**Docket Number: 94**

**HACKBERRY SPRING (S013429)**

**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 #:** 94 **Docket Title** Hackberry Spring tributary to Unnamed Stream (S013429)

**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: Hackberry Spring

State: CA
County: San Bernardino

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

**Application #:** S013429 **Date:** 1/28/2010
**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: SE Qtr: SW Sec: 1 T: 11 N R: 16 E PM: _____
Latitude: 35.05817099 Longitude: -115.2154146
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.

-3/30/1989 Gary & Linda Overson (OX 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).

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

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

☒ Additional Page(s) Attached

-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; Holder Name is blank; Holder History: Overson 09/14/1994 - 01/11/2001; NPS 01/11/2001 - 10/24/2001.

-9/2014 Phone conversation with Darin Clark (SWRCB) status in eWRIMS is changed to inactive when SWRCB attempts to and is unable to contact owner of record or agent, generally due to an undeliverable notice from USPS.

☐ Additional Page(s) Attached

02 STATE

Mojave National Preserve

HACKBERRY SPRING (S013429)

State Water Rights Documentation

**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 |

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, 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.

**Please Complete and Return This Form by July 1, 2001.**

Owner of Record: U S NATIONAL PARK SERVICE ;

U S NATIONAL PARK SERVICE
222 E MAIN ST STE:202
BARSTOW, CA 92311

Statement No: S013429
Password: 04190110028460
Phone Number: (760)255-8801

*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Source Name: HACKBERRY SPRING
Year of First Use: 1900
Tributary To: UNST
County: San Bernardino
Parcel Number:
Diversion Within: SE1/4 of SW1/4 Section 01, T11N, R16E, SB&M

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 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1998 | | | | | | | | | | | | | |
| 1999 | | | | | | | | | | | | | |
| 2000 | | | | | | | | | | | | | |

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

Irrigation _____ acres; Stockwatering _____ ; 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:

      yr____ _____ (af/mg) yr____ _____ (af/mg) yr____ _____ (af/mg)

      Reductions in consumptive use:

      yr____ _____ (af/mg) yr____ _____ (af/mg) yr____ _____ (af/mg)

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

OCT 31 2001

ST-SUPPL (2-01)

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:

   yr_____ _____ (af/mg) yr_____ _____ (af/mg) yr_____ _____ (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:

   yr_____ _____ (af/mg) yr_____ _____ (af/mg) yr_____ _____ (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:**_____, 20_____ at _____, California

**SIGNATURE:** _____

**PRINTED NAME:**_____
(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.

*"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at http://www.swrcb.ca.gov"*

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 WA..R 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:** S013429

S 0 1 3 4 2 9

**SOURCE:** HACKBERRY SPRING
**TRIBUTARY TO:** UNST
**COUNTY:** SAN BERNARDINO
**DIVERSION WITHIN:** SE¼ OF SW¼ SECTION 1, T11N, R16E, 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 Approx. 200 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. 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, 1997 **at** Cima, **California**

**SIGNATURE:** Linda Overson

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

**COMPANY NAME:** O.X. 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 |
|---|---|
| | |
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## 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"

S-13429

** 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

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

**STATEMENT NO:** S013429
**OWNER OF RECORD:** GARY OVERSON

GARY OVERSON
P O BOX 6
CIMA, CA 92323

**SOURCE:** HACKBERRY SPRING
**TRIBUTARY TO:** UNST
**COUNTY:** SAN BERNARDINO
**DIVERSION**
**WITHIN:** SE¼ OF SW¼ SECTION 1, T11N, R16E, MDB&S. SBB&M

**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: O-X 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.

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"

13429

STATEMENT OF WATER DIVERSION AND USE

ROUTE SHEET

NAME: GARY & LINDA OVERSON

STATEMENT NUMBER(S): ~~124~~ 13429

1. Secretary JUN 8 1990 KSN — o Log in and assign Statement No.

— ✓ Assign to staff engineer

2. Staff Engr. JUN 8 1990 KSN — X Review for acceptance and for completeness (WC5103)

Accept: yes X no ___

— ✓ Plot P.O.D. on spot map in Blue ink

List 1. Spot map page no.
2. Name of Quad Sheet
3. Minute series
4. Calif. Coordinates with zone n
5. Stream Code

All above information on the bottom of statement in black ink.

3. Secretary JUNE 08 1990 jm — Send copy to diverter with form letter (WR40e) when complete

— Log out to AWRIS unit

4. AWRIS JUN 20 1990 LMB — ✓ Update AWRIS

5. File Room ___ — File

S13429

13429

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

1989 APR -6 PM 12:51
DIV. OF WATER RIGHTS
SACRAMENTO

S13429

# STATEMENT OF WATER DIVERSION AND USE

***(This is not a Water Right)***

*This statement should be typewritten or legibly written in ink.*

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

B. Name of body of water at point of diversion Hackberry Spring
Tributary to IVANPAH LAKE

C. Place of diversion SE ¼ SW ¼ Section 1, Township 11 N, Range 16 E, 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 Hackberry 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 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 9-86 to 1988 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |

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.
approx. 200 hd. cattle

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) Livestock water for cattle located on the O. X. Ranch

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

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

I. Name of person filing statement Gary + Linda Overson
Position Owners Organization O. X. Ranch
Address P.O. Box 6 Cima Ca 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: March 30, 19 89, at Cima, California.

Signature: Linda Overson

NN-47 LANFAIR VALLEY
15' ZONE 5

WR 40 (6/83)

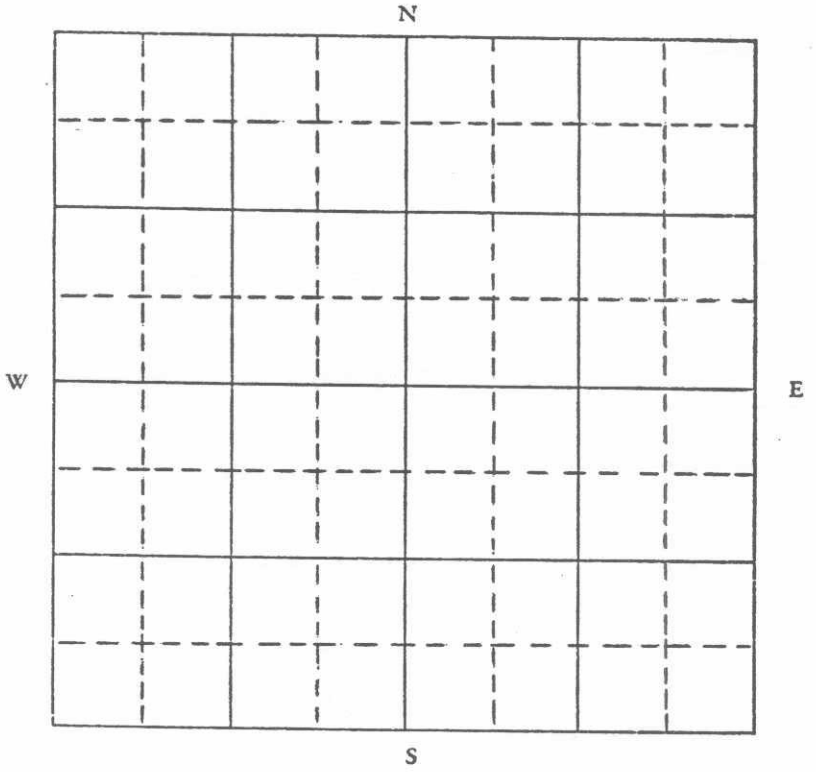
*See Instructions on Reverse Side*

Gary Overson

N 578600 E 2833500

SC 6-202-00-98-9

The location of the diversion point and the place of use may be sketched on this section grid. If it is used, please enter the section(s), township and range below and show any streams or other landmarks that will assist in identifying the area.




Section(s)_____

Township_____; Range _____; _____ B&M

INSTRUCTIONS:

A separate statement should be filed for each point of diversion.

A duplicate copy will be returned for your file.

Please send the completed statement to: STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights
P. O. Box 2000
Sacramento, CA 95810

(916) 324-5624

JUNE 08 1990

In Reply Refer
to:332:KSN:S13429 - 13458

Gary and Linda Overson
P. O. box 6
Cima, CA 92323

STATEMENTS OF WATER DIVERSION AND USE - NOS. 13429 AND 13458

Your statements of water diversion and use have been received and assigned the above numbers. You should refer to these numbers in any correspondence to this office regarding the statements.

A copy of each statement is enclosed for your records.

Please notify us of any change in address or change in ownership.

The law requires that supplemental statements be filed at three-year intervals, and we will send you the necessary forms.

If you have any questions or concerns, feel free to contact the Division of Water Rights at (916) 324-5624 and a staff engineer in the Application Section will be available to assist you.

Thank you for your cooperation.

Enclosure

!KSNODOHARA:ym:6/8/90

WR 40e.PL (9/89)

03 HISTORY

Mojave National Preserve

HACKBERRY SPRING (S013429)

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.

07 OTHER

Mojave National Preserve

HACKBERRY SPRING (S013429)

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.

Docket Information

Number of Documents in Docket : 15

Documents Dated from : 06-30-1997 to 06-10-2024

Docket Compiled: 1/16/2025