITNESSETH, That, pursuant to the authority contained in the Act of Congress approved September 25, 1890 (26 Stat., 478), the Act of Congress approved October 1, 1890 (26 Stat. 650), the Act of Congress approved August 25, 1916 (39 Stat., 535), as amended by the Act of Congress approved June 2, 1920 (41 Stat., 731), and other laws supplemental thereto and amendatory thereof, the said parties have covenanted and agreed, and by these presents do covenant and agree to and with each other, and in consideration of the mutual promises herein expressed, as follows:

ARTICLE I. The said party of the first part hereby authorizes and empowers the party of the second part for and during the term of twenty (20) years from January 1, 1926:

(a) To establish, maintain and operate a general hotel and camping business in the SEQUOIA AND GENERAL GRANT NATIONAL PARKS for the complete accommodation and entertainment of tourists and others, including hotels, chalets, inns and camps, etc.

(b) To install and operate all facilities and conveniences in connection with the operation of a general hotel and camping business for the comfort and convenience of guests and others, including laundries, barber shops, Turkish and other baths, swimming pools, and bathhouses. NB

(c) To provide such facilities for amusement and sports, including winter sports, for the accommodation of tourists in the park, as may be hereafter agreed upon between the parties hereto.

(d) To establish and maintain hothouses and gardens at such points as may be designated by the superintendent of the park for the purpose of propagating flowers, and raising vegetables, etc., to be used in supplying the services required under this contract.

(e) To sell in the hotels, chalets, inns, camps, etc., any and all supplies, commodities and articles, not objected to by the Secretary of the Interior, which it is customary to provide for sale in enterprises of the character to be maintained under this contract: PROVIDED, HOWEVER, that the manufacture and sale of photographs, the sale of photographic supplies, kodaks, and photographic curios is reserved for the licensees of the Secretary of the Interior already established in the photographic business, in the said Sequoia and General Grant National Parks, and this franchise shall not cover the handling of such photographic products or supplies, except as and when the party of the second part acts as agent for the aforesaid previously established licensees, or their authorized assigns.

ARTICLE II. The party of the first part further authorizes and empowers the party of the second part for and during the said period of twenty years:

(a) To establish, maintain and operate in said parks trail transportation facilities and furnish such other service as may be considered necessary for the transportation of tourists over the trails and bridle paths, of the said parks: PROVIDED, HOWEVER, that owners of pack outfits with headquarters outside the boundaries of said parks may be authorized by the Secretary of the Interior without reference to Article X hereof, to conduct parties over the trails of the said parks.

(b) To conduct in said parks, a general sightseeing and express service using automobile, motor trucks or other satisfactory means of conveyance.

(c) To maintain for hire rowboats and other water transportation facilities.

(d) To establish, maintain and operate in said parks blacksmith shops, machine shops, stables, corrals, boathouses, landings, and other services incident to the privileges herein granted.

(e) To establish, maintain and operate a general transportation service, using therefor automobiles, automobile trucks, or other proper and satisfactory means of conveyance for accommodation of tourists, and the transportation of freight and mail to and through said parks over any and all roads now or which may hereafter be opened for the use of motor-propelled or horse drawn vehicles; and in connection with said general transportation service, to maintain and operate garages, gasoline and oil stations, repair shops, towing services, and such other services considered necessary by the Secretary of the Interior in the operation of the transportation facilities authorized herein.

ARTICLE III. The party of the first part further authorizes and empowers the party of the second part for and during the said period of twenty years to establish, maintain and operate in said park general merchandise stores, and to sell therein groceries, fresh and smoked meats, food supplies of all kinds, including dairy products, dry goods, clothing, shoes, hardware, notions, tobacco supplies, toilet articles, patent medicines, and any and all other kinds of goods, wares and other merchandise not objected to by the Secretary of the Interior; to keep for renting, tents, camping outfits, fishing tackle, sleds, skis, foot warmers, etc., and to conduct watch and shoe repairing, clothing, and laundry agencies, PROVIDED, HOWEVER, that the right to sell prescriptive drugs and hospital supplies shall be reserved for the officially authorized medical service in the park.

ARTICLE IV. The party of the first part hereby leases to the party of the second part for the purpose of this contract and for the term of twenty years aforesaid such pieces and parcels of land in said park as may be agreed upon from time to time for the erection of buildings, corrals, and other structures or improvements necessary or desirable in the proper exercise of the privileges hereby granted, TO HAVE AND TO HOLD the same for and during the said period subject to the following conditions:

(a) A plat and description of each site which the party of the second part is authorized to use under this contract shall be filed in the Department of the Interior within three months of the date of the execution hereof, and shall be attached to and made a part of this contract;

(b) Additional sites the use of which may at any time be leased the party of the second part hereunder shall be surveyed by and at the expense of the party of the second part and a plat of each site, together with a description of the land when completed shall be attached to and form a part of this contract;

(c) The Secretary of the Interior shall have the right at all times to enter upon and construct, maintain and operate roads, trails, paths, bridges and electric, telephone, telegraph, water and sewer lines over any and all of the pieces and parcels of land the use of which is granted hereunder, but not so as to destroy or interfere with the structures, buildings, and appurtenances theretofore constructed by the party of the second part thereon:

(d) Plans, specifications, and locations of all buildings, structures or inclosures established under this contract, and all alterations therein or additional thereto shall be subject to the prior approval of the Secretary of the Interior.

ARTICLE V. The party of the first part authorizes and empowers the party of the second part during the said period of twenty years:

(a) Under the supervision of the Park Superintendent, to quarry sand and stone, and use dead, fallen or ripe and mature timber in the park so far as may be necessary and as marked by the superintendent of the park, for the construction, alteration, repair or maintenance of buildings and other structures and improvements, and dead or fallen timber for fuel and other purposes incident to the operation of its hotels, chalets, inns, camps, etc., transportation service, and other services authorized by this contract; PROVIDED, That all slashings must be cleared and burned to the satisfaction of the superintendent of the park; AND PROVIDED FURTHER, that where supervision for the utilization of such park resources is necessary, a charge to cover cost of such supervision may be made;

(b) To lay, in accordance with the plans and specifications approved by the Secretary of the Interior, water supply, drains and sewer pipes, conduits and mains necessary for a proper and adequate water supply, drainage and sewer systems necessary for the enjoyment of the privileges herein granted; NB

(c) To procure from the Secretary of the Interior, at reasonable rates to be hereafter determined, water, telephone, and telegraph services at and between its hotels, chalets, inns, camps, stables, garages, etc., PROVIDED, HOWEVER, that should any such service not be satisfactory or sufficient the party of the second part may, with the approval of the Secretary of the Interior and under such regulations as may be prescribed by him, provide the same at its own expense subject to the following conditions:

(1) That all plans, appliances, and machinery to be used in connection with the privileges granted under this paragraph, as well as the location and installation thereof, must be first approved by the Secretary of the Interior.

(2) That all official business of the Government over telephone or telegraph lines constructed or owned by the party of the second part in the park shall be free.

(d) To keep and graze, on areas where available, such horses and mules as may be necessary to supply and accommodate its guests and employees in the park, but no such animals may be kept or sold for the purpose of trade or commerce.

ARTICLE VI. The party of the second part hereby covenants and agrees:

(a) That it accepts and will observe the terms of this contract, and will establish, maintain and operate said hotels, chalets, inns, camps, etc., the said transportation service, the said merchandise stores, and every service incident thereto with such plant, personnel, animals and equipment, goods and commodities, and in such manner, as the Secretary of the Interior shall deem in every respect satisfactory and designed to promote the object for which the parks were created and established; that it will exercise the privileges hereby granted it to use the waters of the parks and to graze stock and take sand, stone, and timber from the parks to such extent only as may be necessary for the purposes of this contract, and so as not to mar or destroy the beauty of the natural features of the parks; that in all its business relations with the public, its officers and employees will observe a strict and constant impartiality as to rates, service, and in all other respects; that there shall be no preference given on its transportation lines to any passenger over others except that based upon priority of payment or reservation; but nothing contained herein shall be construed as prohibiting special arrangements being made directly with the person or persons going through the parks to cover unusual and extraordinary demands for service by special contact, subject always to the control of the Secretary of the Interior.

(b) That compensation to the party of the first part for the franchise herein granted, covering each calendar year, shall be a sum equal to one (1) per centum of the gross revenues of the party of the second part which accrue from its operations within the Sequoia and General Grant National Parks for the first five years, two (2) per centum for the next five years, and three (3) per centum for the remainder of the term of this franchise, said sums to be paid to the Secretary of the Interior at his office in the city of Washington, D. C., or to such person and at such place as he may designate, on or before the 31st day of December of each year of the franchise.

Gross revenues for the purpose of this paragraph shall be understood to mean the total amount received, realized, or accruing to the party of the second part from all sales, for cash or credit, of services, accommodations, materials, and other considerations made pursuant to the privileges authorized in this agreement, including commissions earned on contracts or agreements with other persons or companies operating in the parks, and excluding intra-company earnings on account of charges to other departments of the operation, such as laundry, charges to employees for meals, transportation, laundry, etc.; cash discounts on purchases; interest on money loaned or in bank accounts; income from investments or from subsidiary companies outside of the parks; and sales of property other

than that purchased in the regular course of business for the purpose of resale; PROVIDED, HOWEVER, the right is reserved to the Secretary of the Interior, in case of dispute as to any item or items of revenue, to determine whether or not said item or items should be included in the amount of gross revenues reported by the party of the second part for the purpose of computing the compensation to be paid the Government under this contract, and his decision in the premises shall be final.

(c) That this contract is accepted by the party of the second part with the knowledge that the parks are intended by Congress to be preserved in their natural state, and that all private interests shall be excluded from them, except so far as may be necessary for the accommodation of the public; that it will not use the premises leased, or any of the rights or privileges herein granted, except, and to such extent only, as may be needed and intended to be used in good faith by it in carrying out the true intent and meaning of this contract, and that it will faithfully keep, observe, enforce and obey, and require its employees and all persons under its control to keep, observe, enforce and obey, each and every provision in this contract or in any Act of Congress or any rule, order or regulation concerning the parks, their use, care, management or government, or anything in them;

(d) That no charges shall be demanded or received from any person by or on behalf of the party of the second part for any accommodation or service furnished or rendered by it except in accordance with a tariff or schedule approved by the Secretary of the Interior, who shall have the power from time to time, to make such alterations and modifications in such schedule or tariff as he may see fit, not inconsistent with a reasonable profit on the part of the party of the second part;

(e) That its employees who come in direct contact with the public shall wear a uniform or badge by which they may be known and distinguished as the servants and employees of said party of the second part; and that it will not employ or retain in its service in the parks, in any capacity, or permit to remain upon any of the premises, or within any building herein mentioned or provided for, any person declared by the Secretary of the Interior to be unfit for such employment or otherwise objectionable;

(f) That it will submit to the Secretary of the Interior, as soon as possible after the 31st day of December of each year an annual report under oath, giving such details of its organization, management and operations in the parks under this contract as may be prescribed by the Secretary of the Interior, and such other reports as may be required from time to time by said Secretary, who shall have the right to verify all such reports from the books, correspondence, memoranda, and other records of the party of the second part;

(g) That it will furnish accommodations free of charge to employees of the Department of the Interior or other persons visiting the parks on official business relating to Sequoia and General Grant National Parks, and to executive officers of the parks away from their regularly assigned stations, but only upon

presentation of proper credentials signed by the Secretary of the Interior, or by the Superintendent of the Parks or the Director of the National Park Service; but payment made by such employees or other persons in the absence of such evidence shall be without prejudice to a refund upon later submission thereof;

(h) That it will make all reasonable arrangements necessary with the concessioner authorized by the party of the first part to maintain hospital and medical service in Sequoia and General Grant National Parks, for the rendition of such medical and surgical treatment as may be required by its employees in the park;

(i) That before the party of the first part shall be bound by this agreement the party of the second part shall furnish a joint and several bond in the sum of $3,000 duly executed to the United States of America, with two or more sufficient sureties, or a satisfactory surety company to be approved by the Secretary of the Interior, conditioned for the faithful performance of this agreement in all its particulars by the party of the second part.

ARTICLE VII. The party of the first part further covenants and agrees that if the party of the second part faithfully performs all of the requirements of this contract during the term thereof, then the Secretary of the Interior, at the expiration thereof, may, in his discretion, renew this contract for a further term of not exceeding (20) years.

ARTICLE VIII. In case of non-payment for thirty days after it is due of the compensation to the Government as provided for herein, or in case of any other default or failure on the part of the party of the second part to observe the provisions of this contract, the Secretary of the Interior may, after sixty days' notice to the party of the second part of the default or failure and refusal to remedy such default, declare this contract forfeited and re-enter the premises without any legal process whatever; PROVIDED, that before forfeiture is declared for such failure or default, except in the of non-payment of compensation to the Government hereinbefore referred to, the party of the second part shall be given a full and fair hearing on the charges in the parks before an officer designated for that purpose by the Secretary of the Interior, and it shall be entitled to twenty days' notice of the time and place of such hearing, but the Secretary of the Interior alone shall have the power to determine what shall constitute a failure or default hereunder and his decision in the matter shall be final and conclusive; PROVIDED FURTHER, that as security for the faithful performance by the party of the second part of all its obligations under this contract and the payment to the party of the first part of all damage or claims that may result from the party of the second part's failure to observe such obligations, the party of the first part shall have at all times the first lien on all the property of the party of the second part, and no provision herein for any specific remedy shall be construed as a waiver of any other lawful remedy that would otherwise be available to the party of the first part.

ARTICLE IX. It is further agreed that if, on the expiration of this contract by limitation of time, the premises shall be leased to some one other than the party of the second part, the latter shall be given an opportunity to be reimbursed for the reasonable value of such of its buildings, fixtures, stock,

equipment and other property thereon as the Secretary of the Interior may, by an inspection made within six months prior to such termination, determine to be appropriate for use on said premises and in enhancement of the value thereof for hotel, inn, chalet, or camp, transportation or store purposes, together with the cost plus transportation charges of all merchantable supplies on hand at the time of transfer. The value of such property shall then be ascertained by a board of three appraisers appointed as follows: at least ninety days before the expiration of this contract, each of the parties hereto shall choose one appraiser, and the two so selected shall choose a third. If they do not, within thirty days of their designation, agree upon the third appraiser, such third appraiser shall be selected by the Secretary of the Interior. This board, or a majority thereof, shall within thirty days from the designation of the third member, and after an inspection of the property to be appraised and the taking of such testimony as may be adduced by the parties in interest, report their conclusions to the Secretary of the Interior, who may approve, set aside or modify the same or order a new appraisal, as he may see fit. The value of such buildings and property when determined by the Secretary of the Interior, whose decision in the premises shall be final, shall be paid, at the time and in the manner directed by him, to the party of the second part hereunder by the person to whom the premises are to be leased; PROVIDED, that nothing herein shall be construed as creating a claim against the United States, or shall prevent the Secretary of the Interior from leasing or subleasing said property and the improvements thereon in such manner and upon such terms as may be necessary for the full protection of the interests of the Government, or shall delay the surrender of the premises with all buildings, fixtures, and appurtenances thereon upon any termination of this contract, or shall in any manner charge the Government for the use of such buildings or other property, but all buildings, fixtures and appurtenances, whether now on the land or hereafter placed thereon, shall at all times be part of the realty and the property of the United States.

ARTICLE X. It is further understood and agreed that it is the intent and purpose of this franchise contract to confer upon the party of the second part the first preferential right to provide the facilities, accommodations and services herein authorized, and said preferential right is hereby conferred and not an exclusive or monopolistic right; and upon the request or demand of the Secretary of the Interior, the said party of the second part will, within the time fixed by said Secretary, provide new or additional facilities, accommodations or services; PROVIDED, HOWEVER, that if the party of the second part doubts the timeliness or the reasonableness of said requirement by the Secretary of the Interior, the said party of the second part shall have sixty (60) days in which to prepare, present and argue its case, and the Secretary of the Interior, may, in his discretion, order hearings to be held at such times and at such places as he may designate, for the purpose of taking testimony relating to the timeliness or reasonableness of said requirement, but the decision of the Secretary of the Interior in the premises shall be final and conclusive; PROVIDED FURTHER, that failure, neglect or refusal by the party of the second part to comply with said requirement after such hearing and decision will render this franchise subject to forfeiture under the provisions of Article VIII hereof, except that there shall be no further hearings; or the Secretary of the Interior

may, in his discretion, authorize other individuals, partnerships, associations, or corporations to provide such facilities, accommodations and services; AND PROVIDED FURTHER, that nothing in this article shall affect privileges granted to other public utilities or individual concessioners or Sequoia and General Grant National Parks operating therein under outstanding franchises.

ARTICLE XI. No transfer or assignment of this contract or lease shall be made valid or recognized by the party of the first part unless such assignment is first approved in writing by the Secretary of the Interior.

ARTICLE XII. It is further understood and agreed that, so far as applicable, the provisions of this agreement shall apply to any enlargement or addition to the parks by the Government.

ARTICLE XIII. It is further understood and agreed that the exercise of the privileges conferred by this contract shall be subject to the laws of Congress governing the parks and the rules and regulations promulgated thereunder, whether now in force or hereafter enacted or provided; that wherever in this contract the Secretary of the Interior is referred to, the term shall include his duly authorized representative; that in all cases where rights or privileges are granted herein in general or indefinite terms, the extent of the use of such rights or privileges by the party of the second part shall be determined by the Secretary of the Interior; and that the mention of specific restrictions, conditions and stipulations herein shall not be construed as in any way impairing the general powers of supervision, regulation and control of the Secretary of the Interior, which are hereby reserved over all the activities of the party of the second part hereunder in the Sequoia and General Grant National Parks.

ARTICLE XIV. No Member of or Delegate to Congress, or Resident Commissioner, after his election or appointment, or either before or after he has qualified and during his continuance in office, and no officer, agent, or employee of the Department of the Interior shall be admitted to any share of any part of this contract or derive any benefit which may arise therefrom, and the provision of section 3741 of the Revised Statutes of the United States and sections 114, 115 and 116 of the Codification of the Penal Laws of the United States, approved March 4, 1909, relating to the contracts shall enter into and form a part of this agreement, so far as the same may be applicable.

IN WITNESS WHEREOF, the said parties have hereunto subscribed their names and affixed their seals (in quintuple) the day, month and year aforesaid.

(S E A L) (Signed) HUBERT WORK
Secretary of the Interior.

Sequoia & General Grant Nat. Parks Co.

(S E A L) By (Signed) Howard Hays, Pres.
" O. K. Morton, Sec.

ATTEST:

Form 832
(Revised Nov. 1933)

U
USES
Sequoia
Neff, J. D.
Service Station - 1/1/40

SPECIAL USE PERMIT

(Case designation)

Permission is hereby granted to J. D. NEFF

of Miramonte, California

to use the following-described lands: Beginning at corner No. 1, an iron rod flush with the ground, which is also corner No. 12 of the adjoining Special Use held by Mr. and Mrs. Emery Whilton, which bears N 28° E. 1112' from section corner common to sections 7, 8, 17 and 18, Township 14 South, Range 28 East, M.D.B. & M., thence N 78° W, 102.5 to corner No. 2, a 2 x 2 cedar stake painted white, from which a service road bears S 10' distant, which is also corner No. 11 of the adjoining Special Use held by E. Whilton; thence N 3° E. 76' to corner No. 3, a 2 x 2 cedar stake painted white, which is also corner No. 10 of the adjoining Special Use held by E. Whilton; thence S 82½° E. 172.5' to corner No. 4 a ¾" iron pipe flush with the ground from which the NE corner of a gas station building bears S 36° W. 40.5' distant; thence S. 11° W. 86.5' to corner No. 1, and for the purpose of place of beginning, containing .31 acres, more or less.

(Describe the lands to be occupied, if unsurveyed, by metes and bounds, with reference to a road, stream or well-known landmark; right of way by terminal points and direction; and lands occupied)

(Briefly but clearly describe the use, giving area of inclosures, length and width of right of way, etc.)

for the purpose of gasoline station and residence.

subject to the following conditions:

1. The permittee shall pay to the Regional Fiscal Agent designated by the Forest officer for deposit to the credit of the Treasurer of the United States, in consideration for this use, the sum of Twenty-five and no/100 dollars ($25.00) for the period from January 1, 1940, to December 31, 1940, and thereafter annually, on January 1, Twenty-five and no/100 dollars ($25.00)

2. The permittee shall comply with the regulations of the Department of Agriculture governing the National Forest, shall observe all sanitary laws and regulations applicable to the premises, and shall keep the premises in a neat and orderly condition and dispose of all refuse and locate outhouses and cesspools as required by the Forest officers.

3. This permit is subject to all valid claims.

4. The permittee shall take all reasonable precaution to prevent and suppress forest fires.

8—713

5. The permittee, if engaged in business, shall conduct same in an orderly manner and in accordance with all requirements of the laws of the State of California, as well as the laws of the United States.

6. The permittee shall pay the United States for any damage to its property resulting from this use.

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

8. Construction work (or occupancy and use) under this permit shall begin within completed months, be completed within completed years from the date of the permit, and this use shall be actually exercised at least sixty days each year, unless the time is extended or shortened.

9. In case of change of address, permittee shall immediately notify the Forest Supervisor.

10. The charges for this use may be readjusted whenever necessary to place this permit on a basis consistent with the charge to other permittees for like privileges. A general readjustment will be made at the end of five years from the date of issuance of permit and at the end of each five-year period thereafter.

11. No National Forest timber may be cut or destroyed without first obtaining a permit from the Forest Supervisor.

12. Upon the abandonment, termination, or revocation of this permit, and in the absence of an agreement to the contrary, the permittee, if all the rental charges due the Government have been paid, may, within a reasonable period to be determined by the issuing officer, remove all structures which have been placed on the premises by him, except where the material was furnished by the Forest Service, but upon failure to remove the structures within that period they shall become the property of the United States.

13. This permit may be transferred with the approval of the officer by whom it was given or his successor, subject to such conditions as may be imposed at the time of transfer. It shall terminate upon breach of any of the conditions herein or at the discretion of the Regional Forester or the Forester.

14. The permittee shall provide, whenever requested by the Forest officers, a way across the land covered by this permit for the free ingress or egress of Forest officers and for users of National Forest land and purchasers of National Forest products.

15. Plans and specifications for all buildings and other improvements to be erected on the area must be submitted to the Forest Supervisor and his approval obtained before any construction work is started.

(Special stipulations necessary)

16. The approval for the location of all buildings and other improvements must be secured from the Forest Supervisor before construction is begun.

17. No fencing will be allowed except that permitted by the Forest Supervisor.

18. Grounds are to be well kept and buildings must be neat in appearance.

19. Chimneys or flues must be of brick, stone, terra cotta, or vitex pipe encased in galvanized iron. Spark arrester approved by Forest Officer must be placed over the outlet of all chimneys and flues.

20. The permittee shall conform to such regulations, respecting rates and service, as the Secretary of Agriculture may make in the interest of the public.

21 The permittee shall build no campfires or bonfires, except in locations approved by the Forest Officer.

"THE STIPULATIONS ON ATTACHED SHEETS ARE A PART OF THIS PERMIT"

(Date)

(Signature of officer issuing permit)

(Title)

8—713 U.S. GOVERNMENT PRINTING OFFICE

22. Disorderly or otherwise objectionable conduct by the permittee or those occupying the premises with his permission shall upon proof thereof, be cause for cancelation of the permit.

23. Special permission to keep domestic stock or fowl must be secured from the Forest Supervisor.

24. If permittee desires to dispose of any improvements constructed under authority of this permit, he shall immediately notify the Forest Supervisor to that effect.

25. A clearing satisfactory to the Forest Officer in charge shall be made around each building and in addition the permittee shall clear and keep clear the premises of all inflammable brush, undergrowth and other debris as directed by the Forest Officer. No burning of debris shall be done without the consent of the Forest Officer.

26. The permittee shall provide an incinerator of an approved type to take care of the refuse from the improvements covered by this permit.

27. The permittee will take all possible precautions to prevent the pollution of all streams in the vicinity of this area. All cans and refuse must be burned, buried, or otherwise desposed of in a sanitary manner satisfactory to the Forest Service, and shall not be allowed to pollute any stream or spring or form unsightly rubbish heaps.

28. No water rights accrue under this permit. The permittee will be allowed to connect to the existing Forest Sefvice water system and use for service station purposes its proportional share of the water from Big Stump Spring, giving due consideration to the water requirements for the Forest Service Big Stump public camp ground and the Big Stump Resort permittee.

29. Promiscuous advertising signs will not be permitted. Such dignified and harmonious signs as are necessary will be permitted subject to approval of the Forest Supervisor.

30. Permittee shall pile all brush resulting from the construction of improvements under this permit in such a manner that it may be burned without damage to young growth and standing timber.

31. In case of violation of the Fish and Game Laws of the State of California by the permittee, this permit will be revoked.

32. The permittee shall comply with the regulations of the Forest Service, Department of Agriculture, and all State laws and regulations applicable to the occupancy and use of the premises.

33. The charges for this use may be readjusted whenever necessary to place this permit on a basis consistent with the charge to other permittees for like privileges. A general readjustment may be made at the end of December 31, 1945, and at the end of each five year period thereafter, at the option of the Forest Supervisor.

34.

34. This permit is subject to cancelation if any of the survey stakes or marks are removed or changed by the permittee or those who occupy the premises with his permission.

35. Whenever requested to do so by the Forest Officer in charge, the permittee shall be responsible for the removal of any diseased or insect infested trees on the area held under permit, the work to be done within the time limits specified and in accordance with instructions issued by the Forest Officer.

36. The permittee in his advertisements, signs, circulars, pamphlets, letterheads, or like material, shall refrain from misrepresenting in any way either the accommodations proved or the status of his permit, or the area covered thereby, or tributary thereto.

37. All buildings and roofs of lumber, iron, tin, shingles, or shake, must be painted or stained. Only colors harmonizing with the forest background will be allowed.

38. This permit may be terminated or cancelled for violation or breath of any of the conditions stated herein.

J. E. Elliott
Forest Supervisor

Dated: December 4, 1939

08-02-1938: term permit

Supervisor's Copy DUPLICATE.

Form 854
(Revised Dec. 1933)

Case Designation:

U
Uses
Ferguson, Tom P.
Resort, 7/1/38
Sequoia

TERM PERMIT

Act March 4, 1915

Permission is hereby given to Mr. Tom P. Ferguson
of 2975 McKenzie, Fresno, California
hereinafter called the permittee, to use the following-described lands for a period of 5 years from date hereof, and in case the construction of improvements is completed as provided in clause 3 hereof, for a further period of 10 years (accurately described by metes and bounds the land to be occupied): See Clause #3 8.

for the purpose of constructing thereon all necessary structures for maintaining a (describe the use) Resort hotel, with a store, cottages, and service station.

This permit shall have no force or effect until the first annual payment is made and the permittee has signified his acceptance thereof by signing and returning the duplicate copy to the Forest Supervisor.

/s/ F. P. Cronemiller
(Signature of officer issuing permit)

Acting Regional Forester
(Title)

Date: August 2, 1938

This permit is accepted subject to the conditions set out below.

T. P. Ferguson
Permittee.

This permit is issued subject to the following conditions:

1. The permittee shall pay to the Bank of (United States Depositary), to be placed to the credit of the Treasurer of the United States, in consideration for this use, the sum of One Hundred - Dollars ($100.00) for the period from July 1 , 1938 , to December 31, 1938 , and thereafter on January 1, annually in advance, Two Hundred and no/100 - - - - - - - - - - - - Dollars ($ 200.00).

2. The permittee shall comply with the regulations of the Department of Agriculture governing the national forests, shall observe all sanitary laws and regulations applicable to the premises, and shall keep the premises in a neat and orderly condition and dispose of all refuse and locate ~~outhouses and sewerage~~ septic tanks as required by the forest officers.

3. Construction work under this permit shall begin within 3 months from date hereof and be completed ~~within [illegible] from said date~~ by July 1, 1943

4. ~~The permittee shall construct all improvements in accordance with the plans and specifications filed with the forest supervisor on the [illegible] day of [illegible], 19[illegible]~~

8—8439

(OVER)

FOREST SERVICE
Sequoia National Forest
FORTERVILLE, CALIF.
AUG 1 1938
RECEIVED

5. The permittee shall take all reasonable precaution to prevent and suppress forest fires.

6. The permittee, if engaged in business, shall conduct same in an orderly manner and in accordance with all requirements of the laws of the State in which the land used is located, as well as the laws of the United States.

7. This permit is subject to all valid claims.

8. Within 90 days after the cancelation of this permit either for cause or by expiration of its term, the permittee, if all rental charges due the Government have been paid, may remove all structures which have been placed on the premises, but upon failure to remove the structures within that period they shall become the property of the United States.

9. This permit may be transferred with the approval of the officer by whom it was given or his successor. Hotels and resorts may be sublet only with the approval of the district forester.

10. No national forest timber may be cut or destroyed without first obtaining a permit from the forest supervisor.

11. On expiration of this permit, the permittee shall be considered the preferred applicant for a new permit, which may be given subject to the conditions under which new permits for like uses are then granted.

12. The permittee shall provide, whenever requested by the forest officers, a way across the land covered by this permit for the free ingress or egress of forest officers and for users of national forest land and purchasers of national forest products.

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

14. If the permittee, through enforcement of contract, forelosure, tax sale, or other valid legal proceeding under the laws of the State, shall cease to be the owner of the physical improvements 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 cancelation. Issuance of a new permit to the record-owner of said improvements shall be discretionary with the Forest Service, dependent upon said owner's qualifications as a permittee, and subject to such new conditions and stipulations as existing or prospective circumstances may warrant.

15. This permit supersedes the Fur Farm permit of 9/26/29 held by Rowland and Temple until 4/6/38 and transferred to Ferguson & Creighton only until June 30, 1938. In accepting this new permit the present permittee waivesall rights to water formerly claimed by Mr. Rowland under State water right.

Also the Rowland & Temple Water Transmission Conduit Permit, dated 9/26/29, and the Telephone Connection Permit, dated 1/27/33, have been closed as of 6/30/38 and are not to be considered a part of this permit.

16. Under the terms of this permit, at least $20,000 must have been expended on all approved improvements before July 1, 1941.

17. The present improvements, consisting of gas station, shacks, and all buildings except the resort, are to be removed immediately, and the present resort building can be retained only until the new resort building can be erected and then it is to be removed, all of this to be completed prior to July 1, 1941.

18. Plans and specifications for all buildings and other improvements to be erected on the area must be submitted to the Forest Supervisor and his approval obtained before any construction work is started.

19. The approval for the location of all buildings and other improvements must be secured from the Forest Supervisor before construction is begun.

- STIPULATIONS ON ATTACHED SHEETS ARE A PART OF THIS PERMIT -

U. S. GOVERNMENT PRINTING OFFICE, 1933 8—8439

20. No fencing will be allowed except that permitted by the Forest Supervisor.

21. Grounds are to be well kept and buildings must be neat in appearance.

22. Chimneys or flues must be of brick, stone, terra cotta, or vitex pipe encased in galvanized iron. Spark arrester approved by Forest officer must be placed over the outlet of all chimneys and flues.

23. The permittee shall conform to such regulations, respecting rates and service, as the Secretary of Agriculture may make in the interest of the public.

24. The permittee shall build no campfires or bonfires, except in locations approved by the Forest officer.

25. The permittee shall furnish accommodations to members of the Forest Service at the lowest rate given any guest.

26. Disorderly or otherwise objectionable conduct by the permittee or those occupying the premises with his permission shall upon proof thereof be cause for cancelation of the permit.

27. Special permission to keep domestic stock or fowl must be secured from the Forest Supervisor.

28. If permittee desires to dispose of any improvements constructed under authority of this permit, he shall immediately notify the Forest Supervisor to that effect.

29. A clearing satisfactory to the Forest Officer in charge shall be made around each building and in addition the permittee shall clear and keep clear the premises of all inflammable brush, undergrowth and other debris as directed by the Forest Officer. No burning of debris shall be done without the consent of the Forest Officer.

30. The permittee shall provide an incinerator of an approved type to take care of the refuse from the improvements covered by this permit.

31. The permittee will take all possible precautions to prevent the pollution of all streams in the vicinity of this area. All cans and refuse must be burned, buried, or otherwise disposed of in a sanitary manner satisfactory to the Forest Service, and shall not be allowed to pollute any stream or spring or form unsightly rubbish heaps.

32. No water rights accrue under this permit.

33. Promiscuous advertising signs will not be permitted. Such dignified and harmonious signs as are necessary will be permitted subject to approval by the Forest Supervisor.

34. Permittee shall pile all brush resulting from the construction of improvements under this permit in such a manner that it may be burned without damage to young growth and standing timber.

35. In case of violation of the Fish and Game Laws of the State of California by the permittee, this permit will be revoked.

36. The permittee shall comply with the regulations of the Forest Service, Department of Agriculture, and all State laws and regulations applicable to the occupancy and use of the premises.

37. The charges for this use may be readjusted whenever necessary to place this permit on a basis consistent with the charge to other permittees for like privileges. A general readjustment may be made at the end of December 31, 1942, and at the end of each five-year period thereafter, at the option of the Forest Supervisor.

38. Following is the description of the land to be occupied under this permit:

Beginning at corner No. 1, a 20" redwood scribed 1 which bears N 39 E 706' from corner common to sections 7, 8, 17, and 18, T 14 S, R 28 E, M.D.M.,

Thence S 63 3/4° W 300.5' to Corner No. 2, a 24" ponderosa pine scribed 2,

Thence N 17°W 174.4' to corner No. 3, a 3/4" iron pipe, three feet long,

Thence N 7 3/4° W 144.3' to corner No. 4, a 6" cedar scribed 4,

Thence N 13½° W 54.3' to corner No. 5, a 12" cedar scribdd 5,

Thence N 9½° W 76' to corner No. 6, a 3/4" iron pipe 3' long, from which a water storage tank bears S 77½° E 15.8' distant,

Thence N 52° E 72.1' to corner No. 7, a 3/4" iron pipe 3' long,

Thence N 29½° E 95.5' to corner No. 8, a 3/4" iron pipe 3' long,

Thence N 6° E 130.2' to corner No. 9, a redwood stump 20' in diameter and 18' high scribed 9,

Thence S 82½° E 337.6' to corner No. 10, a 3/4" iron pipe 3' long from which a 24" fir bears S 39½° W 60' distant,

Thence S 9 1/4° W 521' to corner No. 1 and place of beginning, containing 4.91 acres, more or less, as shown on map filed in supervisor's office.

39. This permit is subject to cancelation if any of the survey stakes or marks are removed or changed by the permittee or those who occupy the premises with his permission.

40. Whenever requested to do so by the Forest Officer in charge, the permittee shall be responsible for the removal of any diseased or insect infested trees on the area held under permit, the work to be done within the time limits specified and in accordance with instructions issued by the Forest Officer.

41. The permittee in his advertisements, signs, circulars, pamphlets, letterheads, or like material, shall refrain from misrepresenting in any way either the accommodations provided or the status of his permit, or the area covered thereby, or tributary thereto.

42. All buildings and roofs, of lumber, iron, tin, shingle, or shake, must be painted or stained. Only colors harmonizing with the forest background will be allowed.

43. This permit may be terminated or cancelled for violation or breach of any of the conditions stated herein, or at the discretion of the Chief of the U. S. Forest Service.

- - - - - - -

09-26-1929: special use permit

COPY

FOREST SERVICE
U S
DEPARTMENT OF AGRICULTURE

L
Uses-Sequoia
Rowland & Temple
Fox Farm - 9/26/29

SPECIAL USE PERMIT

Permission is hereby granted to Rowland & Temple, % V. H. Rowland,

of #1810 Blake Street, Berkeley, California.

to use the following-described lands: A piece of land consisting of appx. 2 acres, in Sec. 8, T-14-S, R-28-E, M.D.M., near Big Stump and known as Bone's Fox Farm. Area is west of the Sand Creek Road. The NE corner of area is approximately 30 feet southwest of junction of Sand Creek road and the road that leads to the Big Stump Camp area.

for the purpose of Fox Farm, Residence and Store

subject to the following conditions:

1. The permittee shall pay to the Federal Reserve Bank of San Francisco, California (United States Depository), to be placed to the credit of the Treasurer of the United States, in consideration for this use, the sum of 1929 season fee paid by Howell Bone dollars ($_____) for the period from _____,19__, to December 31, 19__, and thereafter annually, on January 1, Sixty Two & 50/100 - - - - - - - - - dollars ($62.50).

2. The permittee shall comply with the regulations of the Department of Agriculture governing the National Forest, shall observe all sanitary laws and regulations applicable to the premises, and shall keep the premises in a neat and orderly condition and dispose of all refuse and locate outhouses and cesspools as required by the Forest officers.

3. This permit is subject to all valid claims.

4. The permittee shall take all reasonable precaution to prevent and suppress forest fires.

5. The permittee, if engaged in business, shall conduct same in an orderly manner and in accordance with all requirements of the laws of the State of California, as well as the laws of the United States.

6. The permittee shall pay the United States for any damage to its property resulting from this use.

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

8. Construction work (or occupancy and use) under this permit shall begin within Completed months, be completed within Completed (Tfrd. from Howell Bone 8/10/26 case) years from the date of the permit, and this use shall be actually exercised at least 90 days each year, unless the time is extended or shortened.

9. In case of change of address, permittee shall immediately notify the Forest Supervisor.

10. The charges for this use may be readjusted whenever necessary to place this permit on a basis consistent with the charge to other permittees for like privileges. A general readjustment will be made at the end of calendar year 1929 and at the end of each five-year period thereafter.

11. No National Forest timber may be cut or destroyed without first obtaining a permit from the Forest Supervisor.

12. Upon the abandonment, termination, or revocation of this permit, and in the absence of an agreement to the contrary, the permittee, if all the rental charges due the Government have been paid, may, within a reasonable period to be determined by the issuing officer, remove all structures which have been placed on the premises by him, except where the material was furnished by the Forest Service, but upon failure to remove the structures within that period they shall become the property of the United States.

13. This permit may be transferred with the approval of the officer by whom it was given or his successor, subject to such conditions as may be imposed at the time of transfer. It shall terminate upon breach of any of the conditions herein or at the discretion of the District Forester or the Forester.

14. The permittee shall provide, whenever requested by the Forest officers, a way across the land covered by this permit for the free ingress or egress of Forest officers and for users of National Forest land and purchasers of National Forest products.

15. The permittee shall comply with the regulations of the Forest Service, Department of Agriculture and all State laws and regulations applicable to the occupancy and use of the premises.

15a. A sanitation system must be provided for the fox pens and be operated in a way so the offal will not become offensive.

(CONTINUED ON ATTACHED SHEET WHICH IS MADE A PART OF THIS PERMIT)

September 28, 1929
(Date)

Frank P. Cunningham,
(Signature of officer issuing permit)

Forest Supervisor
(Title)

16. This permit is subject to all prior valid claims.
16a Only one advertising sign is to be placed upon this area.
17. The permittee shall take all reasonable precaution to prevent and suppress forest fires.
18. Under this permit the permittee shall not cut, mutilate or destroy any National Forest timber without first obtaining a permit from a Forest Officer.
19. The permittee shall pay the United States for any damage to its property resulting from this use.
20. Upon abandonment, termination, or revocation of this permit and in the absence of an agreement to the contrary, the permittee, if all rental charges due the Government have been paid, may, within a reasonable period to be determined by the issuing officer, remove all structures which have been placed on the premises by him; but upon failure to remove the structures within that period they shall become the property of the United States.
21. All buildings must present a neat appearance and be of a permanent nature and be so constructed as not to interfere with the use and enjoyment of adjoining lots. Their proposed location must be approved by a Forest Officer.
22. The permittee shall take all possible precautions to prevent pollution of the waters of all streams in the vicinity of this tract. All cans and other refuse must be burned or buried.
23. All flues from ceiling through roof must be of terra cotta pipe with stovepipe completely through terra cotta, or of terra cotta pipe encased in galvanized iron pipe. Hoods shall be placed over all outlets.
24. Disorderly or otherwise objectionable conduct by the permittee or others occupying the premises with his permission, shall, upon proof thereof, be cause for revocation of the permit.
25. The permittee shall clear and keep clear the premises of all inflammable brush, undergrowth, and other debris, but shall burn no debris without the consent of a Forest Officer.
26. in case of change of address, permittee shall immediately notify the Forest Supervisor.
27. In case of violation of the fish and game laws of the State, while retaining this Special Use area, this permit may be revoked.
28. Latrines will be constructed according to the attached plan which is made a part of this permit.
29. Special permission to keep milk animals must be secured from the Forest Supervisor.
30. If permittee desires to dispose of any improvements constructed under authority of this permit, he shall immediately notify the Forest Supervisor to that effect.

<html><body>09-26-1929: special use permit: rowland & temple conduit

</body>
</html>

C O P Y

FOREST SERVICE
U S
DEPARTMENT OF AGRICULTURE

L
Uses-Sequoia
Rowland & Temple
Conduit 9/26/29

SPECIAL USE PERMIT

Permission is hereby granted to Rowland & Temple, % V. H. Rowland, of #1810 Blake Street, Berkeley, California.

to use the following-described lands: East of the Sand Creek road on Mill Creek in Sec. 8, T-14-S, R-28-E, M.D.M.

for the purpose of Pipe line and storage tank (Appx. 1/2 mi. of pipe line)

subject to the following conditions:

1. The permittee shall pay to the FREE PERMIT Bank of _____(United States Depository), to be placed to the credit of the Treasurer of the United States, in consideration for this use, the sum of _____dollars ($_____) for the period from _____, 19___, to December 31, 19_____, and thereafter annually, on January 1, _____ dollars ($_____).

2. The permittee shall comply with the regulations of the Department of Agriculture governing the National Forest, shall observe all sanitary laws and regulations applicable to the premises, and shall keep the premises in a neat and orderly condition and dispose of all refuse and locate outhouses and cesspools as required by the Forest officers.

<html><body>09-26-1929: special use permit: rowland & temple conduit, page 2cont

</body>
</html>

3. This permit is subject to all valid claims.

4. The permittee shall take all reasonable precaution to prevent and suppress forest fires.

5. The permittee, if engaged in business, shall conduct same in an orderly manner and in accordance with all requirements of the laws of the State of California, as well as the laws of the United States.

6. The permittee shall pay the United States for any damage to its property resulting from this use.

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

8. Construction work (or occupancy and use) under this permit shall begin within Completed months, be completed within Completed years from the date of the permit, and this use shall be actually exercised at least _____ days each year, unless the time is extended or shortened. (Tfrd. from Howell Bone 1/1/27 case)

9. In case of change of address, permittee shall immediately notify the Forest Supervisor.

10. The charges for this use may be readjusted whenever necessary to place this permit on a basis consistent with the charge to other permittees for like privileges. A general readjustment will be made at the end of calendar year 1929 and at the end of each five-year period thereafter.

11. No National Forest timber may be cut or destroyed without first obtaining a permit from the Forest Supervisor.

12. Upon the abandonment, termination, or revocation of this permit, and in the absence of an agreement to the contrary, the permittee, if all the rental charges due the Government have been paid, may, within a reasonable period to be determined by the issuing officer, remove all structures which have been placed on the premises by him, except where the material was furnished by the Forest Service, but upon failure to remove the structures within that period they shall become the property of the United States.

13. This permit may be transferred with the approval of the officer by whom it was given or his successor, subject to such conditions as may be imposed at the time of transfer. It shall terminate upon breach of any of the conditions herein or at the discretion of the District Forester or the Forester.

<html><body>09-26-1929: special use permit: rowland & temple conduit, page 3cont

</body>
</html>

14. The permittee shall provide, whenever requested by the Forest officers, a way across the land covered by this permit for the free ingress or egress of Forest officers and for users of National Forest land and purchasers of National Forest products.

15. This permit is issued conditional upon the permittee obtaining a permit for the use of water involved from the Division of Water Rights within six months after date hereof. If water permit is not granted within six months, this special use permit is subject to revocation.

16. In case of new construction of roads or trails this pipe line will be lowered so as not to interfere with further construction.

September 28, 1929
(Date)

Frank P. Cunningham,
(Signature of officer issuing permit)
Forest Supervisor.
(Title)

C
O
P
Y

Kings Canyon
Alien WR-1

Form 832
Revised Feb. 1921

SPECIAL USE PERMIT

L
Uses-Sequoia
Bone, Howell
Conduit, 1/1/27

Permission is hereby granted to Howell Bone of Miramonte, California to use the following-described lands: East of the Sand Creek road on Mill Creek in Sec. 8, Twp 14 S, Range 28 E, MDM (Approx. 1/2 mi. of pipe line) for the purpose of pipe line and storage tank, subject to the following conditions:

1. The permittee shall pay to the FREE PERMIT Bank of (United States Depository), to be placed to the credit of the Treasurer of the United States, in consideration for this use, the sum of _____ _____ dollars ($_____) for the period from _____, 19___ to December 31, 19_____, and thereafter annually, on January 1 _____ Dollars ($_____).

2. The permittee shall comply with the regulations of the Department of Agriculture governing the National Forest, shall observe all sanitary laws and regulations applicable to the premises, and shall keep the premises in a neat and orderly condition and dispose of all refuse and locate outhouses and cesspools as required by the Forest officers.

3. This permit is subject to all valid claims.

4. The permittee shall take all reasonable precaution to prevent and suppress forest fires.

5. The permittee, if engaged in business, shall conduct same in an orderly manner and in accordance with all requirements of the laws of the State of California, as well as the laws of the United States.

6. The permittee shall pay the United States for any damage to its property resulting from this use.

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

8. Construction work (or occupancy and use) under this permit shall begin at once, must be completed within one year from the date of the permit, and this use shall be actually exercised at least 60 days each year, unless the time is extended or shortened.

9. In case of change of address, permittee shall immediately notify the Forest Supervisor.

10. The charges for this use may be readjusted whenever necessary to place this permit on a basis consistent with the charge to other permittees

for like privileges. A general readjustment will be made at the end of calendar year 1929 and at the end of each five-year period thereafter.

11. No National Forest timber may be cut or destroyed without first obtaining a permit from the Forest Supervisor.

12. Upon the abandonment, termination, or revocation of this permit, and in the absence of an agreement to the contrary, the permittee, if all the rental charges due the Government have been paid, may,within a reasonable period to be determined by the issuing officer, remove all structures which have been placed on the premises by him, except where the material was furnished by the Forest Service, but upon failure to remove the structures within that period they shall become the property of the United States.

13. This permit may be transferred with the approval of the officer by whom it was given or his successor, subject to such conditions as may be imposed at the time of transfer. It shall terminate upon breach of any of the conditions herein or at the discretion of the District Forester or the Forester.

14. The permittee shall provide, whenever requested by the Forest officers, a way across the land covered by this permit for the free ingress or egress of Forest officers and for users of National Forest products.

15. This permit is issued conditional upon the permittee obtaining a permit for the use of the water involved from the Division of Water Rights within six months after date hereof. If water permit is not granted within six months, this special use permit is subject to revocation.

16. In case of new construction of roads or trails this pipe line will be lowered so as not to interfere with further construction.

/s/ Frank P. Cunningham

Jan. 26, 1927

Forest Supervisor

06 DATA

Sequoia and Kings Canyon National Park

BIG STUMP AREA, UNNAMED SPRING.
(FORMERLY KICA - 001)

Supporting Hydrologic Data

05-23-1951: memorandum to director from acting assistant regional director regarding water rights, big stump area, app. no. 5687, lic. no. 961

COPY

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SAN FRANCISCO 5, CALIFORNIA
180 New Montgomery Street

May 23, 1951

Memorandum

To: Director

From: Acting Assistant Regional Director

Subject: Water Rights, Big Stump Area, Application No. 5687, License No. 961 (File L54 KICA)

Attached is a copy of a memorandum from O. W. Carlson, Assistant Superintendent, Sequoia and Kings Canyon National Parks, dated May 15, 1951, and a copy of a memorandum by District Ranger Bechtel of the same area, dated April 2, 1951. Also attached is a print of Drawing No. NP-SK-2111A, titled "Water Rights Map, Big Stump Area", which was prepared in this office.

In general, we believe all the information requested in Mr. Demaray's memorandum of January 9, 1951 is contained in the data being forwarded. You will note estimates for present day use require slightly more than 1500 gallons per day, with an anticipated ultimate use of approximately 6,000 gallons per day.

Also, you will note the measured flow of the spring was one and a half gallons per minute (2,160 g.p.d.) last fall, presumably the driest part of the year. Computations on the pipe line show that it is capable of delivering approximately 16,000 gallons per day at the service station location, but only about 3,000 gallons per day at the location of the old water tank (out of use since 1940). The pipe line is in very poor condition.

It is believed the spring can be developed for the ultimate anticipated use by installation of an efficient collection works. At the same time a new pipe line and a storage reservoir should be provided.

To our knowledge the question of whether to file an application for additional water or rely on riparian rights has never been definitely answered. Therefore, we recommend the same course of action taken as on like matters in the past.

/s/ B. F. Manbey
B. F. Manbey
Acting Assistant Regional Director

Attachments 3

04-02-1951: memorandum to chief ranger from district ranger regarding big stump water rights

COPY

Grant Grove District
April 2, 1951

Memorandum

For: Chief Ranger

From: District Ranger, Bechtel

Subject: Big Stump Water Rights

Referring to regional Engineer Crowley's memorandum of March 1 to Supt. of Sequoia-Kings.

Paragraph 2

The 2300 feet of iron pipe now in use starts out as a two inch line and maintains that size for the first 100'. It then reduces to 1¼" and maintains that size for approximately 1000', the balance of the line is composed of 1" iron pipe.

The tank Mr. Crowley mentions is not usuable and has not been connected to the present water system since 1940.

The flow of the spring in its present condition does not keep a 1" line running full of water. During a test conducted last fall the spring was producing 1½ gallons per minute or 2160 gallons a day.

At present the amount of water stored for use is limited to the capacity of the 2300 feet of various sized pipe that goes to make up the water system. There is not a storage tank connected with the system.

Paragraph 3

The 1100 gallons per day estimate made previously is still a good estimate for present winter needs, however you will note in memorandums to you from this office dated July 31 1950 and again on Sept. 13, 1950, it was pointed out that all water available from the springs would be needed in future development of the area. We had in mind a figure of 6000 gallons per day to be produced from these springs after proper development.

It is recommended that the figure of 6000 gallons per day be used in estimating water needs for future development.

Paragraph 4

There would seem to be some misunderstanding as to the extent of the structures that goes to make up the head works of the Big Stump water system.

You will note from the attached sketch that the head works are rather simple consisting as it does of 10' of 4" pipe perforated with a series of small holes, out of which leads a 2" iron pipe which in turn leads to a box 2' square composed of redwood stakes driven into the ground. This box with a dirt bottom and partially open sides acts as a settling tank, water from this box is then conducted through a length of 1½" iron pipe to a 100 lb. nail keg, which in turn acts as another settling tank, from this nail keg a 1¼" iron pipe runs approximately 1000' there giving way to 1" iron pipe.

Measurement tests mentioned above were conducted as the water entered the wooden stake box.

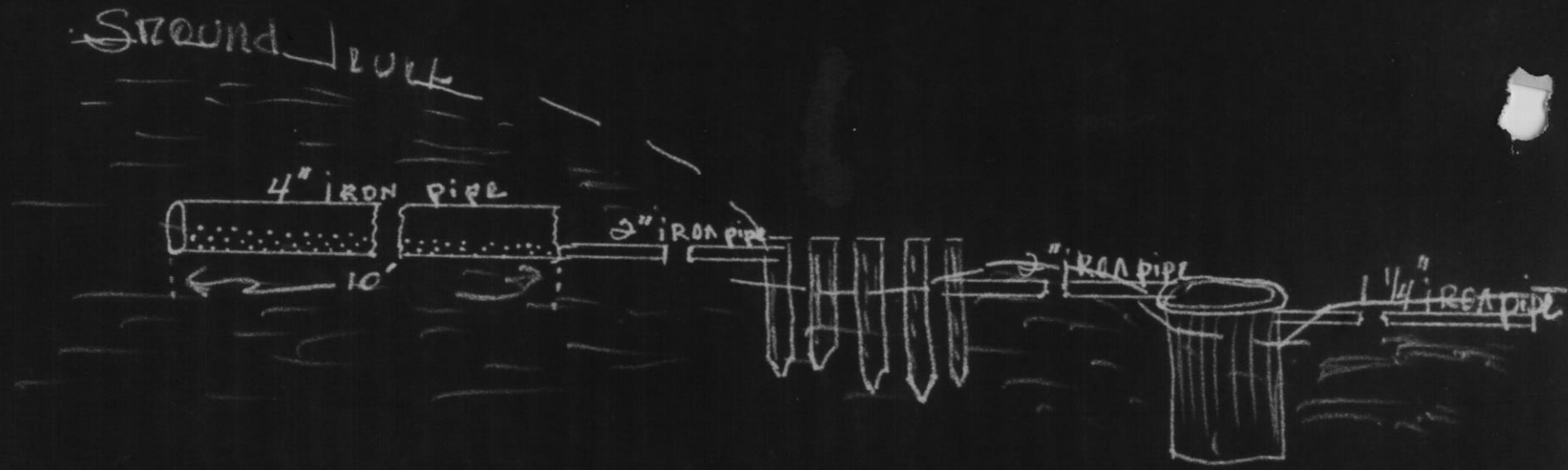
The protective division installed the present head works with the help of Mr. J.R.Dickson.

The 10' of 4" iron pipe is lying in decomposed granite, and is covered with DG and dirt.

There is no dam or any other obstruction to prevent water from continuing on down the draw.

The present water system is not at all adequate for the needs of the area.

Stanley H. Bechtel
District Ranger



Head Works Big Stump Water System

00-00-0000: diagram of head works big stump water system

08 MAPMISC

Sequoia and Kings Canyon National Park

BIG STUMP AREA, UNNAMED SPRING.
(FORMERLY KICA - 001)

Maps and Miscellaneous Information

07-00-1954: map of the water system - big stump area

T. 14 S., R. 28 E., M. D. B. & M.

REVISIONS:
PROPOSED 5,000 GAL REDWOOD TANK CHANGED TO 25,000 GAL. CONCRETE REGULATORY STORAGE TANK
A. van V. Dunn JAN. 28, 1955

KINGS CANYON NATIONAL PARK

E. 4000 N. 5000

E. 5000 N. 5000

8

POINT OF DIVERSION: FROM OFFICIAL TOPOGRAPHIC MAP OF MAY 1937.

POINT OF DIVERSION - FROM PERMIT No. 2962 (2707.1' N. & 1688.6' E. OF S.W. Cor. SECTION 8)

SPRING

10' OF 4" PERF. PIPE

2'x2' REDWOOD SETTLING BASIN

20' OF 1½" PIPE

100 LB. NAIL KEG

PROPOSED DAM

PROPOSED 25,000 GAL. CONCRETE REGULATORY STORAGE TANK

SPRING AREA

TO GRANT GROVE

PROPOSED 2" PIPE LINE

PRESENT PIPE LINE (TO BE REPLACED)

FORMER J. D. NEFF PERMIT AREA

FORMER MARK TWAIN TREE (BIG STUMP)

IDENTICAL POINTS

FORMER T. P. FERGUSON PERMIT AREA

FORMER GAS STA.

CABINS

CHECKING STA.

S 77°30' E 15.8' = TIE FROM U.S. FOREST SERVICE PERMIT OF NOV. 29, 1939 TO MR. & MRS. EMERY WHILTON

SKI SLIDE

FORMER LODGE

GAS STA.

PARKING AREA

TANK

FORMER FOX PENS

FORMER TENNIS COURT

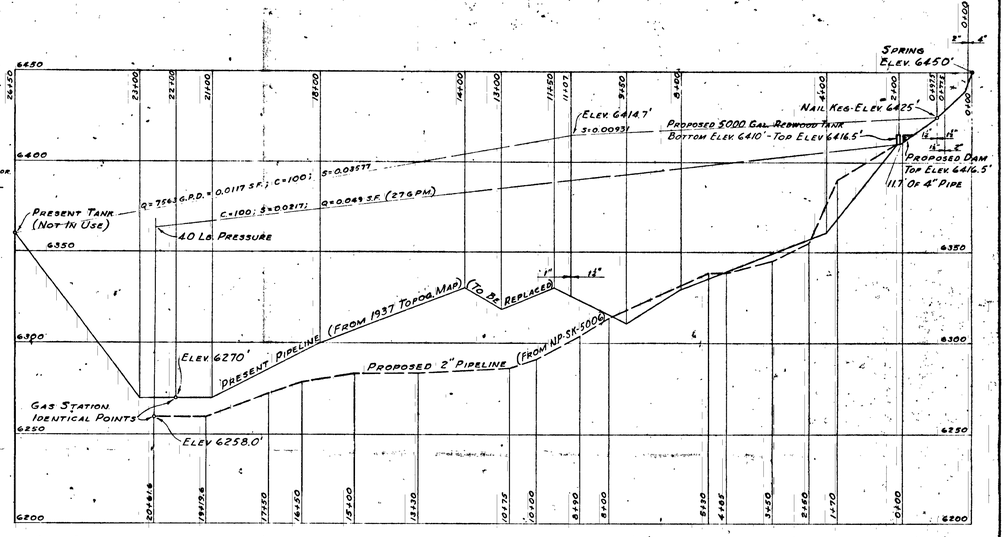
NOTE:
THE FORMER PERMIT AREAS ARE SHOWN TO ILLUSTRATE VARIATIONS IN AZIMUTH OF SURVEYS OF DIFFERENT DATES, AND TO RECONCILE LICENSED AND EXISTING POINTS OF DIVERSION.

TO FRESNO

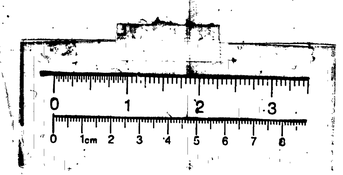
PARK BOUNDARY

BASE MAPS
1. TOPOGRAPHIC MAP W½ SEC. 8 BY FOREST SERVICE - 1937
2. DRAWING NO. NP-SK-5006 - 1949
3. DRAWING NO. NP-SK-2111A - 1951
4. MAP SUPPORTING APPLICATION NO 5687
5. PLATS SUPPORTING FORMER LAND USE PERMITS

COMPILED AND DRAWN BY A. van V. DUNN AND W.G. SELKIRK - JULY 1954.



PROFILE
SCALE: HOR. 1"=200', VERT 1"=40'



I, A. van V. DUNN, OF THE NATIONAL PARK SERVICE, WASHINGTON, D.C., DO HEREBY CERTIFY THAT THIS MAP WAS COMPILED FROM OFFICIAL MAPS, AND SURVEYS MADE UNDER MY IMMEDIATE DIRECTION IN 1949 AND 1953, AND THAT IT CORRECTLY REPRESENTS THE WORKS DESCRIBED IN THE ACCOMPANYING APPLICATION, AND THE LOCATION OF STREAMS AND DITCHES IN THE IMMEDIATE VICINITY.

A. van V. Dunn
ENGINEER CERTIFICATE No. 455
HYDRAULIC ENGINEER AND
CHIEF, WATER RESOURCES SECTION
NATIONAL PARK SERVICE

SCALE: 1" = 200'

UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE LANDS BRANCH, WATER RESOURCES SECTION WASHINGTON, D. C.	REGION IV SHEET 1 OF 1
WATER SYSTEM BIG STUMP AREA SEQUOIA-KINGS CANYON NATIONAL PARKS TULARE COUNTY, CALIFORNIA	DRAWING NO. NP-SK 6979

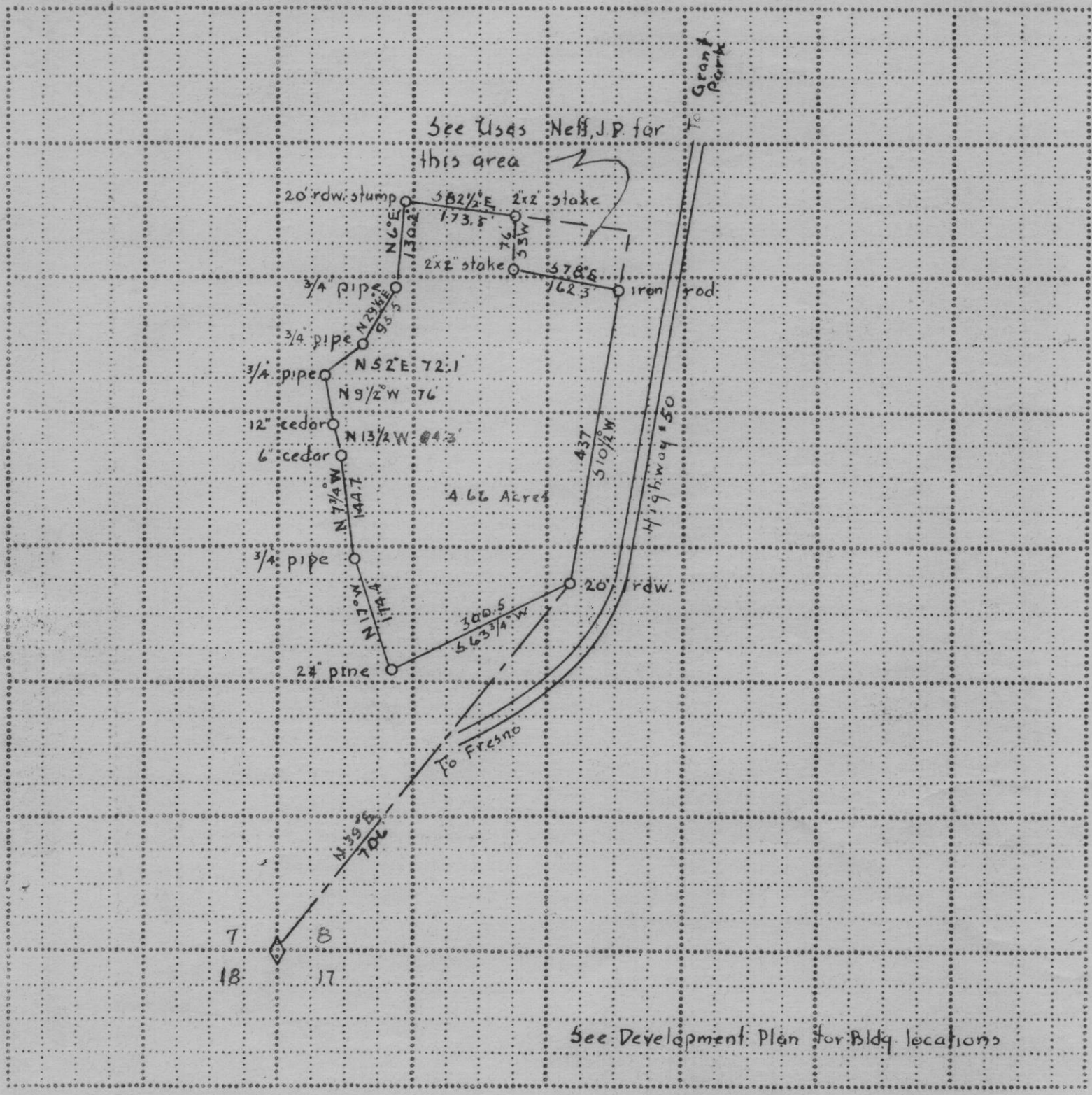
Form 878 a

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE

U
Uses
Whilton, Emery, et Ux
Resort 1/1/40
Sequoia (Case designation)

Land district. Mag. declin. 17° 10' E Area 4.66 acres

5W 1/4 Sec. 8 (Subdivision and section) T. 14 S R. 28E M.D. Mer. Scale 1 inches = ~~1 mile~~ 200'



Field work by C.D. Peyrone Date November 2, 1939 Platted by C D Peyrone

Remarks Tie from 20' Rlw to Sec cor. taken from survey of previous Rowland & Temple Sp Use Surveyed by Cunningham

Approved _____, 19____

U. S. GOVERNMENT PRINTING OFFICE 8—3466

Approving Officer.

Big Hump Area

06-00-1937: map of the big stump recreation area

GENERAL GRANT NATIONAL PARK

Original General Grant National Park Boundary

SEQUOIA NATIONAL FOREST

BIG STUMP RECREATION AREA

SCALE 1 IN = 200 FEET ← reduction to about 1" = 400'

CONTOUR INTERVAL 10 FT

MAPPED BY R E AMIDON

MAY 1937

JOHN C BEEBE - ASST REGIONAL FORESTER

T R LITTLEFIELD - CHIEF OF MAPS & SURVEYS

U S FOREST SERVICE

REGION 5

WD-RC 6951

Tracing by J H Harvey

June, 1937

T. 14 S. - R. 27 E. Sec. 12

T. 14 S. - R. 28 E. Sec. 7

FRESNO

TULARE

Docket Information

Number of Documents in Docket : 126

Documents Dated from : 03-04-1915 to 07-07-2023

Docket Compiled: 7/11/2023