Docket Number: 67

COTTONWOOD SPRING TRIBUTARY TO COTTONWOOD CANYON (S011348)

Preliminary Docket Information

DOCKET INFORMATION FORM

Compiled by: Alexa Kreiling Date: 6/10/2024
Initial Docket Information Form ☒ Amendment # _____ (1,2,3 ...)
Includes Confidential Content ☐

Park Unit: MOJA Docket #: 67 Docket Title Cottonwood Spring tributary to Cottonwood Canyon (S011348)

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: Cottonwood Spring

State: CA
County: San Bernardino

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

Application #: S011348 **Date:** 8/26/2004

Permit #: _____ **Date Issued:** _____

License / Certificate #: _____ **Priority Date:** ~1900

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

Quantity: Rate: 3000 Duty: _____
Units: ☐ cfs ☐ gpm ☐ afy ☒ other gpd Units: ☐ cfs ☐ gpm ☐ afy ☐ other _____

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

POD Name / Location: _____ ☐ Multiple PODs (see water right)
Qtr: NW Qtr: NW Sec: 8 T: 13 N R: 15 E PM: _____
Latitude: 35.22443144 Longitude: -115.40172269
UTM _____ , _____ Datum: _____

POU Name / Location: _____ ☐ Multiple POUs (see water right)
Qtr: _____ Qtr: _____ Sec: _____ T: _____ R: _____ PM: _____
Latitude: _____ Longitude: _____
UTM _____ , _____ Datum: _____

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

-11/17/1983 Gary & Linda Overson (Kessler Springs Ranch Allotment) filed statement.

-1/25/1994 California Desert Protection Act of 1994, Mojave National Preserve created.

-10/2000 Gary & Linda Overson (OX Ranch, Kessler Springs Ranch, Landreman House) grazing allotment retired by National Park Foundation (G&L Overson_Allotment_Retirement_10-2000.pdf).

-1/18/2001 Ownership change confirmed (Reynolds_Pettee_01-18-2001_Enc_SWRCB_01-08-2001.pdf).

-2004-2005 Ownership dispute initiated by Robert C Parker in August 2004 settled by SWRCB in October 2005 (SWRCB_MOJA_10-21-2005.pdf).

-7/24/2012 NPS informed SWRCB purpose of use changed to wildlife and recreation (Hansen_CA SWRCB_07-24-2012.pdf).

-eWRIMS data: Subtype: Pre 1914.

☒ Additional Page(s) Attached

-Supplemental Statements of Water Diversion and Use (1997, 1998, 1999) filed by Overson.

-Blank Supplemental Statements of Water Diversion and Use (1998, 1999, 2000) sent ~2/2001 to NPS 222 E Main St., Ste 202, Barstow, CA 92311; Subtype: Pre 1914.

-Supplemental Statements of Water Diversion and Use (2009-2023/current) filed by NPS.

☐ Additional Page(s) Attached

02 STATE

Mojave National Preserve

COTTONWOOD SPRING TRIBUTARY TO COTTONWOOD CANYON (S011348)

State Water Rights Documentation

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR REPORTING PERIOD

October 1, 2022 to September 30, 2023

Primary Owner: U S NATIONAL PARK SERVICE
Statement Number: S011348
Date Submitted: 01/10/2024

Water is used under	Pre-1914 Claim
Year diversion commenced	1900

Purpose of Use	
Recreational	aesthetics
Fish and Wildlife Preservation and Enhancement	wildlife habitat

Special Use Categories	
Are you using any water diverted under this right for the cultivation of cannabis?	No

Amount of Water Diverted and Used			
Month	**Amount directly diverted (Acre-Feet)**	**Amount diverted or collected to storage (Acre-Feet)**	**Amount beneficially used (Acre-Feet)**
2022			
October	0	0	0.271
November	0	0	0.271
December	0	0	0.271
2023			
January	0	0	0.271
February	0	0	0.271
March	0	0	0.271
April	0	0	0.271
May	0	0	0.271
June	0	0	0.271
July	0	0	0.271
August	0	0	0.271
September	0	0	0.271
Total	0	0	3.252
Type of Diversion	No Diversion		
Comments	No water diverted for consumptive use. Beneficial use is for the enhancement of aquatic ecosystems, riparian zones, and wildlife habitat. The amount reported as used is estimated based on historical practices. The National Park Service (NPS)considers state appropriative claims to be federal property, and this change of type of use does not indicate an intent to abandon this claim. The NPS intends to determine whether a formal change in use is appropriate in the future.		

Water Diversion Measurement	
Required to measure as of the date this report is submitted	No
Is diversion measured?	No

An alternative compliance plan was submitted to the division of water rights on	
A request for additional time was submitted to the division of water rights on	

Measurement Attachments			
Measurement ID Number	File Name	Description	Size
No attachments			

Measurement Data Files			
Measurement ID Number	File Name	Description	Size
No data files			

Maximum Rate of Diversion	
Month	Rate of Diversion
2022	
October	
November	
December	
2023	
January	
February	
March	
April	
May	
June	
July	
August	
September	

Water Transfers	
Water transfered	No
Quantity transfered (Acre-Feet)	
Dates which transfer occurred	/ to /
Transfer approved by	

Water Supply Contracts	
Water supply contract	No
Contract with	
Contract number	
Source from which contract water was diverted	
Point of diversion same as identified water right	
Amount (Acre-Feet) authorized to divert under this contract	
Amount (Acre-Feet) authorized to be diverted in 2023	
Amount (Acre-Feet) projected for 2024	
Exchange or settlement of prior rights	
All monthly reported diversion claimed under the prior rights	
Amount (Acre-Feet) of reported diversion solely under contract	

Credits Claimed			
	Conservation	Reclaimed Water Use	Conjunctive Groundwater Use
Claimed? (Yes/No)	No	No	No

2022			
October			
November			
December			
2023			
January			
February			
March			
April			
May			
June			
July			
August			
September			

Conservation Supporting Information	
Description of conservation methods	
Description of baseline water use and time period	
Description of conservation calculation methods	
Conserved water used?	

Additional Remarks

Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments

File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Sofia
Last Name	Andeskie
Relation to Water Right	Diverter of Record

Contact Information of the Person Submitting the Form	
First Name	Sofia
Last Name	Andeskie
Relation to Water Right	Diverter of Record

Information on Certification and Signatory	
Name of Person Signing and Certifying the Report	Sofia Andeskie
Date of Signature	01/10/2024

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR REPORTING PERIOD

October 1, 2021 to September 30, 2022

Primary Owner: U S NATIONAL PARK SERVICE
Statement Number: S011348
Date Submitted: 01/13/2023

Water is used under	Pre-1914 Claim
Year diversion commenced	1900

Purpose of Use	
Recreational	aesthetics
Fish and Wildlife Preservation and Enhancement	wildlife habitat

Special Use Categories	
Are you using any water diverted under this right for the cultivation of cannabis?	No

Amount of Water Diverted and Used			
Month	**Amount directly diverted (Acre-Feet)**	**Amount diverted or collected to storage (Acre-Feet)**	**Amount beneficially used (Acre-Feet)**
2021			
October	0	0	0.271
November	0	0	0.271
December	0	0	0.271
2022			
January	0	0	0.271
February	0	0	0.271
March	0	0	0.271
April	0	0	0.271
May	0	0	0.271
June	0	0	0.271
July	0	0	0.271
August	0	0	0.271
September	0	0	0.271
Total	0	0	3.252
Type of Diversion	No Diversion		
Comments	No water diverted for consumptive use. Beneficial use is for the enhancement of aquatic ecosystems, riparian zones, and wildlife habitat. The amount reported as used is estimated based on historical practices. The National Park Service (NPS)considers state appropriative claims to be federal property, and this change of type of use does not indicate an intent to abandon this claim. The NPS intends to determine whether a formal change in use is appropriate in the future.		

Water Diversion Measurement	
Required to measure as of the date this report is submitted	No
Is diversion measured?	No

An alternative compliance plan was submitted to the division of water rights on	
A request for additional time was submitted to the division of water rights on	

Measurement Attachments			
Measurement ID Number	**File Name**	**Description**	**Size**
No attachments			

Measurement Data Files			
Measurement ID Number	**File Name**	**Description**	**Size**
No data files			

Maximum Rate of Diversion	
Month	**Rate of Diversion**
2021	
October	
November	
December	
2022	
January	
February	
March	
April	
May	
June	
July	
August	
September	

Water Transfers	
Water transfered	No
Quantity transfered (Acre-Feet)	
Dates which transfer occurred	/ to /
Transfer approved by	

Water Supply Contracts	
Water supply contract	No
Contract with	
Contract number	
Source from which contract water was diverted	
Point of diversion same as identified water right	
Amount (Acre-Feet) authorized to divert under this contract	
Amount (Acre-Feet) authorized to be diverted in 2022	
Amount (Acre-Feet) projected for 2023	
Exchange or settlement of prior rights	
All monthly reported diversion claimed under the prior rights	
Amount (Acre-Feet) of reported diversion solely under contract	

Credits Claimed			
	Conservation	**Reclaimed Water Use**	**Conjunctive Groundwater Use**
Claimed? (Yes/No)	No	No	No

2021			
October			
November			
December			
2022			
January			
February			
March			
April			
May			
June			
July			
August			
September			

Conservation Supporting Information	
Description of conservation methods	
Description of baseline water use and time period	
Description of conservation calculation methods	
Conserved water used?	

Additional Remarks

Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments

File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Anna Sofia
Last Name	Andeskie
Relation to Water Right	Diverter of Record
Contact Information of the Person Submitting the Form	
First Name	Anna Sofia
Last Name	Andeskie
Relation to Water Right	Diverter of Record

Information on Certification and Signatory	
Name of Person Signing and Certifying the Report	Anna Sofia Andeskie
Date of Signature	01/13/2023

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR REPORTING PERIOD

January 1, 2021 to September 30, 2021

Primary Owner: U S NATIONAL PARK SERVICE
Statement Number: S011348
Date Submitted: 04/21/2022

Water is used under	Pre-1914 Claim
Year diversion commenced	1900

Purpose of Use	
Recreational	aesthetic
Fish and Wildlife Preservation and Enhancement	wildlife habitat

Special Use Categories	
Are you using any water diverted under this right for the cultivation of cannabis?	No

Amount of Water Diverted and Used

Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount beneficially used (Acre-Feet)
January	0	0	0.28
February	0	0	0.28
March	0	0	0.28
April	0	0	0.28
May	0	0	0.28
June	0	0	0.28
July	0	0	0.28
August	0	0	0.28
September	0	0	0.28
Total	0	0	2.52
Type of Diversion	No Diversion		
Comments	No water diverted for consumptive use. Beneficial use is for wildlife.		

Water Diversion Measurement	
Required to measure as of the date this report is submitted	No
Is diversion measured?	No
An alternative compliance plan was submitted to the division of water rights on	
A request for additional time was submitted to the division of water rights on	

Measurement Attachments

Measurement ID Number	File Name	Description	Size
No attachments			

Measurement Data Files

Measurement ID Number	File Name	Description	Size
No data files			

Maximum Rate of Diversion	
Month	**Rate of Diversion**
January	
February	
March	
April	
May	
June	
July	
August	
September	

Water Transfers	
Water transfered	No
Quantity transfered (Acre-Feet)	
Dates which transfer occurred	/ to /
Transfer approved by	

Water Supply Contracts	
Water supply contract	No
Contract with	
Other provider	
Contract number	
Source from which contract water was diverted	
Point of diversion same as identified water right	
Amount (Acre-Feet) authorized to divert under this contract	
Amount (Acre-Feet) authorized to be diverted in 2021	
Amount (Acre-Feet) projected for 2022	
Exchange or settlement of prior rights	
All monthly reported diversion claimed under the prior rights	
Amount (Acre-Feet) of reported diversion solely under contract	

Credits Claimed			
	Conservation	**Reclaimed Water Use**	**Conjunctive Groundwater Use**
Claimed? (Yes/No)	No	No	No
January			
February			
March			
April			
May			
June			
July			
August			
September			

Conservation Supporting Information
Description of conservation methods
Description of baseline water use and time period
Description of conservation calculation methods

Conserved water used?	

Additional Remarks
Declaration: The United States holds both state law-based water rights and federal reserved rights and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments		
File Name	**Description**	**Size**
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Anna
Last Name	Andeskie
Relation to Water Right	Company Representative
The information in the report is true to the best of his/her knowledge and belief	Yes

Contact Information of the Person Submitting the Form	
First Name	Anna
Last Name	Andeskie
Relation to Water Right	Company Representative

Information on Certification and Signatory	
Name of Person Signing and Certifying the Report	Anna Sofia Andeskie
Date of Signature	04/21/2022

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2020

Primary Owner: U S NATIONAL PARK SERVICE
Statement Number: S011348
Date Submitted: 04/22/2021

1. Water is used under	Pre-1914 Claim
2. Year diversion commenced	1900

2. Purpose of Use	
Recreational	Aesthetic
Fish and Wildlife Preservation and Enhancement	Wildlife habitat

3. Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

4. Amount of Water Diverted and Used

Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount beneficially used (Acre-Feet)
January	0	0	0.28
February	0	0	0.28
March	0	0	0.28
April	0	0	0.28
May	0	0	0.28
June	0	0	0.28
July	0	0	0.28
August	0	0	0.28
September	0	0	0.28
October	0	0	0.28
November	0	0	0.28
December	0	0	0.28
Total	0	0	3.36
Type of Diversion	No Diversion		
Comments	No water diverted for consumptive use. Beneficial use is for wildlife. The National Park Service (NPS) considers state appropriative licenses to be federal property, and this change of type of use does not indicate an intent to abandon this license. The NPS intends to determine whether a formal change in use is appropriate in the future.		

5. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	No
b. Is diversion measured?	No
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement Attachments

Measurement ID Number	File Name	Description	Size
No attachments			

Measurement Data Files			
Measurement ID Number	File Name	Description	Size
No data files			

6. Maximum Rate of Diversion	
Month	Rate of Diversion
January	
February	
March	
April	
May	
June	
July	
August	
September	
October	
November	
December	

7. Water Transfers	
8a. Water transfered	No
8b. Quantity transfered (Acre-Feet)	
8c. Dates which transfer occurred	/ to /
8d. Transfer approved by	

Water Supply Contracts	
8e. Water supply contract	No
8f. Contract with	
8g. Other provider	
8h. Contract number	
8i. Source from which contract water was diverted	
8j. Point of diversion same as identified water right	
8k. Amount (Acre-Feet) authorized to divert under this contract	
8l. Amount (Acre-Feet) authorized to be diverted in 2020	
8m. Amount (Acre-Feet) projected for 2021	
8n. Exchange or settlement of prior rights	
8o. All monthly reported diversion claimed under the prior rights	
8p. Amount (Acre-Feet) of reported diversion solely under contract	

Credits Claimed			
	Conservation	Reclaimed Water Use	Conjunctive Groundwater Use
Claimed? (Yes/No)	No	No	No
January			
February			
March			
April			
May			
June			
July			

August			
September			
October			
November			
December			

Conservation Supporting Information	
Description of conservation methods	
Description of baseline water use and time period	
Description of conservation calculation methods	
Conserved water used?	

Additional Remarks
Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments		
File Name	**Description**	**Size**
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Anna
Last Name	Andeskie
Relation to Water Right	Company Representative
The information in the report is true to the best of his/her knowledge and belief	Yes

Contact Information of the Person Submitting the Form	
First Name	Anna
Last Name	Andeskie
Relation to Water Right	Company Representative

Information on Certification and Signatory	
Name of Person Signing and Certifying the Report	Anna Sofia Andeskie
Date of Signature	04/22/2021

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2019

Primary Owner: U S NATIONAL PARK SERVICE
Statement Number: S011348
Date Submitted: 05/01/2020

1. Water is used under	Other: Claim for Federal Water Rights for wildlife
2. Year diversion commenced	1900

2. Purpose of Use	
Recreational	visitation, aesthetics
Fish and Wildlife Protection and/or Enhancement	wildlife, natural environment

3. Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

4. Amount of Water Diverted and Used

Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount beneficially used (Acre-Feet)
January	0	0	0.28
February	0	0	0.28
March	0	0	0.28
April	0	0	0.28
May	0	0	0.28
June	0	0	0.28
July	0	0	0.28
August	0	0	0.28
September	0	0	0.28
October	0	0	0.28
November	0	0	0.28
December	0	0	0.29
Total	0	0	3.37
Type of Diversion	No Diversion		
Comments	There are no diversions for consumptive use, amount consumed by wildlife and habitat is not known.		

5. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	No
b. Is diversion measured?	No
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement Attachments

Measurement ID Number	File Name	Description	Size
No attachments			

Measurement Data Files

Measurement ID Number	File Name	Description	Size

No data files

6. Maximum Rate of Diversion	
Month	**Rate of Diversion (Gallons Per Minute)**
January	0
February	0
March	0
April	0
May	0
June	0
July	0
August	0
September	0
October	0
November	0
December	0

7. Water Transfers	
8a. Water transfered	No
8b. Quantity transfered (Acre-Feet)	
8c. Dates which transfer occurred	/ to /
8d. Transfer approved by	

Water Supply Contracts	
8e. Water supply contract	No
8f. Contract with	
8g. Other provider	
8h. Contract number	
8i. Source from which contract water was diverted	
8j. Point of diversion same as identified water right	
8k. Amount (Acre-Feet) authorized to divert under this contract	
8l. Amount (Acre-Feet) authorized to be diverted in 2019	
8m. Amount (Acre-Feet) projected for 2020	
8n. Exchange or settlement of prior rights	
8o. All monthly reported diversion claimed under the prior rights	
8p. Amount (Acre-Feet) of reported diversion solely under contract	

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	No
	Describe any water conservation efforts you have initiated	
b.	Amount of water conserved	
	I have data to support the above surface water use reductions due to conservation efforts.	

Water Quality and Wastewater Reclamation		
a.	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 causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	

	I have data to support the above surface water use reductions due to the use of a substitute water supply	

Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

Additional Remarks

Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments

File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Eric
Last Name	Lord
Relation to Water Right	Diverter of Record
The information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2018

Primary Owner: U S NATIONAL PARK SERVICE
Statement Number: S011348
Date Submitted: 06/26/2019

1. Water is used under	Other: Claim for Federal Water Rights for wildlife
2. Year diversion commenced	1900

3. Purpose of Use	
Recreational	visitation, aesthetics
Fish and Wildlife Protection and/or Enhancement	wildlife, natural environment

4. Changes in Method of Diversion

Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

5. Maximum Rate of Diversion	
Month	**Rate of Diversion (Gallons Per Minute)**
January	0
February	0
March	0
April	0
May	0
June	0
July	0
August	0
September	0
October	0
November	0
December	0

6. Amount of Water Diverted and Used			
Month	**Amount directly diverted (Acre-Feet)**	**Amount diverted or collected to storage (Acre-Feet)**	**Amount beneficially used (Acre-Feet)**
January	0	0	0.28
February	0	0	0.28
March	0	0	0.28
April	0	0	0.28
May	0	0	0.28
June	0	0	0.28
July	0	0	0.28
August	0	0	0.28
September	0	0	0.28
October	0	0	0.28
November	0	0	0.28

December	0	0	0.29
Total	0	0	3.37
Type of Diversion	No Diversion		
Comments	There are no diversions for consumptive use, amount consumed by wildlife and habitat is not known.		

Water Transfers	
6d. Water transfered	No
6e. Quantity transfered (Acre-Feet)	
6f. Dates which transfer occurred	/ to /
6g. Transfer approved by	

Water Supply Contracts	
6h. Water supply contract	No
6i. Contract with	
6j. Other provider	
6k. Contract number	
6l. Source from which contract water was diverted	
6m. Point of diversion same as identified water right	
6n. Amount (Acre-Feet) authorized to divert under this contract	
6o. Amount (Acre-Feet) authorized to be diverted in 2018	
6p. Amount (Acre-Feet) projected for 2019	
6q. Exchange or settlement of prior rights	
6r. All monthly reported diversion claimed under the prior rights	
6s. Amount (Acre-Feet) of reported diversion solely under contract	

7. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	No
b. Is diversion measured?	No
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement Attachments

Measurement ID Number	File Name	Description	Size
No attachments			

Measurement Data Files

Measurement ID Number	File Name	Description	Size
No data files			

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	No
	Describe any water conservation efforts you have initiated	
b.	Amount of water conserved	
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	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 causes?	No

b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

Additional Remarks

Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments

File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	David
Last Name	Burdette
Relation to Water Right	Other: Point of Contact at Mojave NP
The information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2017

Primary Owner: U S NATIONAL PARK SERVICE
Statement Number: S011348
Date Submitted: 08/03/2018

1. Water is used under	Pre-1914 Claim
2. Year diversion commenced	1900

3. Purpose of Use	
Recreational	visitation, aesthetics
Fish and Wildlife Protection and/or Enhancement	wildlife, natural environment.

4. Changes in Method of Diversion
no change

Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

5-6. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used

Month	Rate of diversion (GPM)	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount beneficially used (Acre-Feet)
January	0	0	0	0.28
February	0	0	0	0.28
March	0	0	0	0.28
April	0	0	0	0.28
May	0	0	0	0.28
June	0	0	0	0.28
July	0	0	0	0.28
August	0	0	0	0.29
September	0	0	0	0.28
October	0	0	0	0.28
November	0	0	0	0.28
December	0	0	0	0.28
Total		0	0	3.37
Type of Diversion	No Diversion			
Comments	There are no diversions for consumptive use, amount consumed by wildlife and habitat is not known.			

Water Transfers	
6d. Water transfered	No
6e. Quantity transfered (Acre-Feet)	
6f. Dates which transfer occurred	/ to /
6g. Transfer approved by	

Water Supply Contracts

6h. Water supply contract	No
6i. Contract with	
6j. Other provider	
6k. Contract number	
6l. Source from which contract water was diverted	
6m. Point of diversion same as identified water right	
6n. Amount (Acre-Feet) authorized to divert under this contract	
6o. Amount (Acre-Feet) authorized to be diverted in 2017	
6p. Amount (Acre-Feet) projected for 2018	
6q. Exchange or settlement of prior rights	
6r. All monthly reported diversion claimed under the prior rights	
6s. Amount (Acre-Feet) of reported diversion solely under contract	

7. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	No
b. Is diversion measured?	No
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	No
	Describe any water conservation efforts you have initiated	
b.	Amount of water conserved	
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	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 causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

Additional Remarks

Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments

File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form

First Name	David

Last Name	Burdette
Relation to Water Right	Other: Point of Contact at Mojave NP
The information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2016

Primary Owner: U S NATIONAL PARK SERVICE
Statement Number: S011348
Date Submitted: 03/09/2017

1. Water is used under	Pre-1914 Claim
2. Year diversion commenced	1900

3. Purpose of Use	
Recreational	aesthetics
Fish and Wildlife Protection and/or Enhancement	wildlife

4. Changes in Method of Diversion

Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

5-6. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used

Month	Rate of diversion (GPM)	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount beneficially used (Acre-Feet)
January	0	0	0	0.29
February	0	0	0	0.29
March	0	0	0	0.29
April	0	0	0	0.29
May	0	0	0	0.29
June	0	0	0	0.29
July	0	0	0	0.29
August	0	0	0	0.29
September	0	0	0	0.29
October	0	0	0	0.29
November	0	0	0	0.25
December	0	0	0	0.21
Total		0	0	3.36
Type of Diversion	No Diversion			
Comments	Beneficial use is for wildlife and recreation. NPS considers state law-based water rights to be federal property, and this change of type of use does not indicate an intent to abandon this license. NPS intends to determine whether a formal change in use is appropriate in the future.			

Water Transfers

6d. Water transfered	No
6e. Quantity transfered (Acre-Feet)	
6f. Dates which transfer occurred	/ to /
6g. Transfer approved by	

Water Supply Contracts	
6h. Water supply contract	No
6i. Contract with	
6j. Other provider	
6k. Contract number	
6l. Source from which contract water was diverted	
6m. Point of diversion same as identified water right	
6n. Amount (Acre-Feet) authorized to divert under this contract	
6o. Amount (Acre-Feet) authorized to be diverted in 2016	
6p. Amount (Acre-Feet) projected for 2017	
6q. Exchange or settlement of prior rights	
6r. All monthly reported diversion claimed under the prior rights	
6s. Amount (Acre-Feet) of reported diversion solely under contract	

7. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	No
b. Is diversion measured?	No
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	No
	Describe any water conservation efforts you have initiated	
b.	Amount of water conserved	
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	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 causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

Additional Remarks

Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments		
File Name	**Description**	**Size**
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	David
Last Name	Burdette
Relation to Water Right	Diverter of Record
The information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2015

Primary Owner: U S NATIONAL PARK SERVICE
Statement Number: S011348
Date Submitted: 2016-07-06

1. Water is used under	Pre-1914 Claim
2. Year diversion commenced	1900

3-4. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used				
Month	**Rate of diversion**	**Amount directly diverted (Acre-Feet)**	**Amount diverted or collected to storage (Acre-Feet)**	**Amount beneficially used (Acre-Feet)**
January		0	0	0.28
February		0	0	0.28
March		0	0	0.28
April		0	0	0.28
May		0	0	0.28
June		0	0	0.28
July		0	0	0.28
August		0	0	0.28
September		0	0	0.28
October		0	0	0.28
November		0	0	0.28
December		0	0	0.28
Total		0	0	3.36
Type of Diversion	No Diversion			
Comments	There are no diversions for consumptive use, water is kept in situ and does not leave the preserve. The NPS considers state appropriative licenses to be federal property, and this change of type of use does not indicate an intent to abandon this license. The NPS intends to determine whether a formal change in use is appropriate in the future.			

Water Transfers	
8e. Water transfered	No
8f. Quantity transfered (Acre-Feet)	
8g. Dates which transfer occurred	/ to /
8h. Transfer approved by	

Water Supply Contracts	
8i. Water supply contract	No
8j. Contract with	
8k. Other provider	
8l. Contract number	
8m. Source from which contract water was diverted	

8n. Point of diversion same as identified water right	
8o. Amount (Acre-Feet) authorized to divert under this contract	
8p. Amount (Acre-Feet) authorized to be diverted in 2015	
8q. Amount (Acre-Feet) projected for 2016	
8r. Exchange or settlement of prior rights	
8s. All monthly reported diversion claimed under the prior rights	
8t. Amount (Acre-Feet) of reported diversion solely under contract	

5. Water Diversion Measurement		
a.	Measurement	Direct measurement using a device listed in Section 1 is "not locally cost effective" for water directly diverted and/or diverted to storage
b.	Types of measuring devices used	
c.	Additional technology used	
	Description of additional technology used	
d.	Who installed your measuring device (s)	
e.	Make, model number, and last calibration date of your measuring device(s)	
f.	Why direct measurement using a device listed in Section 1 is "not locally cost effective"	Diversion is small or minimal in size No power at diversion point Other
	Explanation of why use of devices and technologies listed in Section 1 are "not locally cost effective"	Water source is located in a remote area. There is no way to secure a battery operated device. Any device left at the water source would be stolen or vandalized.
g.	Method(s) used as an alternative to direct measurement	Other
	Explanation of method(s) used as an alternative to direct measurement	A visual estimate of the flow is made on this remote water source. This water source is only used for wildlife and the amount of water used is so small that a visual estimate is sufficient.

6. Purpose of Use	
Recreational	aesthetics
Fish and Wildlife Protection and/or Enhancement	wildlife

7. Changes in Method of Diversion

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	No
	Describe any water conservation efforts you have initiated	
b.	Amount of water conserved	Acre-Feet
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	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 causes?	No

b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

11a. Additional Remarks
Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments		
File Name	**Description**	**Size**
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	David
Last Name	Burdette
Relation to Water Right	Diverter of Record
The information in the report is true to the best of his/her knowledge and belief	Yes

CALIFORNIA
Water Boards

State Water Resources Control Board

NOTICE REGARDING STATEMENT OF WATER DIVERSION AND USE

February 19, 2016

Responsible Party:
ANNIE KEARNS
2701 BARSTOW RD
BARSTOW, CA 92311
Diverter: U S NATIONAL PARK SERVICE

Statement Number: S011348

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

Water Code section 5104 (a) now requires diverters to file supplemental statements of water diversion and use (Supplemental Statements) **every year**. Supplemental Statements must be filed on electronic forms provided by the State Water Resources Control Board (State Water Board). (Cal. Code Regs., tit. 23, § 920, subds. a-b.) **All reports must be completed online through the State Water Board's Report Management System (RMS); paper copies are not available.** To report online, go to **www.waterboards.ca.gov/rms** and login with your user ID and password. The information required to login and access your online Supplemental Statement is:

User ID (Statement ID): **S011348**
Password (Reporting Identifier): **341144**

The Supplemental Statement is associated with the diversion works of **Not Specified**. Information about the source, parcel number, county and other summary information is pre-populated on the Supplemental Statement, if the information is available.

IMPORTANT: PLEASE NOTE BELOW

Beginning January 2016 and every year there after you will be required to file an on-line Supplemental Statement of Water Diversion and Use Report (Supplemental Statement). The Division will **NO LONGER** notify you via mail when the supplemental statement is due. If you would like to be notified when reporting is due and other reporting related material, please subscribe to our Lyris list (Water Rights Reporting Notification) at:

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml.

Also note, if you reported your water use three years ago you will be required to complete the reports for 2013, 2014 and 2015. If you reported your water use two years ago you will be required to complete the reports for 2014 and 2015 and if you reported your water use a year ago you will be required to complete the 2015 report.

You are required to complete the online report(s) no later than **June 30, 2016. If you do not file your Supplemental Statement in a timely manner, you may be subject to civil liability of up to $1,000 and additional civil liability of $500 per day for each day the violation continues if you do not file a statement within 30 days after the board calls the violation to your attention.** (Wat. Code, § 5107, subd. (c)(1).)

Division staff cannot fill the form out on your behalf. If you have multiple points of diversion, you must file a separate Supplemental Statement for each point of diversion. (Wat. Code, § 5102.) Do not list total combined diversions from multiple diversion works on one Supplemental Statement.

CHANGES FOR REPORTING AND MEASUREMENT OF DIVERSIONS MADE IN 2016, AND THEREAFTER

- See attached "Fact Sheet" for updates.

SPECIAL REPORTING FEATURES

- It is possible to create one account on the RMS site to report all of your diversions. Please see the RMS login page for more information and instructions. Note: It is not necessary to create an account if you would like to report your diversions individually.
- RMS also includes the capability to amend reports submitted incorrectly or in error. This capability applies to past reports as well.
- RMS includes new on screen help tools and instructions

REQUIRED NOTIFICATION OF CHANGE IN NAME OR ADDRESS OF PERSON DIVERTING WATER

If there has been a change in the name or address of the person diverting the water, you must report that change to the Board. (Wat. Code, § 5104, subd. (b).) Notification to the Division should be made using the Change of Name/Address or Ownership form on the Water Rights Forms link located at www.waterboards.ca.gov/waterrights/publications_forms/forms/index.shtml.

CONTACT INFORMATION

Frequently asked questions pertaining to filling out online reports are posted at the RMS website and we encourage you to read these first. However, if you still have any questions or need assistance completing the report, please contact the Division of Water Rights at (916) 445-2812 or send an email to: DWR-statements@waterboards.ca.gov.

Sincerely,

Barbara Evoy, Deputy Director
Division of Water Rights

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2014

Primary Owner: U S NATIONAL PARK SERVICE
Statement Number: S011348
Date Submitted: 2015-10-08

1. Water is used under	Pre-1914 Claim
2. Year diversion commenced	1900

3-4. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used				
Month	**Rate of diversion (GPD)**	**Amount directly diverted (Acre-Feet)**	**Amount diverted or collected to storage (Acre-Feet)**	**Amount beneficially used (Acre-Feet)**
January	0	0	0	0.28
February	0	0	0	0.28
March	0	0	0	0.28
April	0	0	0	0.28
May	0	0	0	0.28
June	0	0	0	0.28
July	0	0	0	0.28
August	0	0	0	0.28
September	0	0	0	0.28
October	0	0	0	0.28
November	0	0	0	0.28
December	0	0	0	0.28
Total		0	0	3.36
Comments	This Claim is now used in support of wildlife.			

Water Transfers	
8e. Water transfered	No
8f. Quantity transfered (Acre-Feet)	
8g. Dates which transfer occurred	/ to /
8h. Transfer approved by	

Water Supply Contracts	
8i. Water supply contract	No
8j. Contract with	
8k. Other provider	
8l. Contract number	
8m. Source from which contract water was diverted	
8n. Point of diversion same as identified water right	
8o. Amount (Acre-Feet) authorized to divert under this contract	
8p. Amount (Acre-Feet) authorized to be diverted in 2014	
8q. Amount (Acre-Feet) projected for 2015	
8r. Exchange or settlement of prior rights	

8s. All monthly reported diversion claimed under the prior rights	
8t. Amount (Acre-Feet) of reported diversion solely under contract	

5. Water Diversion Measurement		
a.	Measurement	Direct measurement using a device listed in Section 1 is "not locally cost effective" for water directly diverted and/or diverted to storage
b.	Types of measuring devices used	
c.	Additional technology used	
	Description of additional technology used	
d.	Who installed your measuring device(s)	
e.	Make, model number, and last calibration date of your measuring device(s)	
f.	Why direct measurement using a device listed in Section 1 is "not locally cost effective"	Other
	Explanation of why use of devices and technologies listed in Section 1 are "not locally cost effective"	There are no diversions for consumptive use; amount consumed by wildlife is not known.
g.	Method(s) used as an alternative to direct measurement	Other
	Explanation of method(s) used as an alternative to direct measurement	The amount reported is an estimate based on historical use.

6. Purpose of Use	
Other	Wildlife

7. Changes in Method of Diversion

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	No
	Describe any water conservation efforts you have initiated	
b.	Amount of water conserved	Acre-Feet
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	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 causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

11a. Additional Remarks
Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments		
File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	David
Last Name	Burdette
Relation to Water Right	Other: NPS (Primary Owner of Record) Employee
The information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2013

Primary Owner: U S NATIONAL PARK SERVICE
Statement Number: S011348
Date Submitted: 2015-10-08

1. Water is used under	Pre-1914 Claim
2. Year diversion commenced	1900

3-4. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used				
Month	**Rate of diversion (GPD)**	**Amount directly diverted (Acre-Feet)**	**Amount diverted or collected to storage (Acre-Feet)**	**Amount beneficially used (Acre-Feet)**
January	0	0	0	0.28
February	0	0	0	0.28
March	0	0	0	0.28
April	0	0	0	0.28
May	0	0	0	0.28
June	0	0	0	0.28
July	0	0	0	0.28
August	0	0	0	0.28
September	0	0	0	0.28
October	0	0	0	0.28
November	0	0	0	0.28
December	0	0	0	0.28
Total		0	0	3.36
Comments	This Claim is now used in support of wildlife.			

Water Transfers	
8e. Water transfered	No
8f. Quantity transfered (Acre-Feet)	
8g. Dates which transfer occurred	/ to /
8h. Transfer approved by	

Water Supply Contracts	
8i. Water supply contract	No
8j. Contract with	
8k. Other provider	
8l. Contract number	
8m. Source from which contract water was diverted	
8n. Point of diversion same as identified water right	
8o. Amount (Acre-Feet) authorized to divert under this contract	
8p. Amount (Acre-Feet) authorized to be diverted in 2013	
8q. Amount (Acre-Feet) projected for 2014	
8r. Exchange or settlement of prior rights	

8s. All monthly reported diversion claimed under the prior rights	
8t. Amount (Acre-Feet) of reported diversion solely under contract	

5. Water Diversion Measurement		
a.	Measurement	Direct measurement using a device listed in Section 1 is "not locally cost effective" for water directly diverted and/or diverted to storage
b.	Types of measuring devices used	
c.	Additional technology used	
	Description of additional technology used	
d.	Who installed your measuring device(s)	
e.	Make, model number, and last calibration date of your measuring device(s)	
f.	Why direct measurement using a device listed in Section 1 is "not locally cost effective"	Other
	Explanation of why use of devices and technologies listed in Section 1 are "not locally cost effective"	There are no diversions for consumptive use; amount consumed by wildlife is not known.
g.	Method(s) used as an alternative to direct measurement	Other
	Explanation of method(s) used as an alternative to direct measurement	The amount reported is an estimate based on historical use.

6. Purpose of Use	
Other	Wildlife

7. Changes in Method of Diversion

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	No
	Describe any water conservation efforts you have initiated	
b.	Amount of water conserved	Acre-Feet
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	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 causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

11a. Additional Remarks
Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments		
File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	David
Last Name	Burdette
Relation to Water Right	Other: NPS (Primary Owner of Record) Employee
The information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2012

Primary Owner: U S NATIONAL PARK SERVICE
Statement Number: S011348
Date Submitted: 2015-10-08

1. Water is used under	Pre-1914 Claim
2. Year diversion commenced	1900

3-4. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used				
Month	**Rate of diversion (GPD)**	**Amount directly diverted (Acre-Feet)**	**Amount diverted or collected to storage (Acre-Feet)**	**Amount beneficially used (Acre-Feet)**
January	0	0	0	0.28
February	0	0	0	0.28
March	0	0	0	0.28
April	0	0	0	0.28
May	0	0	0	0.28
June	0	0	0	0.28
July	0	0	0	0.28
August	0	0	0	0.28
September	0	0	0	0.28
October	0	0	0	0.28
November	0	0	0	0.28
December	0	0	0	0.28
Total		0	0	3.36
Comments	This claim is now used in support of wildlife.			

Water Transfers	
8e. Water transfered	No
8f. Quantity transfered (Acre-Feet)	
8g. Dates which transfer occurred	/ to /
8h. Transfer approved by	

Water Supply Contracts	
8i. Water supply contract	No
8j. Contract with	
8k. Other provider	
8l. Contract number	
8m. Source from which contract water was diverted	
8n. Point of diversion same as identified water right	
8o. Amount (Acre-Feet) authorized to divert under this contract	
8p. Amount (Acre-Feet) authorized to be diverted in 2012	
8q. Amount (Acre-Feet) projected for 2013	
8r. Exchange or settlement of prior rights	

8s. All monthly reported diversion claimed under the prior rights	
8t. Amount (Acre-Feet) of reported diversion solely under contract	

5. Water Diversion Measurement		
a.	Measurement	Direct measurement using a device listed in Section 1 is "not locally cost effective" for water directly diverted and/or diverted to storage
b.	Types of measuring devices used	
c.	Additional technology used	
	Description of additional technology used	
d.	Who installed your measuring device(s)	
e.	Make, model number, and last calibration date of your measuring device(s)	
f.	Why direct measurement using a device listed in Section 1 is "not locally cost effective"	Other
	Explanation of why use of devices and technologies listed in Section 1 are "not locally cost effective"	There are no diversions for consumptive use; amount consumed by wildlife is not known.
g.	Method(s) used as an alternative to direct measurement	Other
	Explanation of method(s) used as an alternative to direct measurement	The amount reported is estimated based on historical use.

6. Purpose of Use	
Other	Wildlife

7. Changes in Method of Diversion

8. Conservation of Water		
a.	Are you now employing water conservation efforts?	No
	Describe any water conservation efforts you have initiated	
b.	Amount of water conserved	Acre-Feet
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	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 causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

11a. Additional Remarks
Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments		
File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	David
Last Name	Burdette
Relation to Water Right	Other: NPS (Primary Owner of Record) Employee
The information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2011

Primary Owner: U S NATIONAL PARK SERVICE
Statement Number: S011348
Date Submitted: 2013-08-09

1. Water is used under	Pre-1914 Claim
2. Year of first use	1900

3-4. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used			
Month	**Rate of diversion (GPM)**	**Amount directly diverted or collected to storage (Gallons)**	**Amount beneficially used (Gallons)**
January	0	250	250
February	0	250	250
March	0	250	250
April	0	250	250
May	0	250	250
June	0	250	250
July	0	250	250
August	0	250	250
September	0	250	250
October	0	250	250
November	0	250	250
December	0	250	250
Total		3000	3000
Comments			

5. Water Diversion Measurement	
a.	Measurement
b.	Types of measuring devices used
c.	Additional technology used
	Description of additional technology used
d.	Who installed your measuring device(s)
e.	Make, model number, and last calibration date of your measuring device(s)
f.	Why direct measurement using a device listed in Section 1 is "not locally cost effective"
	Explanation of why use of devices and technologies listed in Section 1 are "not locally cost effective"
g.	Method(s) used as an alternative to direct measurement
	Explanation of method(s) used as an alternative to direct measurement

6. Purpose of Use	
Other	Wildlife

7. Changes in Method of Diversion

8. Conservation of Water

a.	Are you now employing water conservation efforts?	No
	Describe any water conservation efforts you have initiated	
b.	Amount of water conserved	Acre-Feet
	I have data to support the above surface water use reductions due to conservation efforts.	

9. Water Quality and Wastewater Reclamation		
a.	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 causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

10. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

11a. Additional Remarks

This claim is now used in support of wildlife. There is no diversion; water is taken directly from the source. The amount reported is an estimate. Please note that the United States provides this information in the interest of comity and does not concede that the State has the power to regulate the rights of the United States to the use of water.

Attachments

File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Eric
Last Name	Lord
Relation to Water Right	Other
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2010

Primary Owner: U S NATIONAL PARK SERVICE
Statement Number: S011348
Date Submitted: 2012-09-10

1. Water is used under	Pre-1914 Claim
2. Year of first use	1900

3-4. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used			
Month	**Rate of diversion (GPM)**	**Amount directly diverted or collected to storage (Gallons)**	**Amount beneficially used (Gallons)**
January	0	250	250
February	0	250	250
March	0	250	250
April	0	250	250
May	0	250	250
June	0	250	250
July	0	250	250
August	0	250	250
September	0	250	250
October	0	250	250
November	0	250	250
December	0	250	250
Total		3000	3000

5. Purpose of Use	
Other	Wildlife

6. Changes in Method of Diversion

7. Conservation of Water		
a.	Are you now employing water conservation efforts?	No
	Describe any water conservation efforts you have initiated	
b.	Amount of water conserved	Acre-Feet
	I have data to support the above surface water use reductions due to conservation efforts.	

8. Water Quality and Wastewater Reclamation		
a.	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 causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

9. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

10a. Additional Remarks
This claim is now used in support of wildlife. There is no diversion; water is taken directly from the source. The amount reported is an estimate.

Attachments		
File Name	**Description**	**Size**
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Eric
Last Name	Lord
Relation to Water Right	
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

[SUMMARY OF FINAL SUBMITTED VERSION]

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FOR 2009

Primary Owner: U S NATIONAL PARK SERVICE
Statement Number: S011348
Date Submitted: 2012-09-10

1. Water is used under	Pre-1914 Claim
2. Year of first use	1900

3-4. Maximum Rate of Diversion for each Month and Amount of Water Diverted and Used

Month	Rate of diversion (GPD)	Amount directly diverted or collected to storage (Gallons)	Amount beneficially used (Gallons)
January	0	250	250
February	0	250	250
March	0	250	250
April	0	250	250
May	0	250	250
June	0	250	250
July	0	250	250
August	0	250	250
September	0	250	250
October	0	250	250
November	0	250	250
December	0	250	250
Total		3000	3000

5. Purpose of Use

Other	Wildlife

6. Changes in Method of Diversion

7. Conservation of Water

a.	Are you now employing water conservation efforts?	No
	Describe any water conservation efforts you have initiated	
b.	Amount of water conserved	Acre-Feet
	I have data to support the above surface water use reductions due to conservation efforts.	

8. Water Quality and Wastewater Reclamation

a.	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 causes?	No
b.	Amount of reduced diversion	
	Type of substitute water supply	
	Amount of substitute water supply used	
	I have data to support the above surface water use reductions due to the use of a substitute water supply	

9. Conjuctive Use of Surface Water and Groundwater		
a.	Are you now using groundwater in lieu of surface water?	No
b.	Amount of groundwater used	
	I have data to support the above surface water use reductions due to the use of groundwater.	

10a. Additional Remarks
This claim is now used in support of wildlife. There is no diversion; water is taken directly from the source. The amount reported is an estimate.

Attachments		
File Name	Description	Size
No Attachments		

Contact Information of the Person Submitting the Form	
First Name	Eric
Last Name	Lord
Relation to Water Right	Other
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

United States Department of the Interior

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

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:

July 24, 2012

L54 (2380)
MOJA/Water Rights

State Water Resources Control Board
Division of Water Rights
1001 I Street, 14th Floor
P.O. Box 2000
Sacramento, California 95812-2000
Attn: Kelli Garver

Re: Change of Purpose of Use of Pre-1914 Claims, Mojave National Preserve

Ms. Garver:

Please find attached a list of Pre-1914 Claims held by Mojave National Preserve. These claims were originally established for livestock watering purposes in conjunction with the grazing of cattle on federal land. The associated grazing allotments are located within or adjacent to Mojave National Preserve and have been retired. Consequently, these claims are now used for wildlife and recreation purposes.

Please accept this letter as our request to change your records to reflect a change in the purposes of use of these claims from livestock watering, to wildlife and recreation uses.

If you have any questions, please contact Eric Lord at (970) 225-3526, or by email at: eric_lord@nps.gov.

Sincerely,

Wm. R. Hansen

William R. Hansen
Chief, Water Rights Branch
National Park Service

Enclosure

cc: Mojave National Preserve – Superintendent Dubois
SOL (Lakewood) - Fahmy

2380 - Rosenlieb

MOJAVE NATIONAL PRESERVE
PRE-1914 CLAIMS

STATE ID	SOURCE	CURRENT USE
S10060	Beck Spring	Wildlife, Recreation
S10061	Bathtub Spring	Wildlife, Recreation
S10062	Coyote Spring	Wildlife, Recreation
S10063	Wildcat Spring	Wildlife, Recreation
S10065	Burro Spring	Wildlife, Recreation
S10066	Bullock Spring	Wildlife, Recreation
S10067	Mexican Water Spring	Wildlife, Recreation
S10068	Silver Lead Spring	Wildlife, Recreation
S10069	Marl Spring	Wildlife, Recreation
S11343	Kessler Spring	Wildlife, Recreation
S11344	Kessler Spring Wells	Wildlife, Recreation
S11345	Cut Springs	Wildlife, Recreation
S11346	White Rock Spring	Wildlife, Recreation
S11347	Live Oak Springs	Wildlife, Recreation
S11348	Cottonwood Spring	Wildlife, Recreation
S11349	Butcher Knife Canyon	Wildlife, Recreation
S11350	Sacaton Spring	Wildlife, Recreation
S13296	Sheephorn Spring	Wildlife, Recreation
S13297	Bull Canyon Spring	Wildlife, Recreation
S13298	Cottonwood Spring	Wildlife, Recreation
S13299	Budweiser Spring	Wildlife, Recreation
S13300	Willow Spring	Wildlife, Recreation
S13301	Lower Snake Spring	Wildlife, Recreation
S13302	Upper Snake Spring	Wildlife, Recreation
S13303	Cottonwood Spring 2	Wildlife, Recreation
S13304	Unnamed Spring	Wildlife, Recreation
S13305	Van Winkle Spring	Wildlife, Recreation
S13306	Coyote Spring	Wildlife, Recreation
S13307	Bighorn Spring	Wildlife, Recreation
S13308	Arrowweed Spring	Wildlife, Recreation
S13309	Quail Spring	Wildlife, Recreation
S13310	Upper Quail Spring	Wildlife, Recreation
S13311	Twin Springs	Wildlife, Recreation
S13312	Horse Hills Spring	Wildlife, Recreation
S13313	Unnamed Spring	Wildlife, Recreation
S13314	Unnamed Spring	Wildlife, Recreation
S13315	Cornfield Spring	Wildlife, Recreation
S13316	Dam Good Spring	Wildlife, Recreation

MOJAVE NATIONAL PRESERVE
PRE-1914 CLAIMS

STATE ID	SOURCE	CURRENT USES
S13317	Pipe Wrench Spring	Wildlife, Recreation
S13318	Bolder Spring	Wildlife, Recreation
S13319	Unnamed Spring	Wildlife, Recreation
S13429	Hackberry Spring	Wildlife, Recreation
S13430	Vontrigger Spring	Wildlife, Recreation
S13431	Hogaboom Spring	Wildlife, Recreation
S13432	Unnamed Spring	Wildlife, Recreation
S13433	Rock Springs	Wildlife, Recreation
S13434	Govt Holes Well	Wildlife, Recreation
S13435	Govt Holes Well	Wildlife, Recreation
S13436	Woods Canyon Spring	Wildlife, Recreation
S13437	Watson Well	Wildlife, Recreation
S13438	Black Diamond Spring	Wildlife, Recreation
S13439	Eagle Well	Wildlife, Recreation
S13440	Lanfair Well	Wildlife, Recreation
S13441	Payne Wells	Wildlife, Recreation
S13442	Carruthers Well	Wildlife, Recreation
S13443	Headquarters Well	Wildlife, Recreation
S13444	Brant Spring	Wildlife, Recreation
S13445	Cliff Canyon Spring	Wildlife, Recreation
S13446	4th of July Canyon	Wildlife, Recreation
S13447	Young Well	Wildlife, Recreation
S13448	Slaughter House Spring	Wildlife, Recreation
S13449	Unnamed Spring	Wildlife, Recreation
S13450	Hidden Spring	Wildlife, Recreation
S13451	Barnwell Wells	Wildlife, Recreation
S13452	Lecyr Well	Wildlife, Recreation
S13453	Hummingbird Spring	Wildlife, Recreation
S13454	Keystone Spring	Wildlife, Recreation
S13455	Carruthers Canyon	Wildlife, Recreation
S13456	Quail Spring	Wildlife, Recreation
S13457	Willow Spring	Wildlife, Recreation
S13458	Dove Spring	Wildlife, Recreation

SURNAME/FILES

State Water Resources Control Board

Alan C. Lloyd, Ph.D.
Agency Secretary

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

Arnold Schwarzenegge
Governor

In Reply Refer to:
363:LL:S011345, S011346,
S011348

October 21, 2005

Annie Kearns
Mojave National Preserve
2701 Barstow Road
Barstow, CA 92311

Robert C. Parker
1026 Poplar Street
Ramona, CA 92065

Dear Ms. Kearns and Mr. Parker:

STATEMENTS OF WATER DIVERSION AND USE 11345, 11346 AND 11348, CUT, WHITE ROCK AND COTTONWOOD SPRINGS IN SAN BERNARDINO COUNTY

On August 25, 2004, I sent a letter to Mr. Parker in which I advised him that the Division of Water Rights (Division) would change its records to indicate that he was the owner of the subject Statements of Water Diversion and Use (Statement). This action was based on his assertion to me that he was using water under the rights claimed in the Statements. I also sent a copy of the letter to Gary Overson of Cima, CA since I believed him to be the prior owner of the Statements.

I have since been informed by the National Park Service (NPS) that these Statements were assigned to the NPS by the Oversons in about 2000. I have found evidence of this assignment to the NPS in the Division's records. Therefore I should have notified the NPS of Mr. Parker's claim in 2004 by sending the NPS a copy of the August 25, 2004 letter. This would have provided the NPS the opportunity to object to the change in a timely manner.

In a letter dated October 18, 2005, the NPS advised the Division that it does not agree with the ownership change initiated on August 25, 2004. Therefore, the Division will cancel the ownership assignment made to Mr. Parker and return ownership to the National Park Service, since the NPS was shown as owner in Division records on August 25, 2004, not Mr. Overson.

In accordance with California Code of Regulations, Title 23, Division 3, Section 832, the State Water Resources Control Board will not undertake an action to determine the ownership of a water right. In this case, the Division's records will be changed to revert back to the ownership of record prior to Mr. Parker's contact with the Division. The Division will not make any further changes to its records until this matter is resolved to the mutual satisfaction of the parties involved or determined by a court.

California Environmental Protection Agency

SURNAME DWR 540	Linsley 10/21/05			

Please note that Statements of Water Diversion and Use do not authorize a water right. They are a statement submitted by a party to claim use of water under a type of water right not administered by the State Water Resources Control Board. Typically these Statements claim either a pre-1914 appropriative right or a riparian right.

If you have any questions concerning this letter, please call me at (916) 341-5345.

Sincerely,

Charles L. Lindsay
WRC Engineer
Compliance Unit

MLS/LL

United States Department of the Interior

NATIONAL PARK SERVICE
Mojave National Preserve
2701 Barstow Road
Barstow, California 92311

STATE WATER RESOURCES CONTROL BOARD

2005 OCT 19 PM 12: 54

DIV. OF WATER RIGHTS SACRAMENTO

IN REPLY REFER TO
L54 (MOJA)

October 18, 2005

Ms. Victoria Whitney, Division Chief
Division of Water Rights
State Water Resources Control Board
1001 I Street, 14th Floor
Sacramento, CA 95814

Dear Ms. Whitney:

The purpose of this letter is to correct a mistaken name change on three Statements of Use (SOU) by the Division of Water Rights (Division).

In August 2004 a Mr. Robert C. Parker sent a letter to the Division claiming to be legally exercising the water rights associated with three SOUs, 11345 (Cut Spring), 11346 (White Rock Spring and Well), and 11348 (Cottonwood Spring). In the letter Mr. Parker also claimed to have bought the property that includes Cut Spring.

Due to an apparent lapse in recordation whereby some Division files had not been updated to reflect change of ownership notifications sent by previous correspondents, the staff person assigned to the case did not contact the actual current owner of the SOUs, the National Park Service, but instead contacted the prior owners of the SOUs, Gary and Linda Overson. The SOUs in question had been assigned in 2000 by the Oversons to the National Park Service when their grazing lease was purchased and retired. In spite of notification regarding this transfer it appears that Division files did not reflect this change in ownership at the time Mr. Parker wrote his letter. Because the Oversons did not respond to the Division letter, the name change requested by Mr. Parker went through. Had the National Park Service been sent the Division notice, a letter challenging Mr. Parker's claim would have followed immediately.

Mr. Parker did recently purchase a privately held parcel of land within Mojave National Preserve. Cut Spring, however, does not sit on his parcel. He bought a 160-acre parcel known as the Cut Spring Homestead, the northern extension of which is uphill from Cut Spring, but his parcel does not include Cut Spring. Two historic hand-dug wells are located at the actual Homestead site, but there are no SOUs nor licenses associated with those wells (see enclosed land survey map). The water from Cut Spring was used for over 100 years by various grazing leaseholders, the last of who were the Oversons. Water from Cut Spring was never used at the homestead, and Mr. Parker never held a grazing lease in the area.

At this time the National Park Service seeks to have the ownership names on these SOUs changed to show that we are the rightful owners. A variety of documents supporting our claims are enclosed to this letter.

Thank you for your time in addressing this issue. If you have any further questions related to this matter, please call our park Hydrologist Ms. Annie Kearns at (760) 252-6144.

Sincerely,

Larry Whalon
Acting Superintendent

Enclosures:

- Copy of August 25, 2004 letter from Division to Parker
- Land Survey map: Cut Spring Area, larger scale
- Land Survey map: Cut Spring Area, smaller scale
- Most recent Supplemental Statement of Diversion and Use by Oversons
- Notice of Assignment for SOU 11345
- Notice of Assignment for SOU 11346
- Notice of Assignment for SOU 11348

cc: (with enclosures)

Charles L. Lindsay
WRC Engineer, License Unit

STATE WATER RESOURCES
CONTROL BOARD

2005 OCT 19 PM 12: 53

DIV. OF WATER RIGHTS
SACRAMENTO

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 657-2170, FAX: (916) 657-1485, Web: http://www.waterrights.ca.gov

NOTICE OF ASSIGNMENT

State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

Gentlemen:

I have assigned all my right, title, and interest in

Application S011348, Permit _____, License Cottonwood Spring

on file with the State Water Resources Control Board to:

National Park Service

whose address is:

222 E. Main Street, Suite 202
(Address)

Barstow
(City)

CA 92311
(State) (Zip code)

Telephone No. (760) 255-8801

Gary Overson
(Signature)

Linda Overson
(Signature)

Telephone No. (760) 928-2580

Dated: _____

APP-ASGN (1-00)

Terry Tamminen
Secretary for Environmental Protection

State Water Resources Control Board

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

Arnold Schwarzenegger
Governor

In Reply Refer to:
363:LL:S011345, S011346,
S011348

AUG 25 2004

Robert C. Parker
1026 Poplar Street
Ramona, CA 92065

Dear Mr. Parker:

STATEMENTS OF WATER DIVERSION AND USE 11345, 11346 AND 11348, CUT, WHITE ROCK AND COTTONWOOD SPRINGS IN SAN BERNARDINO COUNTY

You recently notified the Division of Water Rights (Division) that you are exercising the water rights claimed under the subject Statements of Water Diversion and Use (Statements) and that you have purchased the property that includes Cut Spring. Therefore, unless notified to the contrary within 30 days, Division records will be changed to show ownership of Statements 11345, 11346 and 11348 in the names of Robert C. Parker and Cody P. Parker. If you have any questions concerning this ownership assignment, please call me at (916) 341-5345.

Sincerely,

ORIGINAL SIGNED BY

Charles L. Lindsay
WRC Engineer
License Unit

cc: Gary Overson
P.O. Box 6
Cima, CA 92323

01-18-2001: To: Water Resources Division, National Park Service; From: Resource Management; Subject: List of Water Rights transferred to the National Park Service

Dan
Jeff A

United States Department of the Interior

NATIONAL PARK SERVICE
Mojave National Preserve
222 East Main Street, Suite 202
Barstow, California 92311

IN REPLY REFER TO:

N3617 (MOJA-RM)

January 18, 2001

Mr. Chuck Pettee
Water Resources Division
1201 Oak Ridge Drive, Ste 250
Ft. Collins, CO 80525

Dear ~~Mr. Pettee~~ Chuck:

Enclosed please find a list of water rights which has been transferred to the National Park Service. The State Water Resources Control Board will be changing their records to show the change in ownership.

If you have any questions you can contact me at 760-255-8818.

Sincerely,

Mike

Mike Reynolds, Chief
Resource Management

Enc.

State Water Resources Control Board

Division of Water Rights
1001 I Street, 14th Floor • Sacramento, California 95814 • (916) 341-5369
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000
FAX (916) 341-5400 • Web Site Address: http://www.swrcb.ca.gov
Division of Water Rights: http://www.waterrights.ca.gov

Winston H. Hickox
Secretary for Environmental Protection

Gray Davis
Governor

JAN 10 2000

JAN 08 2001

In Reply Refer
To:341:SO:435

U.S. National Park Service
222 E. Main Street, Suite 202
Barstow, CA 92311

Gentlemen:

LICENSES 866, 869, 870, 871, 872, 4746, 5516, 6229, AND 6230 (APPLICATIONS 435, 677, 678, 679,1929, 15271, 16964, 17272, AND 17612) AND STATEMENTS OF WATER DIVERSION AND USE NOS. 10060 THROUGH 10069, 11343 THROUGH 11350, 13429 THROUGH 13458 – VARIOUS SOURCES IN SAN BERNARDINO COUNTY

We have received a signed notice of assignment transferring title to the above water rights to you. Our records will be changed to show ownership of the following in the name of U.S. National Park Service:

LICENSE NO.	APPLICATION NO.
866	435
869	677
870	678
871	679
872	1929
4746	15271
5516	16964
6229	17272
6230	17612

STATEMENT OF WATER DIVERSION AND USE NO.

10060	11345	13435	13447
10061	11346	13436	13448
10062	11347	13437	13449
10063	11348	13438	13450
10064	11349	13439	13451
10065	11350	13440	13452
10066	13429	13441	13453
10067	13430	13442	13454
10068	13431	13443	13455
10069	13432	13444	13456
11343	13433	13445	13457
11344	13434	13446	13458

If I can be of further assistance, please write or call me at (916) 341-5369.

Sincerely,

Shige Okada

Shige Okada, Chief
Licensing Unit

cc: Gary and Linda Overson
P.O. Box 6
Cima, CA 92323

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 657-2170, FAX: (916) 657-1485, Web: http://www.waterrights.ca.gov

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

00 MAY 26 PM 2:16
DIV. OF WATER RIGHTS SACRAMENTO

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 2000

OWNER OF RECORD: GARY OVERSON, LINDA OVERSON

GARY OVERSON
PO BOX 6
CIMA, CA 92323

STATEMENT NO: S011348

S 0 1 1 3 4 8

SOURCE: COTTONWOOD SPRING
TRIBUTARY TO: COTTONWOOD CANYON
COUNTY: SAN BERNARDINO
DIVERSION
WITHIN: NW¼ OF NW¼ SECTION 8, T13N, R15E, SB&M.

TELEPHONE NUMBER: (619) 928-2580
YEAR OF FIRST USE: 1900
PARCEL NO:

A. Water is used under: Riparian claim _____ Pre 1914 right ✓ Other (explain); _____

B. Year of first use (Please provide if missing above) late 1800's

C. Amount of Use – Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons ____ Acre-feet ____ Other ____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1997	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
1998	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
1999	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering Approx. 20 hd; Domestic _____;

Other (specify) _____

E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

_____

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water
   a. Are you now employing water conservation efforts? YES ___ NO ___
   Describe any water conservation efforts you have initiated: _____

   b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right 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:

   Reductions in Diversions:

   19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

   Reductions in consumptive use:

   19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

   I have data to support the above surface water use reductions due to conservation efforts. YES ___ NO ___

AUG 29 2001

2. Water quality and wastewater reclamation

   a. 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 ✓.

   b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

   19_____ _____ (af/mg) 19_____ _____ (af/mg) 19_____ _____ (af/mg)
   I have data to support the above surface water use reductions due to wastewater reclamation. YES ___ NO ___

3. Conjunctive use of surface water and groundwater

   a. Are you now using groundwater in lieu of surface water? YES _____ NO _____.

   b. If credit toward use under a claimed pre 1914 appropriative right 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)
   I have data to support the above surface water use reductions due to conjunctive use efforts. YES ___ NO ___

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

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

DATE: 5-18, 2000 at Cima, California

SIGNATURE: Linda Oversen

PRINTED NAME: Linda Oversen
(first name) (middle init.) (last name)

COMPANY NAME:_____

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS
P.O. BOX 2000, SACRAMENTO, CA 95812-2000
(916) 657-2170

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1997

OWNER OF RECORD: GARY OVERSON, LINDA OVERSON

GARY OVERSON
PO BOX 6
CIMA, CA 92323

STATEMENT NO: S011348

S 0 1 1 3 4 8

SOURCE: COTTONWOOD SPRING
TRIBUTARY TO: COTTONWOOD CANYON
COUNTY: SAN BERNARDINO
DIVERSION
WITHIN: NW¼ OF NW¼ SECTION 8, T13N, R15E, SB&M.

TELEPHONE NUMBER: (619) 928-2580
YEAR OF FIRST USE: 1900
PARCEL NO:

A. Water is used under: Riparian claim _____; Pre 1914 right ✓; Other (explain): _____

B. Year of first use (Please provide if missing above) _____.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1994	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1995	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1996	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering 200 hd. approx. Domestic _____

Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

_____

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

_____

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

DATED: June 30, 19 97 **at** Cima, **California**

SIGNATURE: Linda Overson

PRINTED NAME: Gary / Linda (FIRST NAME) (MIDDLE INIT.) Overson (LAST NAME)

COMPANY NAME: Kissler Springs Ranch

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

WR 40-1

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same water shed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by a riparian and pre-1914 appropriative water users. The filing of a statement (1.) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

5-11 348

** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S011348
OWNER OF RECORD: GARY OVERSON

GARY OVERSON
P O BOX 6
CIMA, CA 92323

STATE WATER RESOURCES CONTROL BOARD
1995 MAY 23 PM 3: 22
DIV. OF WATER RIGHTS
SACRAMENTO

SOURCE: COTTONWOOD SPRING
TRIBUTARY TO: COTTONWOOD CANYON
COUNTY: SAN BERNARDINO
DIVERSION
WITHIN: NW¼ OF NW¼ SECTION 8, T13N, R15E, MDB&S.

TELEPHONE NUMBER:
( ) -
YEAR OF FIRST USE: 1900
PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995.

A. Water is used under: Riparian claim _____; Pre 1914 right ✓; Other (explain) _____

B. Year of first use (Please provide if missing above) _____.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ❑ Gallons ❑ Acre-feet ❑ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC	TOTAL ANNUAL
1992	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1993	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1994	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering 200 hd approx.; Domestic _____
Other (specify) _____

*** CONTINUE ON BACK PAGE ***

***** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS *****

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

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

DATED: April 26, 1995, at Cima, California

SIGNATURE: Linda Overson

PRINTED NAME: Linda (FIRST NAME) (M. NAME) Overson (LAST NAME)

COMPANY NAME: DBA: Kissler Springs Ranch

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

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"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE OF CALIFORNIA
S TE WATER RESOURCES CONTROL B RD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503
(916) 324-5676

STATE WATER RESOURCES CONTROL BOARD
RECEIVED
DIV. OF WATER RIGHTS
SACRAMENTO

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: 011348

DIVERTER OF RECORD:

GARY & LINDA OVERSON
P O BOX 6
CIMA, CA 92323

TELEPHONE NUMBER:
( ) -

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

SOURCE: COTTONWOOD SPRING

TRIBUTARY TO: COTTONWOOD CANYON

COUNTY: SAN BERNARDINO

DIVERSION
WITHIN: NW1/4 OF NW1/4 SECTION 08, T13N, R15E, SBB&M.

INSTRUCTIONS: Please complete Items A. B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1992. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1989	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1990	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1991	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering approx 200 hd cattle

Domestic _____

Other (specify) _____

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

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

DATED: Feb. 5, 19 92, at Cima, California

Signature: Linda Overson

WR 40-1 (11/85)

1991

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE OF CALIFORNIA
S TE WATER RESOURCES CONTROL B RD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 324-5676

STATE WATER RESOURCES CONTROL BOARD
1989 JAN -9 PM 3:45
DIV. OF WATER RIGHTS SACRAMENTO

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: 011348

DIVERTER OF RECORD:

GARY & LINDA OVERSON
P O BOX 6
CIMA, CA 92323

TELEPHONE NUMBER:
( ) -

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

SOURCE: COTTONWOOD SPRING

TRIBUTARY TO: COTTONWOOD CANYON

COUNTY: SAN BERNARDINO

DIVERSION
WITHIN: NW1/4 OF NW1/4 SECTION 08, T13N, R15E, SBB&M.

INSTRUCTIONS: Please complete Items A. B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1989. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ _____ (other)

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

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering 200 head Cattle

Domestic _____

Other (specify) _____

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

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

DATED: Jan. 4, 19 89, at Cima, California

Signature: Linda Overson

WR 40-I (11/85)
1201

JAN 17 1989 KSN

1988

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

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"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE OF CALIFORNIA

S-11348

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

S11348

STATEMENT OF WATER DIVERSION AND USE

(This is not a Water Right)

This statement should be typewritten or legibly written in ink.

STATE WATER RESOURCES CONTROL BOARD
DEC 8 7 01 AM '83
DIV. OF WATER RIGHTS
SACRAMENTO

A. Name of person diverting water Gary + Linda Overson
Address P.O Box 6 Cima Cal. 92323 Telephone: None

B. Name of body of water at point of diversion Cottonwood Spring
Tributary to Cottonwood Canyon

C. Place of diversion NW ¼ NW ¼ Section 8, Township 13N, Range 15E, S B&M, San Bernardino County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works Cottonwood Spring

E. Capacity of diversion works _____ cubic feet per second / gallons per minute
Capacity of storage reservoir _____ gallons / acre-feet

State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1970-1982	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years _____ gallons / acre-feet
Minimum annual water use in recent years _____ gallons / acre-feet
Type of diversion facility: gravity ✓, pump ___

Method of measurement: weir ___, flume ___, electric power meter ___, water meter ___, estimate ___

F. Purpose of use (what water is being used for) Stock water for 200 hd. of cattle year around

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)

H. Year of first use as nearly as known Early 1900's

I. Name of person filing statement Gary + Linda Overson
Position Owner Organization Kessler Springs Ranch
Address P.O. Box 6 Cima Cal. 92323 Telephone: None

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.
DATED: Nov. 17, 19 83, at Cima, California.

Signature: Gary Overson
Linda Overson

See Instructions on Reverse Side

SWRCB 40 (7/77)

NN-45

03 HISTORY

Mojave National Preserve

COTTONWOOD SPRING TRIBUTARY TO COTTONWOOD CANYON (S011348)

Land History

National Park Service
U. S. Department of the Interior
Natural Resource Stewardship & Science
Water Resources Division

1201 Oakridge Dr., Ste. 250
Fort Collins, CO 80525
970-225-3548 phone
970-225-9965 fax

Water Rights Branch

Note to File

Date: May 22, 2024
From: Alexa Kreiling, WRB Water Rights Research Assistant
File: MOJA Technical Report
Subject: Land History
Activation: California Desert Protection Act of 1994 – June 3, 1995

Director, National Park Service and Director, Bureau of Land Management. 1995. To: National Park Service, WASO Directorate and Others. Re: Activation: California Desert Protection Act of 1994 – June 3, 1995
IRMA – Data Store – Published Report – (Code: 2229521)
DataStore - Activation: California Desert Protection Act of 1994 – June 3, 1995 (nps.gov)

The purpose of this memorandum is to outline the actions that need to be taken to implement the California Desert Protection Act of 1994 and indicate the responsible officials. Its primary audience is park managers, staff, and the interested public. Its objectives are to provide an administrative history, outline steps for activating the act's provisions, and clarify the responsibilities of federal and state officials. Key aims include designating and managing new wilderness areas and national parks, protecting natural resources, preserving traditional land uses like grazing, and coordinating law enforcement and land management activities. The document is crucial for guiding the effective management and preservation of the protected areas.

National Park Service
U. S. Department of the Interior
Natural Resource Stewardship & Science
Water Resources Division

1201 Oakridge Dr., Ste. 250
Fort Collins, CO 80525
970-225-3548 phone
970-225-9965 fax

Water Rights Branch

Note to File

Date: May 23, 2016
From: Joseph Chafey, WRB Hydrologist
File: MOJA Dockets with Grazing Allotment Water Rights
Subject: Land History
From Neglected Space to Protected Place: An Administrative History of Mojave National Preserve by Eric Charles Nystrom, March 2003

Nystrom EC and Great Basin CESU. 2003. From Neglected Space to Protected Place: An Administrative History of Mojave National Preserve. Administrative History
IRMA – Data Store – Published Report – (Code: 650008)
https://irma.nps.gov/DataStore/Reference/Profile/650008

Description

Report on the formation and management of Mojave National Preserve. Information on mining issues, resources, and threats to the Preserve are included.

Chapter 8 – Administrative History (excerpt)

For Mojave National Preserve, grazing is a controversial and important issue that cannot be ignored. Widespread political and cultural overtones help make grazing a sensitive issue for everyone involved. As such, park management tread carefully but deliberately in the arena of grazing management. The Park Service has long viewed grazing as antithetical to its mission, permitting the activity in certain parks only when political circumstances absolutely required it. Park Service culture and policy have historically limited grazing in national parks, initially to differentiate itself from the Forest Service, and in later years to help maintain ecosystems. The long history of grazing in Mojave National Preserve and permission for its continuation in perpetuity by legislative action complicates natural resource decisions, making the goal of a functioning pre-grazing ecosystem frustratingly difficult to achieve.

At the time Mojave National Preserve was established, all or part of eleven BLM grazing allotments, established under the 1934 Taylor Grazing Act, were included within the park. Superintendent Marvin Jensen brought a background in range conservation with him and established a friendly management tone toward grazers. All existing operations were issued NPS permits to continue with their ranching activity, and management of the range did not differ substantially from BLM activity.

The Park Service also took concrete steps toward limiting grazing when possible, providing that the situation was politically feasible. The portion of the Piute allotment within the park was for ephemeral forage only and was in desert tortoise habitat. Management decided that any ephemeral forage must, at behest of the Desert Tortoise Recovery Plan, be used by the desert tortoise, so a permit to graze ephemeral forage would never be issued. A second allotment, Crescent Peak, was owned by a conservation group, who had purchased it as part of a move to

eliminate grazing in southern Nevada. Since no active grazing was taking place, the permit was retired. Not long after the creation of the Preserve, the rancher who held the Clark Mountain grazing allotment passed away, and Park Service regulations forbid the issue of a permit for renewed operations there. Irene Ausmus held the Round Valley allotment, just large enough for her to keep her two pet cows in feed, but not so big as to cause significant resource issues for the park.

Major cattle operations in Mojave National Preserve were essentially controlled by three groups. The Overson family was responsible for the largest share of the acreage, with the OX and Kessler Springs ranches owned by Gary and Linda Overson, and the Granite Mountains ranch owned by their son, Clay Overson. Next in size were the Valley View and Valley Wells allotments, both owned by Richard Blincoe, an Idaho agriculturalist, and managed by Tim Overson. The Blair family operated the 7IL Ranch on the Colton Hills and Gold Valley allotments. During the CDPA debate, the Blairs worked to preserve their ranching way of life, and an original clause that specified a twenty five year sunset on Mojave ranching was removed from the bill largely as a result of their efforts. In 2001, the park concluded an arrangement begun in 1998 where the 40 acres of park land that included the 7IL Ranch headquarters were swapped to the Blairs for 40 acres of undisturbed land in critical desert tortoise habitat owned by the ranching family. Touted as a "win-win" situation for the Blairs and the Park Service, the deal also showed locals that the government was not out to destroy family ranchers in the Preserve.

Ranch lands are identified in the California Desert Protection Act as top priorities for acquisitions. In contrast to the Blairs' opposition to the CDPA, Gary Overson specifically requested that his ranchlands be included in the park, to guarantee an acceptable purchase price should he decide to sell his property. Beginning in 1995, Deputy Superintendent Mary Martin worked to coordinate the sale of Overson's ranch to the National Parks Conservation Fund, but after years of contract negotiations, the deal fell through at least in part as a result of strict timelines and reluctance on the part of BLM. Undaunted, Martin sought another donor, but Overson doubted the ability of the Park Service to complete a buyout, as a result of the earlier failed experiment. Overson looked for another private buyer for his ranch, but the park made it clear to the buyer that issuance of a new grazing permit "is not certain" and that "the application process ... is subject to lengthy and potentially costly delays and complex administrative and legal procedures and challenges." As a trial run, Mojave National Preserve and the National Park Foundation worked to move the Granite Mountains Ranch, owned by Overson's son, to NPS control. The deal was completed in April 2000, and set the stage for the park's successful acquisition of Gary Overson's holdings in January 2001. In 2002, Blincoe also agreed to sell his ranches to the park.

The effect of the Overson and Blincoe allotment acquisitions cannot be overstated. Total grazing in the Mojave National Preserve was reduced from some 37,000 Animal Unit Months (AUMs) to approximately 4,000 AUMs, leaving the 7IL as the only major cattle ranch in the Preserve. The elimination of grazing will move the formerly grazed lands closer toward a goal of a more naturally functioning ecosystem. The Park Service also gained control of a tremendous number and variety of structures associated with cattle ranching in the eastern Mojave desert. In 2002, a consultant produced a National Register district nomination for the Overson properties, signifying their historic importance to the east Mojave; future plans may include interpretive programs and utilizing some structures for NPS employee housing. The ranches acquired by Mojave National Preserve included some private lands among the holdings, but the most valuable assets to the park were the grazing permits and the ranchers' water rights.

United States Department of the Interior

NATIONAL PARK SERVICE
Pacific West Region
Pacific Land Resources Program Center
1111 Jackson Street, Suite 700
Oakland, California 94607

IN REPLY REFER TO:

L1429

SEP 24 2003

Memorandum

To: Chief, National Program Center, Land Resources Division, WASO

From: Chief, Pacific Land Resources Program Center, PWR

Subject: Transmittal of Deed Assembly

Area: Mojave NP

Tract No.: See Exhibit "A"

Landowner: PUBLIC DOMAIN (BLM)

Deed No.: 2

State: California

County: San Bernardino

The original documents for this subject acquisition are transmitted herewith as follows:

( ) 1. Recorded Deed

( ) 2. Final Title Opinion

( ) 3. Final Title Insurance

( ) 4. Certificate of Inspection & Possession

( ) 5. Payment and Closing Sheet

( ) 6. Accepted Offer to Sell

( ) 7. Hazardous Materials Survey

( ) 8. Administrative Certificate/ Waiver

( ) 9. Lis Pendens

( ) 10. Complaint/DT

( ) 11. Judgment

(X) 12. Public Law 103-433 10/31/94

Jordan S. Humphrey

MOJAVE NP

TRACT	LANDOWNER	MOA	ACRES	CONVEYED
101-01	PUBLIC DOMAIN (BLM)	WITHDR	35,429.09	10/31/94
102-01	PUBLIC DOMAIN (BLM)	WITHDR	17,922.00	10/31/94
103-01	PUBLIC DOMAIN (BLM)	WITHDR	12,321.46	10/31/94
104-01	PUBLIC DOMAIN (BLM)	WITHDR	10,176.00	10/31/94
105-01	PUBLIC DOMAIN (BLM)	WITHDR	2,591.00	10/31/94
106-01	PUBLIC DOMAIN (BLM)	WITHDR	21,553.00	10/31/94
107-01	PUBLIC DOMAIN (BLM)	WITHDR	21,983.00	10/31/94
108-01	PUBLIC DOMAIN (BLM)	WITHDR	22,089.43	10/31/94
109-01	PUBLIC DOMAIN (BLM)	WITHDR	20,342.00	10/31/94
110-01	PUBLIC DOMAIN (BLM)	WITHDR	22,294.00	10/31/94
111-01	PUBLIC DOMAIN (BLM)	WITHDR	22,214.00	10/31/94
112-01	PUBLIC DOMAIN (BLM)	WITHDR	14,578.00	10/31/94
113-01	PUBLIC DOMAIN (BLM)	WITHDR	6,075.00	10/31/94
114-01	PUBLIC DOMAIN (BLM)	WITHDR	11,490.00	10/31/94
115-01	PUBLIC DOMAIN (BLM)	WITHDR	21,417.00	10/31/94
116-01	PUBLIC DOMAIN (BLM)	WITHDR	22,170.00	10/31/94
117-01	PUBLIC DOMAIN (BLM)	WITHDR	23,271.00	10/31/94
118-01	PUBLIC DOMAIN (BLM)	WITHDR	17,577.30	10/31/94
119-01	PUBLIC DOMAIN (BLM)	WITHDR	15,608.11	10/31/94
120-01	PUBLIC DOMAIN (BLM)	WIHTDR	16,152.35	10/31/94
121-01	PUBLIC DOMAIN (BLM)	WITHDR	24,392.45	10/31/94
122-01	PUBLIC DOMAIN (BLM)	WITHDR	13,071.47	10/31/94
123-01	PUBLIC DOMAIN (BLM)	WITHDR	11,511.00	10/31/94
124-01	PUBLIC DOMAIN (BLM)	WITHDR	6,331.00	10/31/94
125-01	PUBLIC DOMAIN (BLM)	WITHDR	20,490.00	10/31/94
126-01	PUBLIC DOMAIN (BLM)	WITHDR	10,236.00	10/31/94
127-01	PUBLIC DOMAIN (BLM)	WITHDR	16,674.48	10/31/94
128-01	PUBLIC DOMAIN (BLM)	WIHTDR	18,071.41	10/31/94
129-01	PUBLIC DOMAIN (BLM)	WITHDR	15,640.23	10/31/94
130-01	PUBLIC DOMAIN (BLM)	WITHDR	22,456.00	10/31/94
131-01	PUBLIC DOMAIN (BLM)	WITHDR	23,522.00	10/31/94
131-04	PUBLIC DOMAIN (BLM)	WITHDR	80.00	10/31/94
132-01	PUBLIC DOMAIN (BLM)	WITHDR	21,867.27	10/31/94
133-01	PUBLIC DOMAIN (BLM)	WITHDR	22,860.12	10/31/94
134-01	PUBLIC DOMAIN (BLM)	WITHDR	19,882.57	10/31/94
135-01	PUBLIC DOMAIN (BLM)	WITHDR	9,575.00	10/31/94
135-10	PUBLIC DOMAIN (BLM)	WITHDR	146.60	10/31/94
136-01	PUBLIC DOMAIN (BLM)	WITHDR	10,189.04	10/31/94
137-01	PUBLIC DOMAIN (BLM)	WIHTDR	21,619.27	10/31/94
138-01	PUBLIC DOMAIN (BLM)	WITHDR	21,766.02	10/31/94
139-01	PUBLIC DOMAIN (BLM)	WITHDR	21,727.94	10/31/94
140-01	PUBLIC DOMAIN (BLM)	WITHDR	23,664.00	10/31/94
141-01	PUBLIC DOMAIN (BLM)	WITHDR	22,647.00	10/31/94
142-01	PUBLIC DOMAIN (BLM)	WITHDR	21,549.00	10/31/94
143-01	PUBLIC DOMAIN (BLM)	WITHDR	20,157.47	10/31/94
144-01	PUBLIC DOMAIN (BLM)	WITHDR	10,660.77	10/31/94

MOJAVE NP

TRACT	LANDOWNER	MOA	ACRES	CONVEYED
145-01	PUBLIC DOMAIN (BLM)	WIHTDR	11,189.11	10/31/94
146-01	PUBLIC DOMAIN (BLM)	WITHDR	25,688.24	10/31/94
147-01	PUBLIC DOMAIN (BLM)	WITHDR	19,509.74	10/31/94
148-01	PUBLIC DOMAIN (BLM)	WITHDR	16,796.72	10/31/94
149-01	PUBLIC DOMAIN (BLM)	WITHDR	16,861.68	10/31/94
150-01	PUBLIC DOMAIN (BLM)	WITHDR	22,481.49	10/31/94
151-01	PUBLIC DOMAIN (BLM)	WITHDR	22,605.00	10/31/94
152-01	PUBLIC DOMAIN (BLM)	WITHDR	23,379.00	10/31/94
153-01	PUBLIC DOMAIN (BLM)	WIHTDR	23,366.00	10/31/94
153-04	PUBLIC DOMAIN (BLM)	WIHTDR	1.95	10/31/94
153-05	PUBLIC DOMAIN (BLM)	WIHTDR	2.07	10/31/94
154-01	PUBLIC DOMAIN (BLM)	WITHDR	21,753.18	10/31/94
155-01	PUBLIC DOMAIN (BLM)	WITHDR	15,679.47	10/31/94
156-01	PUBLIC DOMAIN (BLM)	WITHDR	8,996.12	10/31/94
157-01	PUBLIC DOMAIN (BLM)	WITHDR	4,917.25	10/31/94
158-01	PUBLIC DOMAIN (BLM)	WITHDR	17,587.00	10/31/94
159-01	PUBLIC DOMAIN (BLM)	WITHDR	19,822.00	10/31/94
160-01	PUBLIC DOMAIN (BLM)	WITHDR	19,802.00	10/31/94
161-01	PUBLIC DOMAIN (BLM)	WIHTDR	10,099.00	10/31/94
162-01	PUBLIC DOMAIN (BLM)	WITHDR	14,894.00	10/31/94
163-01	PUBLIC DOMAIN (BLM)	WITHDR	13,298.00	10/31/94
164-01	PUBLIC DOMAIN (BLM)	WITHDR	14,153.00	10/31/94
165-01	PUBLIC DOMAIN (BLM)	WITHDR	13,437.00	10/31/94
166-01	PUBLIC DOMAIN (BLM)	WITHDR	5,163.00	10/31/94
167-01	PUBLIC DOMAIN (BLM)	WITHDR	3,678.00	10/31/94
168-01	PUBLIC DOMAIN (BLM)	WITHDR	15,863.00	10/31/94
169-01	PUBLIC DOMAIN (BLM)	WITHDR	15,487.00	10/31/94
170-01	PUBLIC DOMAIN (BLM)	WIHTDR	16,168.00	10/31/94
171-01	PUBLIC DOMAIN (BLM)	WITHDR	12,696.00	10/31/94
172-01	PUBLIC DOMAIN (BLM)	WITHDR	21,093.00	10/31/94
173-01	PUBLIC DOMAIN (BLM)	WITHDR	22,260.00	10/31/94
174-01	PUBLIC DOMAIN (BLM)	WITHDR	19,754.00	10/31/94
175-01	PUBLIC DOMAIN (BLM)	WITHDR	2,609.00	10/31/94
176-01	PUBLIC DOMAIN (BLM)	WITHDR	22,344.16	10/31/94
177-01	PUBLIC DOMAIN (BLM)	WITHDR	18,354.00	10/31/94
178-01	PUBLIC DOMAIN (BLM)	WIHTDR	12,696.00	10/31/94
179-01	PUBLIC DOMAIN (BLM)	WITHDR	4,515.00	10/31/94
180-01	PUBLIC DOMAIN (BLM)	WITHDR	2,518.00	10/31/94
181-01	PUBLIC DOMAIN (BLM)	WITHDR	280.00	10/31/94
184-01	PUBLIC DOMAIN (BLM)	WITHDR	5,141.65	10/31/94
185-01	PUBLIC DOMAIN (BLM)	WITHDR	3,180.89	10/31/94
186-01	PUBLIC DOMAIN (BLM)	WITHDR	4,162.70	10/31/94
189-01	PUBLIC DOMAIN (BLM)	WIHTDR	3,274.77	10/31/94

NATIONAL PARK SERVICE
TRACTS CONVEYED BETWEEN 10/31/1994 AND 10/31/1994 FOR MOJAVE NATIONAL PRESERVE
RUN DATE: 09/18/2003

AREA: MOJAVE NATIONAL PRESERVE

AREA	TRACT	LANDOWNER	ACRES	CONVEYED	AMOUNT	ESTATE	MOA	STATUS	ST	COUNTY	NEGOTIATOR
8386	101-01	PUBLIC DOMAIN (BLM)	35,429.09	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	102-01	PUBLIC DOMAIN (BLM)	17,922.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	103-01	PUBLIC DOMAIN (BLM)	12,321.46	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	104-01	PUBLIC DOMAIN (BLM)	10,176.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	105-01	PUBLIC DOMAIN (BLM)	2,591.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	106-01	PUBLIC DOMAIN (BLM)	21,553.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	107-01	PUBLIC DOMAIN (BLM)	21,983.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	108-01	PUBLIC DOMAIN (BLM)	22,089.43	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	109-01	PUBLIC DOMAIN (BLM)	20,342.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	110-01	PUBLIC DOMAIN (BLM)	22,294.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	111-01	PUBLIC DOMAIN (BLM)	22,214.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	112-01	PUBLIC DOMAIN (BLM)	14,578.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	113-01	PUBLIC DOMAIN (BLM)	6,075.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	114-01	PUBLIC DOMAIN (BLM)	11,490.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	115-01	PUBLIC DOMAIN (BLM)	21,417.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	116-01	PUBLIC DOMAIN (BLM)	22,170.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	117-01	PUBLIC DOMAIN (BLM)	23,271.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	118-01	PUBLIC DOMAIN (BLM)	17,577.30	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	119-01	PUBLIC DOMAIN (BLM)	15,608.11	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	120-01	PUBLIC DOMAIN (BLM)	16,152.35	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	121-01	PUBLIC DOMAIN (BLM)	24,392.45	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	122-01	PUBLIC DOMAIN (BLM)	13,071.47	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	123-01	PUBLIC DOMAIN (BLM)	11,511.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	124-01	PUBLIC DOMAIN (BLM)	6,331.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	125-01	PUBLIC DOMAIN (BLM)	20,490.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	126-01	PUBLIC DOMAIN (BLM)	10,236.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	127-01	PUBLIC DOMAIN (BLM)	16,674.48	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	128-01	PUBLIC DOMAIN (BLM)	18,071.41	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	129-01	PUBLIC DOMAIN (BLM)	15,640.23	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	130-01	PUBLIC DOMAIN (BLM)	22,456.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	131-01	PUBLIC DOMAIN (BLM)	23,522.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	131-04	PUBLIC DOMAIN (BLM)	80.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	132-01	PUBLIC DOMAIN (BLM)	21,867.27	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	133-01	PUBLIC DOMAIN (BLM)	22,860.12	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	134-01	PUBLIC DOMAIN (BLM)	19,882.57	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	135-01	PUBLIC DOMAIN (BLM)	9,575.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	135-10	PUBLIC DOMAIN (BLM)	146.60	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	136-01	PUBLIC DOMAIN (BLM)	10,189.04	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	137-01	PUBLIC DOMAIN (BLM)	21,619.27	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	138-01	PUBLIC DOMAIN (BLM)	21,766.02	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	139-01	PUBLIC DOMAIN (BLM)	21,727.94	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	140-01	PUBLIC DOMAIN (BLM)	23,664.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	141-01	PUBLIC DOMAIN (BLM)	22,647.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	CHULLA
8386	142-01	PUBLIC DOMAIN (BLM)	21,549.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	

NATIONAL PARK SERVICE
TRACTS CONVEYED BETWEEN 10/31/1994 AND 10/31/1994 FOR MOJAVE NATIONAL PRESERVE
RUN DATE: 09/18/2003

AREA: MOJAVE NATIONAL PRESERVE

AREA	TRACT	LANDOWNER	ACRES	CONVEYED	AMOUNT	ESTATE	MOA	STATUS	ST	COUNTY	NEGOTIATOR
8386	143-01	PUBLIC DOMAIN (BLM)	20,157.47	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	144-01	PUBLIC DOMAIN (BLM)	10,660.77	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	145-01	PUBLIC DOMAIN (BLM)	11,189.11	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	146-01	PUBLIC DOMAIN (BLM)	25,688.24	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	147-01	PUBLIC DOMAIN (BLM)	19,509.74	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	148-01	PUBLIC DOMAIN (BLM)	16,796.72	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	149-01	PUBLIC DOMAIN (BLM)	16,861.68	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	150-01	PUBLIC DOMAIN (BLM)	22,481.49	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	151-01	PUBLIC DOMAIN (BLM)	22,605.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	152-01	PUBLIC DOMAIN (BLM)	23,379.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	153-01	PUBLIC DOMAIN (BLM)	23,366.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	153-04	PUBLIC DOMAIN (BLM)	1.95	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	153-05	PUBLIC DOMAIN (BLM)	2.07	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	154-01	PUBLIC DOMAIN (BLM)	21,753.18	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	155-01	PUBLIC DOMAIN (BLM)	15,679.47	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	156-01	PUBLIC DOMAIN (BLM)	8,996.12	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	157-01	PUBLIC DOMAIN (BLM)	4,917.25	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	158-01	PUBLIC DOMAIN (BLM)	17,587.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	159-01	PUBLIC DOMAIN (BLM)	19,822.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	160-01	PUBLIC DOMAIN (BLM)	19,802.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	161-01	PUBLIC DOMAIN (BLM)	10,099.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	162-01	PUBLIC DOMAIN (BLM)	14,894.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	163-01	PUBLIC DOMAIN (BLM)	13,298.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	164-01	PUBLIC DOMAIN (BLM)	14,153.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	165-01	PUBLIC DOMAIN (BLM)	13,437.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	166-01	PUBLIC DOMAIN (BLM)	5,163.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	167-01	PUBLIC DOMAIN (BLM)	3,678.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	168-01	PUBLIC DOMAIN (BLM)	15,863.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	169-01	PUBLIC DOMAIN (BLM)	15,487.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	170-01	PUBLIC DOMAIN (BLM)	16,168.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	171-01	PUBLIC DOMAIN (BLM)	12,696.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	172-01	PUBLIC DOMAIN (BLM)	21,093.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	173-01	PUBLIC DOMAIN (BLM)	22,260.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	174-01	PUBLIC DOMAIN (BLM)	19,754.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	175-01	PUBLIC DOMAIN (BLM)	2,609.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	176-01	PUBLIC DOMAIN (BLM)	22,344.16	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	177-01	PUBLIC DOMAIN (BLM)	18,354.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	178-01	PUBLIC DOMAIN (BLM)	12,696.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	179-01	PUBLIC DOMAIN (BLM)	4,515.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	180-01	PUBLIC DOMAIN (BLM)	2,518.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	181-01	PUBLIC DOMAIN (BLM)	280.00	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	184-01	PUBLIC DOMAIN (BLM)	5,141.65	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	185-01	PUBLIC DOMAIN (BLM)	3,180.89	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
8386	186-01	PUBLIC DOMAIN (BLM)	4,162.70	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	

NATIONAL PARK SERVICE
TRACTS CONVEYED BETWEEN 10/31/1994 AND 10/31/1994 FOR MOJAVE NATIONAL PRESERVE
RUN DATE: 09/18/2003

AREA: MOJAVE NATIONAL PRESERVE

AREA	TRACT	LANDOWNER	ACRES	CONVEYED	AMOUNT	ESTATE	MOA	STATUS	ST	COUNTY	NEGOTIATOR
8386	189-01	PUBLIC DOMAIN (BLM)	3,274.77	10/31/1994	0.00	FEE	WTHDR	FED	CA	SAN BERNARDINO	
	89 TRACTS		1,355,599.04		0.00						

AREA: MOJAVE NATIONAL PRESERVE, CALIFORNIA

AUTHORIZATION
Act of October 31, 1994 (P.L. 103-433), established Mojave National Preserve.

ACQUISITION AUTHORITY
Act of October 31, 1994, authorized acquisition by donation, purchase or exchange. Privately owned lands may be acquired only with the consent of the owner unless the owner's use or proposed use of the land is deemed incompatible with the purposes of the preserve. Construction or modification of a single-family residence shall not be considered incompatible with purposes of the preserve. Lands or interests owned by the State of California, or any political subdivision thereof, may be acquired only by donation or exchange, except for lands managed by the California State Lands Commission. The act authorized the transfer to the National Park Service (NPS), without consideration, of described lands under the jurisdiction of the Bureau of Land Management (BLM). The act provides that if a person holding a grazing permit is willing to convey to the United States any base property with respect to which such permit was issued, the Secretary shall make the acquisition of such base property a priority.

ESTABLISHED
October 31, 1994

BOUNDARY REVISIONS
None

ACREAGE LIMITATIONS
None

STATUTORY CEILING FOR LAND ACQUISITION
Act of October 31, 1994, authorized appropriations for land acquisition by NPS and BLM not to exceed a total of $300,000,000.

REMARKS
Act of October 31, 1994, requires that:
(1) Until acquired by the United States, no non-Federal lands within the park boundary shall be subject to rules or regulations applicable solely to Federal lands within such boundary.
(2) None of the lands within the park boundary shall be granted to or otherwise made available for use by the Metropolitan Water District pursuant to the Boulder Canyon Project Act or any similar acts.
(3) Upon request of the California State Lands Commission, the Secretary shall negotiate to acquire by exchange State School lands within the boundaries of the park system units designated by the act. Until all such State school lands have been acquired, no Federal lands or interests within the State of California may be disposed of prior to providing the State an opportunity to enter into an exchange of those Federal lands for State School lands.
(4) Lands and interests in land to be acquired pursuant to this act shall be appraised without regard to the presence of a threatened or endangered species.

AREA NUMBERS
MIS -

January 19, 1995

MOJAVE NP DEED #2

Such activities shall be conducted in a manner which will minimize the impact on park resources. Nothing in this title shall have the effect of terminating the fee title to lands or customary operation, maintenance, repair, and replacement activities on or under such lands granted to the Metropolitan Water District pursuant to the Act of June 18, 1932 (47 Stat. 324), which are located on lands included in the Joshua Tree National Park, but outside lands designated as wilderness under section 601(a)(2). Such activities shall be conducted in a manner which will minimize the impact on park resources. The Secretary shall prepare within one hundred and eighty days after the date of enactment of this Act, in consultation with the Metropolitan Water District, plans for emergency access by the Metropolitan Water District to its lands and rights-of-way.

SEC. 407. JOSHUA TREE NATIONAL PARK ADVISORY COMMISSION.

(a) The Secretary shall establish an Advisory Commission of no more than fifteen members, to advise the Secretary concerning the development and implementation of a new or revised comprehensive management plan for Joshua Tree National Park.

(b)(1) The advisory commission shall include an elected official for each County within which any part of the park is located, a representative of the owners of private properties located within or immediately adjacent to the park, and other members representing persons actively engaged in grazing and range management, mineral exploration and development, and persons with expertise in relevant fields, including geology, biology, ecology, law enforcement, and the protection and management of National Park resources and values.

(2) Vacancies in the advisory commission shall be filled by the Secretary so as to maintain the full diversity of views required to be represented on the advisory commission.

(c) The Federal Advisory Committee Act shall apply to the procedures and activities of the advisory commission.

(d) The advisory commission shall cease to exist ten years after the date of its establishment.

TITLE V—MOJAVE NATIONAL PRESERVE

SEC. 501. FINDINGS.

The Congress hereby finds that—

(1) Death Valley and Joshua Tree National Parks, as established by this Act, protect unique and superlative desert resources, but do not embrace the particular ecosystems and transitional desert type found in the Mojave Desert area lying between them on public lands now afforded only impermanent administrative designation as a national scenic area;

(2) the Mojave Desert area possesses outstanding natural, cultural, historical, and recreational values meriting statutory designation and recognition as a unit of the National Park System;

(3) the Mojave Desert area should be afforded full recognition and statutory protection as a national preserve;

(4) the wilderness within the Mojave Desert should receive maximum statutory protection by designation pursuant to the Wilderness Act; and

(5) the Mojave Desert area provides an outstanding opportunity to develop services, programs, accommodations and facilities to ensure the use and enjoyment of the area by individuals with disabilities, consistent with section 504 of the Rehabilitation Act of 1973, Public Law 101–336, the Americans With Disabilities Act of 1990 (42 U.S.C. 12101), and other appropriate laws and regulations.

SEC. 502. ESTABLISHMENT OF THE MOJAVE NATIONAL PRESERVE.

There is hereby established the Mojave National Preserve, comprising approximately one million four hundred nineteen thousand eight hundred acres, as generally depicted on a map entitled "Mojave National Park Boundary—Proposed", dated May 17, 1994, which shall be on file and available for inspection in the appropriate offices of the Director of the National Park Service, Department of the Interior.

SEC. 503. TRANSFER OF LANDS.

Upon enactment of this title, the Secretary shall transfer the lands under the jurisdiction of the Bureau of Land Management depicted on the maps described in section 502 of this title, without consideration, to the administrative jurisdiction of the Director of the National Park Service. The boundaries of the public lands shall be adjusted accordingly.

SEC. 504. MAPS AND LEGAL DESCRIPTION.

Within six months after the date of enactment of this title, the Secretary shall file maps and a legal description of the preserve designated under this title with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives. Such maps and legal description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such legal description and in the maps referred to in section 502. The maps and legal description shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

SEC. 505. ABOLISHMENT OF SCENIC AREA.

The East Mojave National Scenic Area, designated on January 13, 1981 (46 FR 3994), and modified on August 9, 1983 (48 FR 36210), is hereby abolished.

SEC. 506. ADMINISTRATION OF LANDS.

(a) The Secretary shall administer the preserve in accordance with this title and with the provisions of law generally applicable to units of the National Park System, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4).

(b) The Secretary shall permit hunting, fishing, and trapping on lands and waters within the preserve designated by this Act in accordance with applicable Federal and State laws except that the Secretary may designate areas where, and establish periods

when, no hunting, fishing, or trapping will be permitted for reasons of public safety, administration, or compliance with provisions of applicable law. Except in emergencies, regulations closing areas to hunting, fishing, or trapping pursuant to this subsection shall be put into effect only after consultation with the appropriate State agency having responsibility for fish and wildlife. Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the States with respect to fish and wildlife on Federal lands and waters covered by this title nor shall anything in this Act be construed as authorizing the Secretary concerned to require a Federal permit to hunt, fish, or trap on Federal lands and waters covered by this title.

SEC. 507. WITHDRAWAL.

Subject to valid existing rights, all Federal lands within the preserve are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and mineral materials, and all amendments thereto.

SEC. 508. REGULATION OF MINING.

Subject to valid existing rights, all mining claims located within the preserve shall be subject to all applicable laws and regulations applicable to mining within units of the National Park System, including the Mining in the Parks Act (16 U.S.C. 1901 et seq.), and any patent issued after the date of enactment of this title shall convey title only to the minerals together with the right to use the surface of lands for mining purposes, subject to such laws and regulations.

SEC. 509. STUDY AS TO VALIDITY OF MINING CLAIMS.

(a) The Secretary shall not approve any plan of operation prior to determining the validity of the unpatented mining claims, mill sites, and tunnel sites affected by such plan within the preserve and shall submit to Congress recommendations as to whether any valid or patented claims should be acquired by the United States, including the estimated acquisition costs of such claims, and a discussion of the environmental consequences of the extraction of minerals from these lands.

(b)(1) Notwithstanding any other provision of law, the Secretary shall permit the holder or holders of mining claims identified on the records of the Bureau of Land Management as Volco #A CAMC 105446, Volco #B CAMC 105447, Volco 1 CAMC 80155, Volco 2 CAMC 80156, Volco 3 CAMC 170259, Volco 4 CAMC 170260, Volco 5 CAMC 78405, Volco 6 CAMC 78404, and Volco 7 CAMC 78403, Volco Placer 78332, to continue exploration and development activities on such claims for a period of two years after the date of enactment of this title, subject to the same regulations as applied to such activities on such claims on the day before such date of enactment.

(2) At the end of the period specified in paragraph (1), or sooner if so requested by the holder or holders of the claims specified in such paragraph, the Secretary shall determine whether there has been a discovery of valuable minerals on such claims and whether, if such discovery had been made on or before July 1, 1994, such claims would have been valid as of such date under the mining laws of the United States in effect on such date.

(3) If the Secretary, pursuant to paragraph (2), makes an affirmative determination concerning the claims specified in paragraph (1), the holder or holders of such claims shall be permitted to continue to operate such claims subject only to such regulations as applied on July 1, 1994 to the exercise of valid existing rights on patented mining claims within a unit of the National Park System.

SEC. 510. GRAZING.

(a) The privilege of grazing domestic livestock on lands within the preserve shall continue to be exercised at no more than the current level, subject to applicable laws and National Park Service regulations.

(b) If a person holding a grazing permit referred to in subsection (a) informs the Secretary that such permittee is willing to convey to the United States any base property with respect to which such permit was issued and to which such permittee holds title, the Secretary shall make the acquisition of such base property a priority as compared with the acquisition of other lands within the preserve, provided agreement can be reached concerning the terms and conditions of such acquisition. Any such base property which is located outside the preserve and acquired as a priority pursuant to this section shall be managed by the Federal agency responsible for the majority of the adjacent lands in accordance with the laws applicable to such adjacent lands.

SEC. 511. UTILITY RIGHTS OF WAY.

(a)(1) Nothing in this title shall have the effect of terminating any validly issued right-of-way or customary operation, maintenance, repair, and replacement activities in such right-of-way, issued, granted, or permitted to Southern California Edison Company, its successors or assigns, which is located on lands included in the Mojave National Preserve, but outside lands designated as wilderness under section 601(a)(3). Such activities shall be conducted in a manner which will minimize the impact on preserve resources.

(2) Nothing in this title shall have the effect of prohibiting the upgrading of an existing electrical transmission line for the purpose of increasing the capacity of such transmission line in the Southern California Edison Company validly issued Eldorado-Lugo Transmission Line right-of-way and Mojave-Lugo Transmission Line right-of-way, or in a right-of-way if issued, granted, or permitted by the Secretary adjacent to the existing Mojave-Lugo Transmission Line right-of-way (hereafter in this section referred to as "adjacent right-of-way"), including construction of a replacement transmission line: *Provided*, That—

(A) in the Eldorado-Lugo Transmission Line rights-of-way (hereafter in this section referred to as the "Eldorado rights-of-way") at no time shall there be more than three electrical transmission lines;

(B) in the Mojave-Lugo Transmission Line right-of-way (hereafter in this section referred to as the "Mojave right-of-way") and adjacent right-of-way, removal of the existing electrical transmission line and reclamation of the site shall be completed no later than three years after the date on which construction of the upgraded transmission line begins, after which time there may be only one electrical transmission line

in the lands encompassed by Mojave right-of-way and adjacent right-of-way;

(C) if there are no more than two electrical transmission lines in the Eldorado rights-of-way, two electrical transmission lines in the lands encompassed by the Mojave right-of-way and adjacent right-of-way may be allowed;

(D) in the Eldorado rights-of-way and Mojave right-of-way no additional land shall be issued, granted, or permitted for such upgrade unless an addition would reduce the impacts to preserve resources;

(E) no more than 350 feet of additional land shall be issued, granted, or permitted for an adjacent right-of-way to the south of the Mojave right-of-way unless a greater addition would reduce the impacts to preserve resources; and

(F) such upgrade activities, including helicopter aided construction, shall be conducted in a manner which will minimize the impact on preserve resources.

(3) The Secretary shall prepare within one hundred and eighty days after the date of enactment of this title, in consultation with the Southern California Edison Company, plans for emergency access by the Southern California Edison Company to its rights-of-way.

(b)(1) Nothing in this title shall have the effect of terminating any validly issued right-of-way, or customary operation, maintenance, repair, and replacement activities in such right-of-way; prohibiting the upgrading of and construction on existing facilities in such right-of-way for the purpose of increasing the capacity of the existing pipeline; or prohibiting the renewal of such right-of-way issued, granted, or permitted to the Southern California Gas Company, its successors or assigns, which is located on lands included in the Mojave National Preserve, but outside lands designated as wilderness under section 601(a)(3). Such activities shall be conducted in a manner which will minimize the impact on preserve resources.

(2) The Secretary shall prepare within one hundred and eighty days after the date of enactment of this title, in consultation with the Southern California Gas Company, plans for emergency access by the Southern California Gas Company to its rights-of-way.

(c) Nothing in this title shall have the effect of terminating any validly issued right-of-way or customary operation, maintenance, repair, and replacement activities of existing facilities issued, granted, or permitted for communications cables or lines, which are located on lands included in the Mojave National Preserve, but outside lands designated as wilderness under section 601(a)(3). Such activities shall be conducted in a manner which will minimize the impact on preserve resources.

(d) Nothing in this title shall have the effect of terminating any validly issued right-of-way or customary operation, maintenance, repair, and replacement activities of existing facilities issued, granted, or permitted to Molybdenum Corporation of America; Molycorp, Incorporated; or Union Oil Company of California (d/b/a Unocal Corporation); or its successors or assigns, or prohibiting renewal of such right-of-way, which is located on lands included in the Mojave National Preserve, but outside lands designated as wilderness under section 601(a)(3). Such activities shall be conducted in a manner which will minimize the impact on preserve resources.

Agreement to Conditions for Donation Mojave National Preserve Fee Lands

WHEREAS the National Park Foundation is donating funds towards the National Park Service's acquisition of certain fee lands from Gary and Linda Overson as set forth in the Option Agreement O.X. Ranch, Kessler Springs Ranch and Landreman House between said parties, and amendment(s) thereto.

WHEREAS, it is the intent of the National Park Foundation and its donors, as acknowledged by Gary and Linda Overson, that no future grazing will be permitted by the National Park Service on the lands subject to this Agreement, and that water rights, thereon, shall be forever conserved by the National Park Service in accordance with National Park Service laws, the mandates set forth in Mojave National Preserve law, and the terms of this Agreement.

WHEREAS, the National Park Service will administer the interests affected by the Agreement in accord with the terms of this Agreement, the California Desert Protection Act, the National Park Service Organic Act and all laws applicable to the Mojave National Preserve.

WHEREAS, the National Park Service's acceptance of each and every condition of this Agreement and this Agreement is an inducement to the National Park Foundation to make the Donation, and the Foundation and its donors would not have made this Donation without the National Park Service's acceptance of each and every condition described in this Agreement.

WHEREAS, in making this Agreement, and accepting this Donation, through the National Park Foundation, the National Park Service acknowledges that the measure of the value to the National Park Foundation and its donors of the National Park Service committing to permanently prohibiting any future grazing-related uses upon these lands includes not only any monetary benefit that the Foundation may obtain, if any, but also other benefits, including but not limited to the benefits of ensuring the permanent restoration and preservation of all the land resources, water resources, and scenic aesthetic, and environmental values associated with the lands.

NOW THEREFORE, in consideration of and as an express condition of this Agreement and the Donation, the National Park Service, on behalf of itself, and its

successors, assigns, and contractors, if any, will not allow/permit livestock or feral animal grazing uses on said lands. Further, the National Park Service agrees to take any and all further measures, as necessary, to ensure permanent cancellation and termination of any grazing leases, permits, and allotments that may be associated with the subject lands. The National Park Service agrees that the lands and all estates, rights, privileges, and interests that are part of or associated with the lands shall be forever conserved and used in perpetuity for the preservation of natural habitat consistent with the conservation and preservation purposes of the Mojave National Preserve.

Further, the National Park Service will administer all water rights that are part of or associated with the lands as conservation and/or reserved water rights of the Preserve as recognized under California water law and/or mandated in the California Desert Protection Act (16 U.S.C. 410aaa-76). The National Park Service will not allow water resources and water rights that are within the Preserve boundary and subject to this Agreement to be used outside the Preserve boundary, nor allow lands subject to this Agreement to be used for transmission of water between locations outside of the Preserve.

Further, in compliance with the conditions of this Agreement and the Donation, the National Park Service, within five years from the date upon which this Donation is executed, will expressly incorporate into its General Management Plan for the Mojave National Preserve, a commitment that the lands subject to this Agreement will not be subject to any grazing or grazing-related use in the future nor will these lands be permanently altered by structures or other physical improvements unless to provide for Park Service employee housing within or upon the site of structures currently suitable to that use, or unless essential to meet public health and safety needs or, consistent with preservation purposes, species and habitat needs. The National Park Foundation acknowledges that, to the extent that a use of these lands would be consistent with this Agreement, the National Park Service will be entitled to use any associated water rights in furtherance of that use.

Finally, the National Park Service agrees to these conditions by executing an acceptance below. Should the National Park Service not adhere to any of these conditions, the National Park Foundation and/or its donors, through their authorized agent, shall be entitled to pursue any and all legal remedies in equity and law.

Acceptance of voluntary donation and conditions thereof is hereby acknowledged by:

National Park Service

By: _____
Mary Martin,
Superintendent
Mojave National Preserve

Date: 10/2/00

_____
John Reynolds,
Regional Director,
Pacific West Region

Date: 10/13/00

The National Park Foundation

By: _____
James Maddy, President

Date: 10/23/00

Donation
Mojave National Preserve
Grazing Interests, Water Rights, and Range Improvements

WHEREAS, the National Park Foundation has acquired, with funds from anonymous donors, certain interests, including privileges, rights and uses under certain grazing permits and leases, certain water rights and all the title and interest in certain related range improvements related thereto from Gary and Linda Overson as set forth in the Option Agreement O.X. Ranch, Kessler Springs Ranch and Landreman House between said parties, and amendment(s) thereto.

WHEREAS, said grazing privileges, water rights and related range property are set forth on Exhibits A,B, and C attached to and incorporated and made a part of this Donation.

WHEREAS, it is the intent of the National Park Foundation and its donors, as acknowledged by Gary and Linda Overson, that said grazing permits and all grazing privileges, rights and uses thereunder shall be forever extinguished and retired by the National Park Service within the Mojave National Preserve and that the water rights shall be forever conserved by the National Park Service in

accordance with National Park Service laws and the mandates set forth in Mojave National Preserve law and the terms of this Donation.

WHEREAS, when the National Park Service acquires fee title to the State of California Schools Lands within the Mojave National Preserve, which lands are subject to grazing rights, water rights, and related rights, the National Park Foundation will donate to the National Park Service, subject to the same terms and conditions as set forth in this Donation, such interests in those lands as the Foundation has acquired from Gary and Linda Overson.

WHEREAS, the National Park Service will administer the interests affected by this Donation in accord with the terms of this Donation, the California Desert Protection Act, the National Park Service Organic Act and all laws applicable to the Mojave National Preserve, which administration will be for non-grazing purposes.

WHEREAS, the National Park Service's acceptance of each and every condition of this Donation is an inducement to the National Park Foundation to make the Donation, and the Foundation and its donors would not have made this

Donation without the National Park Service's acceptance of each and every condition described in this Donation.

WHEREAS, in accepting this Donation, the National Park Service acknowledges that the measure of the value to the National Park Foundation of the National Park Service committing to permanently terminating grazing-related uses upon these lands includes not only any monetary benefit that the Foundation may obtain, if any, but also other benefits, including but not limited to the benefits of ensuring the permanent restoration and preservation of all the land resources, water resources, and scenic aesthetic, and environmental values associated with the property.

NOW THEREFORE, in consideration of and on the condition that the National Park Service permanently terminate all grazing authorized by permit on the lands included in the Preserve, the Foundation here and now transfers, surrenders and quitclaims, to the National Park Service, through voluntary donation, all grazing privileges, rights and uses heretofore allowed within the boundaries of the Mojave National Preserve under permitted use set forth in Exhibit A, and further transfers, surrenders and quitclaims, through voluntary

donation, all related water rights set forth on Exhibit B, and further, any and all interest in range improvements set forth on Exhibit C, constructed or installed on lands owned by the United States within the Mojave National Preserve.

As an express condition of this Donation, the National Park Service, will extinguish and permanently retire all said grazing permits, rights and uses and shall not issue any further or future grazing rights, privileges or uses on said lands.

Further, the National Park Service will convert all said water rights into conservation and/or reserved water rights of the Preserve as recognized under California water law and/or mandated in the California Desert Protection Act (16 U.S.C. 410aaa-76). The National Park Service will not allow water resources and water rights that are within the Preserve boundary and part of this Donation to be used outside the Preserve boundary.

Further, in compliance with the conditions of this Donation, the National Park Service, within five years from the date upon which this Donation is executed, will expressly incorporate into its General Management Plan for the Mojave National Preserve a commitment that the lands subject to the donated

grazing privileges, rights and use, and related water resources, will not be subject to any grazing or grazing-related use in the future.

The National Park Service agrees to these conditions by executing an acceptance below. Should the National Park Service not adhere to any of these conditions, the National Park Foundation and/or its donors, through their authorized agent, shall be entitled to pursue any and all legal remedies in equity and law.

Acceptance of voluntary donation and conditions thereof is hereby acknowledged by:

National Park Service

By: _____
Mary Martin,
Superintendent
Mojave National Preserve

Date: 10/2/00

_____
John Reynolds,
Regional Director,
Pacific West Region

Date: 10/13/00

The National Park Foundation

By: _____
James Maddy, President

Date: 10/23/00

07 OTHER

Mojave National Preserve

COTTONWOOD SPRING TRIBUTARY TO COTTONWOOD CANYON (S011348)

Other Supporting Information

National Park Service
U. S. Department of the Interior
Natural Resource Stewardship & Science
Water Resources Division

1201 Oakridge Dr., Ste. 250
Fort Collins, CO 80525
970-225-3548 phone
970-225-9965 fax

Water Rights Branch

Note to File

Date: May 20, 2024
From: Alexa Kreiling, WRB Water Rights Research Assistant
File: MOJA Technical Report
Subject: Other Supporting Information
Water Resources Scoping Report, Mojave National Preserve, 1999

National Park Service. 1999. Water Resources Scoping Report, Mojave National Preserve. NPS/NRWRD/NRTR-99/225. National Park Service, Water Resources Division. Fort Collins, Colorado
IRMA – Data Store – Published Report – (Code: 2174498)
DataStore - Water Resources Scoping Report, Mojave National Preserve (nps.gov)

The purpose of this report is to describe how the park was conceived and established and how it has been managed to the present day. Its primary audience is park managers and staff, but it is also directed to the interested public. The report aims to be as comprehensive as possible while emphasizing management issues of ongoing concern. It is essentially a chronological narrative with the selection of topics and the amount of detail weighted somewhat more heavily toward the recent past. While the administrative history covers many diverse management issues, its core objective is to distinguish those historical themes that most ably explain this national park's unique character and course of development.

July 30, 1999

SHORT NOTE TRANSMITTAL

To: Eric Lord, NPS

From: Rob Nauert, BLM

Subject: History of Federal Reserved Water Rights in Mojave Nat'l Preserve and Death Valley Nat'l Park

Per our discussion, I've reviewed the list of Federal reserved water rights you fax'ed to me yesterday. Our records reveal the following:

Mojave Nat'l Preserve

1. Basalt Spring, Van Winkle Spring, Woods [Mountain] Spring, South Hackberry Spring, and Arrowweed Spring are all Public Water Reserve 107 withdrawals that were initiated on December 28, 1971 under the authority of Executive Order of April 17, 1926. The serial number BLM assigned to these PWR 107 "interpretations" is R-259.

2. There is no PWR 107 designation on our records for Upper Dad Spring, Sheep Spring and Finger Rock Spring. Having not seen the paperwork that BLM sent to the State of California identifying these as Federal reserved water rights, I am making the assumption that these rights were asserted on the basis of the Secretarial Order of January 13, 1981 designating the East Mojave National Scenic Area. The Scenic Area designation essentially established the fact that these federal lands were reserved for a specific use and, hence, is sufficient to assert federal reserved water rights in these springs for a sufficient quantity to carry out the purposes of the "reservation".

3. There is no PWR 107 designation on our records for Cottonwood Spring and Piute Spring. Our records show that the legal description of the location of these springs is on lands that were withdrawn pursuant to Public Land Order 5224 of July 5, 1972, for the protection of recreation and public values. Accordingly, absent the paperwork sent to the State, I am assuming the Federal reserved water rights were asserted on the basis of the purposes of the federal reservation, e.g., withdrawal.

4. The legal description for Goldstone Spring does not exist on our records. This is a partial township and the entire west half of Section 31 does not exist in T. 10 N., R. 14 E., SBM.

5. Two springs listed with "S" numbers, Negro Mine Spring and Goldfish Tank Spring, are on lands included in PWR 107 designations on our records. I'm assuming an "S" means this is an appropriative right granted by the State of California. Either BLM and/or the State records are in error, BLM erroneously obtained a State water right when it could have asserted a Federal reserved water right, or BLM chose to obtain a State appropriative right for greater protection of the water source.

6. Finally, there are 3 areas on our records identified as PWR 107 withdrawals that do not show up on the list you fax'ed to me. These are as follows:

a. Cornfield Spring (Serial No. R-259) identified on August 6, 1971 and affecting the NWSW of Section 12, T. 10 N., R. 13 E., SBM.

b. Two unnamed areas determined on March 15, 1929 by Secretarial Interpretation #85 as meeting PWR 107 criteria and affecting the W1/2SE1/4 of Section 8, and the SE1/4NW1/4 of Section 18, T. 8 N., R. 13 E., SBM.

Death Valley Nat'l Park

1. Federal reserved water rights for Saline Well were asserted on the basis of a PWR 107 interpretation noted on our records on September 23, 1971 (Serial No. R-259 C). Actually, this PWR notation encompassed the SESE of Section 21, SWSW of Section 22, and the NENE of Section 28 in addition to the NWNW of Section 27. However, our records also show that this PWR was apparently "desegregated", e.g. eliminated, on April 26, 1982 but the official document terminating the PWR is missing from our records. We are attempting to recover it. This may be a situation where NPS may want to re-evaluate the water source on the ground and re-establish a PWR 107 right, or seek an appropriative right from the State.

08 MAPMISC

Mojave National Preserve

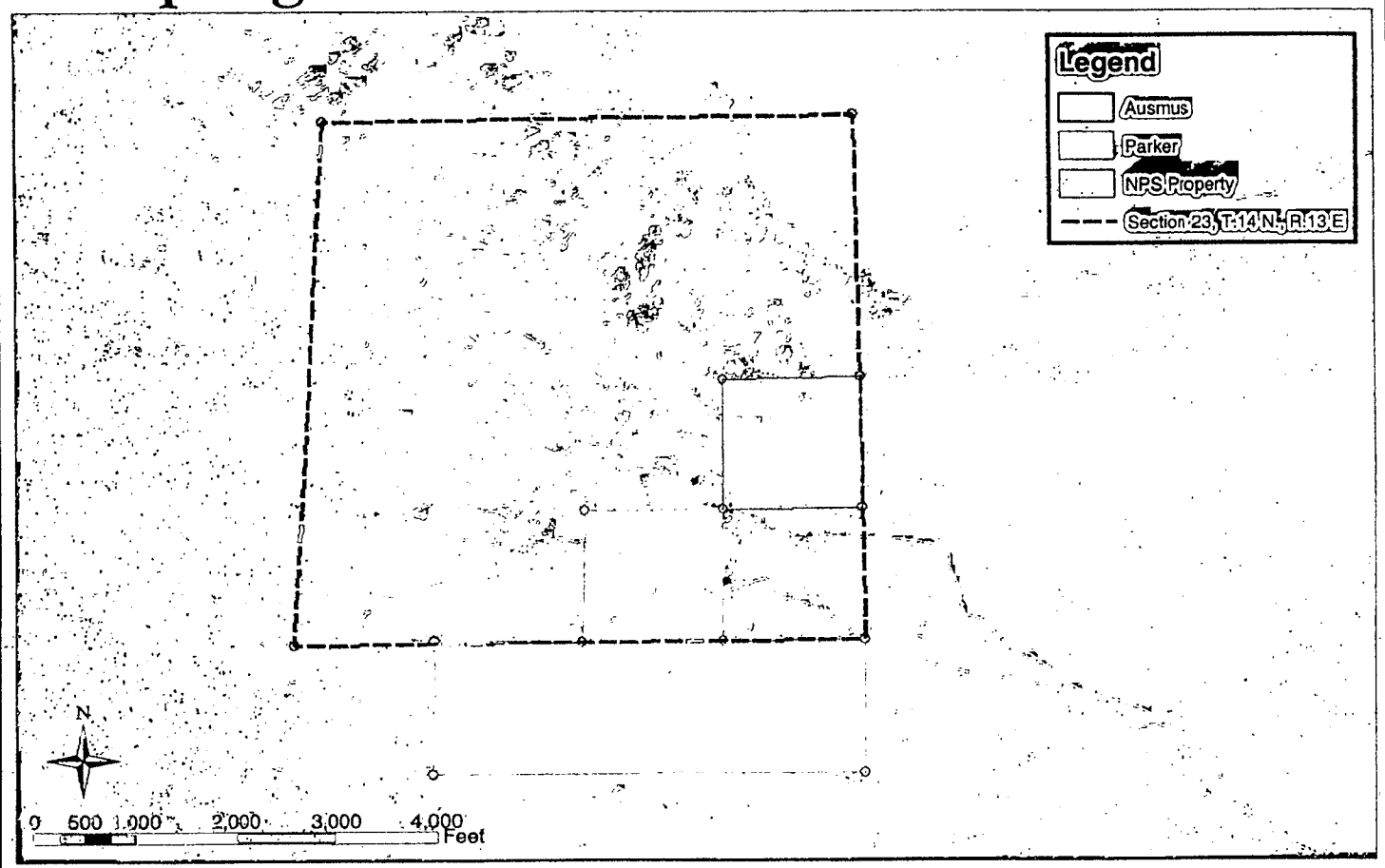
COTTONWOOD SPRING TRIBUTARY TO COTTONWOOD CANYON (S011348)

Maps and Miscellaneous Information

Mojave National Preserve
California

National Park Service
U.S. Department of the Interior

Cut Spring Area



Produced by MOJA

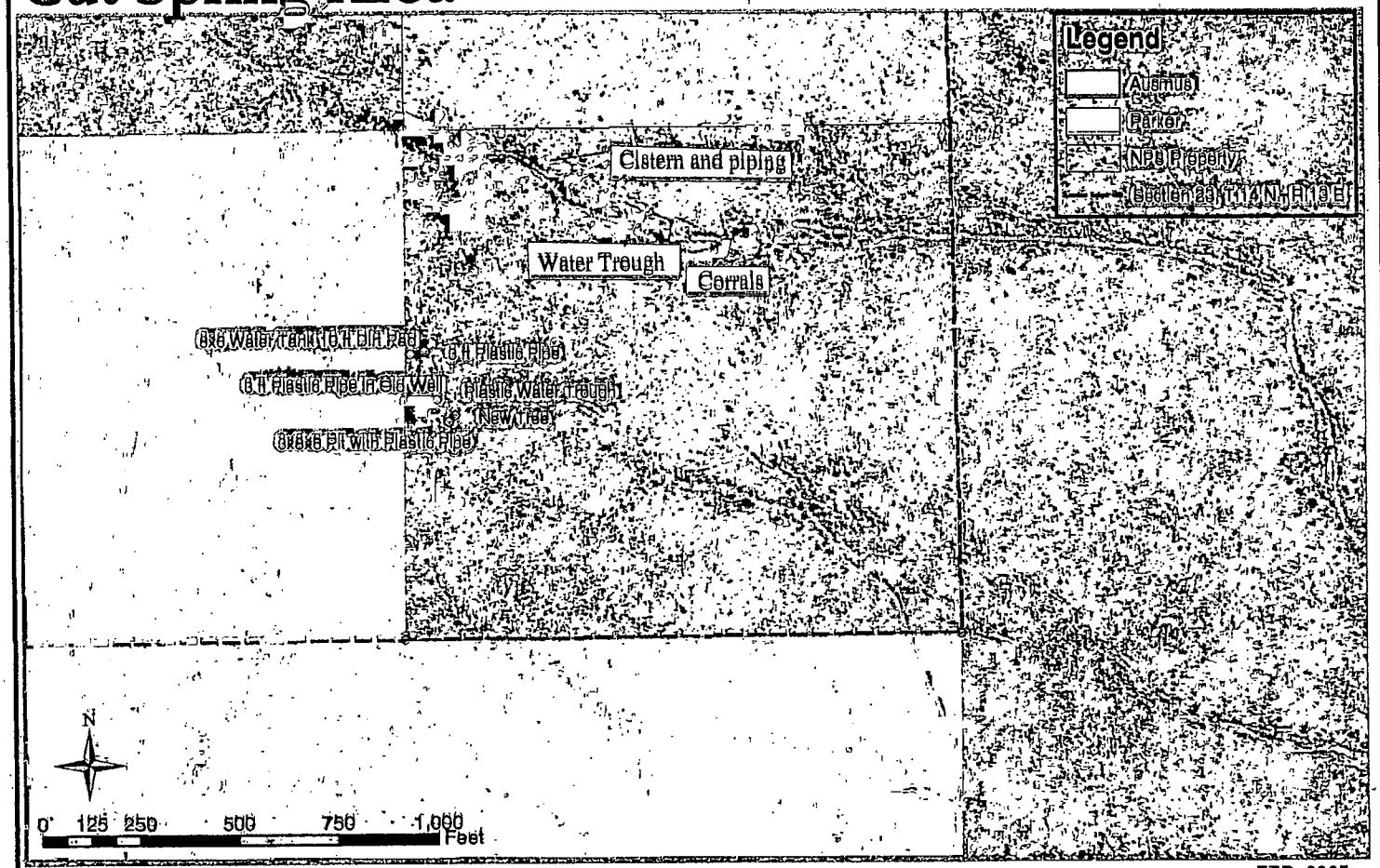
FEB. 2005

02-00-2005: Map Name: Cut Spring Area; Map Of: Mojave National Preserve, California

Mojave National Preserve
California

National Park Service
U.S. Department of the Interior

Cut Spring Area



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FILE: CutSprings.mxd

02-00-2005: Map Name: Cut Spring Area; Map Of: Mojave National Preserve, California

Docket Information

Number of Documents in Docket : 42

Documents Dated from : 07-30-1999 to 06-10-2024

Docket Compiled: 8/6/2024