Docket Number: 34

GREEN SPRING DIVERSION

Preliminary Docket Information

DOCKET INFORMATION FORM

Compiled by: Alexa Kreiling Date: 2/25/2025
Initial Docket Information Form ☒ Amendment # _____ (1,2,3 …)
Includes Confidential Content ☒

Park Unit: DEVA **Docket #:** 034 **Docket Title** Green Spring Diversion

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: Green Spring Diversion

State: CA
County: Inyo

Owner: US National Park Service (As listed by the State)

Application #: 22979 **Date:** _____
Permit #: 15721 **Date Issued:** _____
License / Certificate #: _____ **Priority Date:** 2/11/1933
Ruling/Order/Decree #: _____ **Date Issued:** _____

Quantity: Rate: _____ Duty: _____
Units: ☐ cfs ☐ gpm ☐ afy ☐ other _____ Units: ☐ cfs ☐ gpm ☐ afy ☐ other _____

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

POD Name / Location: _____ ☐ Multiple PODs (see water right)
Qtr: SE Qtr: SW Sec: 34 T: 17 S R: 44 E PM: _____
Latitude: _____ Longitude: _____
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.

See Water Right/Source Docket Information dated May 7, 1979 in the preliminary section for narrative.

NPS acquired permit in exchange for special use permit. Water use permit revoked by state in 1976. No present use on record.

☐ Additional Page(s) Attached

DATE: May 4, 1979

DOCKET (FILE) TITLE

REGION Western AREA Death Valley National Monument

SITE Green Spring Diversion

STATE California COUNTY Inyo DOCKET NO WR #34

LOCATION SE¼ SW¼ Sec. 34 T17S R44E

REGIONAL BASIN LOCAL BASIN

ACQUIRED BY Reservation

APPLICATION 22979 PERMIT 15721 CERTIFICATE -

ACTION DUE PRIORITY RESERVATION February 11, 1933

QUANTITY USE

STATUS Inactive SOURCE Surface Water - Spring

REMARKS Hydrologic Unit #18090203

NARRATIVE:

In 1968 Roy Troeger applied to the state to appropriate water from Green Spring in Death Valley National Monument. He assigned this application to the monument in return for a special use permit. In 1968 the monument issued a special use permit to Nomo Silver Corp. for Nemo's mining operations in the area. By 1969 Nemo was not in business in the monument, but some intermittant use of the spring was being made for domestic and mining purposes. Apparently this was not enough because in 1976 the State of California revoked Permit 15721 due to the lack of a diversion at the source and the lack of diligence in applying water to a beneficial use. Some facilities still remain at the site but no consistant or quantifiable use of the water is presently being made.

Compiled by T. Kern

Approved by

Date

02 STATE

Death Valley National Park

GREEN SPRING DIVERSION

State Water Rights Documentation

06-01-1976: memo from chief, division of water resources; subject: revoking of permits. ; june 01, 1976

Werrell

Witucki

Kilgore

L54(WR)RWR
DEVA/WR Docket #s 1, 3, 4, 5, 22A, 25, 34 and AWR 9

June 1, 1976

Memorandum

To: Superintendent, Death Valley

From: Chief, Division of Water Resources, Western Region

Subject: Revoking of the following permits: 5738, 5739, 5754, 11422, 11423, 11924, 15363 and 15721 (Various Springs and Washes in Death Valley National Monument)

A field inspection of the subject water sources was made jointly by Mr. Wilbur Chung, California Division of Water Rights and Mr. William Werrell of this Office on January 20-24, 1975. On March 19, 1975, Mr. Chung notified us of his intention to revoke these permits. His letter was transmitted to you by our reply of April 16, 1975.

We are now in receipt of orders revoking these permits. These orders are enclosed for your information and inclusion in your dockets. These orders were anticipated and discussed with the Field Solicitor. This action will not interfere with park water usage or conflict with the Service's water rights policy of comity. No further action is presently contemplated regarding these permits.

The other four State inspected water sources are in the process of being licensed. Receipt of these licenses is expected in the very near future.

(Sgd) Gerard S. Witucki

Gerard S. Witucki

Enclosures
a/s

cc:
WASO(MN) w/encls,
Attn: Mr. Berte'

(WR)RWR:6/1/76

WR#34

EDMUND G. BROWN JR.,
Governor

STATE OF CALIFORNIA—THE RESOURCES AGENCY

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
2125 19TH STREET
SACRAMENTO, CALIFORNIA 95818
(916) 445-2055

In Reply Refer
to: 333:MVZ 22979

ORDER REVOKING PERMIT

PERMIT 15721 (APPLICATION 22979)

Permittee: U. S. Death Valley National Monument

It is ordered that this permit is hereby revoked and canceled upon the records of the State Water Resources Control Board for the reason indicated:

___ 1. A request has been received by, or on behalf of, permittee that the permit be revoked.

_x_ 2. The State Water Resources Control Board has found that permittee failed to commence, prosecute, and complete the work and to apply water to beneficial use as contemplated in the permit and in accordance with the Water Code and the rules and regulations of the Board, and has revoked said permit as provided in Section 1410 of the water Code, and has directed that this order be issued.

___ 3. The State Water Resources Control Board has found that permittee failed to apply water to beneficial use as contemplated in the permit and in accordance with the Water Code and the rules and regulations of the Board, and has revoked said permit as provided in Section 1410 of the Water Code, and has directed that this order be issued.

R. L. Rosenberger

R. L. Rosenberger, Chief
Division of Water Rights

Dated: MAR 2 2 1976

CERTIFIED

RECYCLED PAPER

12-18-1975: letter enclosed with 'notice of proposed revocation'; application 22979. ; december 18, 1975

STATE OF CALIFORNIA—THE RESOURCES AGENCY

EDMUND G. BROWN JR., Governor

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
2125 19TH STREET
SACRAMENTO, CALIFORNIA 95818
(916)445-2055

IN REPLY REFER
TO: 333:JP:22979

DEC 18 1975

U. S. DEATH VALLEY NATIONAL MONUMENT
c/o U. S. NATIONAL PARK SERVICE, WESTERN REGION,
DIVISION OF WATER RESOURCES
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CA 94102

PERMIT 15721 (APPLICATION 22979)
GREEN SPRING IN INYO COUNTY

ENCLOSED IS A "NOTICE OF PROPOSED REVOCATION" OF THIS WATER RIGHT PERMIT. AS STATED IN THE NOTICE, UNLESS A REQUEST FOR A HEARING IS RECEIVED WITHIN 15 DAYS FROM DATE OF RECEIPT OF THIS LETTER, WE WILL CONCLUDE THAT THE FACTS STATED IN THE NOTICE ARE CORRECT AND ACTION WILL BE TAKEN TO REVOKE THE PERMIT.

J. M. PAGE
SUPERVISING ENGINEER

ENCLOSURE

CERTIFIED

STATE OF CALIFORNIA—THE RESOURCES AGENCY

EDMUND G. BROWN JR., Governor

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

2125 19TH STREET

SACRAMENTO, CALIFORNIA 95818

NOTICE OF PROPOSED REVOCATION

PERMIT 15721 (APPLICATION 22979)
FURNACE CREEK WASH IN INYO COUNTY
PERMITTEE: U. S. DEATH VALLEY NATIONAL MONUMENT

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 1410 OF THE WATER CODE, NOTICE IS HEREBY GIVEN THAT REVOCATION OF THIS PERMIT IS PROPOSED BECAUSE WORK WAS NOT COMPLETED AS CONTEMPLATED IN THE PERMIT.

THE FACTS AND INFORMATION UPON WHICH THE PROPOSED REVOCATION IS BASED ARE THE FOLLOWING:

1. CONSTRUCTION WORK WAS TO HAVE BEEN COMPLETED AND WATER PUT TO THE PROPOSED USE ON OR BEFORE DECEMBER 1, 1972.

2. AN INSPECTION WAS MADE OF THE PROJECT ON JANUARY 22, 1975, AND THE REPORT INDICATES THAT:
(A) NO DIVERSION SYSTEM EXISTS AND
(B) NO USE OF WATER FROM THIS SOURCE HAS BEEN MADE.

PERMITTEE MAY REQUEST A HEARING BEFORE THE STATE WATER RESOURCES CONTROL BOARD FOR THE PURPOSE OF PRESENTING EVIDENCE OR TESTIMONY TO SHOW CAUSE WHY THIS PERMIT SHOULD NOT BE REVOKED. HOWEVER, UNLESS A WRITTEN REQUEST FOR HEARING, SIGNED BY OR ON BEHALF OF PERMITTEE, IS DELIVERED OR MAILED TO THE BOARD WITHIN 15 DAYS AFTER RECEIPT OF THE NOTICE, THE BOARD MAY ACT UPON THE PROPOSED REVOCATION WITHOUT A HEARING AND WITHOUT FURTHER NOTICE.

R. L. Rosenberger

R. L. ROSENBERGER, CHIEF
DIVISION OF WATER RIGHTS

DATED: DEC 18 1975

Received
Division of Water Resources
DEC 26 1975

Name	Act	Info	File	Init

DATED: DEC 18 1975

DIVISION OF WATER RIGHTS
W. L. ROSENBERGER, CHIEF

REVOCATION WITHOUT A HEARING AND WITHOUT FURTHER NOTICE.
AFTER RECEIPT OF THE NOTICE, THE BOARD MAY ACT UPON THE PROPOSED
PERMITTEE, IS DELIVERED OR MAILED TO THE BOARD WITHIN 15 DAYS
UNLESS A WRITTEN REQUEST FOR HEARING, SIGNED BY OR ON BEHALF OF
TO SHOW CAUSE WHY THIS PERMIT SHOULD NOT BE REVOKED. HOWEVER,
CONTROL BOARD FOR THE PURPOSE OF PRESENTING EVIDENCE OR TESTIMONY
PERMITTEE MAY REQUEST A HEARING BEFORE THE STATE WATER RESOURCES

(B) NO USE OF WATER FROM THIS SOURCE HAS BEEN MADE.
(A) NO DIVERSION SYSTEM EXISTS AND
AND THE REPORT INDICATES THAT:
5. AN INSPECTION WAS MADE OF THE PROJECT ON JANUARY 25, 1975,

WATER PUT TO THE PROPOSED USE ON OR BEFORE DECEMBER 1, 1975.
1. CONSTRUCTION WORK WAS TO HAVE BEEN COMPLETED AND

IS BASED ARE THE FOLLOWING:
THE FACTS AND INFORMATION UPON WHICH THE PROPOSED REVOCATION

PERMIT.
PROPOSED BECAUSE WORK WAS NOT COMPLETED AS CONTEMPLATED IN THE
CODE, NOTICE IS HEREBY GIVEN THAT REVOCATION OF THIS PERMIT IS
IN ACCORDANCE WITH THE PROVISIONS OF SECTION 1410 OF THE WATER

PERMITTEE: U. S. DEATH VALLEY NATIONAL MONUMENT
FURNACE CREEK WASH IN INYO COUNTY
PERMIT 19151 (APPLICATION 22979)

NOTICE OF PROPOSED REVOCATION

SACRAMENTO, CALIFORNIA 95814
1120 N STREET
DIVISION OF WATER RIGHTS
STATE WATER RESOURCES CONTROL BOARD
EDMUND G. BROWN JR., GOVERNOR
RESOURCES AGENCY—THE RESOURCES AGENCY

STATE OF CALIFORNIA

[redacted] WATER RESOURCES CONTROL BO[redacted]

THE RESOURCES AGENCY

DIVISION OF WATER RIGHTS

2125 Nineteenth Street, Sacramento, California 95818

PROGRESS REPORT BY PERMITTEE FOR 1974

OWNER OF RECORD

APPLICATION 22979

WR#34

DEATH VALLEY NATL MONUMENT
C/O U S NATIONAL PARK SERVICE, WESTERN REGION,
DIVISION OF WATER RESOURCES,
450 GOLDEN GATE AVENUE, BOX 36063,
SAN FRANCISCO, CALIF 94102

Telephone Number (include Area Code)

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

SOURCE: GREEN SPRING

AMOUNT: 6000 GAL/DAY
PURPOSE: DOMESTIC & MINING

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

PERMIT: 15721

12-01-72

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

THE PROJECT HAS BEEN ABANDONED AND I REQUEST REVOCATION OF THIS PERMIT: YES [ ] NO [X].

CONSTRUCTION WORK

1. Has construction work commenced? YES [X] NO [ ]. If YES, is construction completed? YES [ ] NO [X].
2. If incomplete, describe briefly the work done, including cost: _____
3. If not completed, give estimated date of completion: unknown
4. What percent of construction work remains to be done to complete the project? _____ Explain: _____

USE OF WATER

5. Has use of water commenced? YES [X] NO [ ] Check appropriate box(es) below and explain how water was used.

(a) [ ] Irrigation _____ (Total acres irrigated) (Name of crops served and acreage of each)
(b) [ ] Stockwatering _____ (Number of animals)
(c) [X] Industrial mining intermittently (Nature of Use)
(d) [X] Domestic intermittent (Number of persons, area of garden, lawn, etc.)
(e) [ ] Municipal _____ (Approximate population)
(f) [ ] Recreational _____ (Method of water use)
(g) [ ] Recreational _____ (Nature of use)
(h) [ ] Power generation _____ (Installed horsepower capacity)
(i) [ ] Other _____

6. What quantity of water was used each month in 1974 under this permit in gallons or acre-feet? (If not known, check months water was used.)

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
X	X	X	X	X	intermittent use X	X	X	X	X	X	X	

7. Has use of water, both amount and season, been as great as you expect in any future year under this permit? YES [ ] NO [X] If "No", explain on reverse side under "remarks".
8. Has location of the intake, place of use, or type of use been changed? YES [ ] NO [X]. Explain on reverse side under "remarks".
9. Did the source go dry? YES [ ] NO [X]. If so, during what months? _____

STORAGE PROJECTS ONLY

10. Did your reservoir spill this year? YES [ ] NO [ ]. If not, how many feet below spillway vertically was the water level at maximum storage? N/A Have you emptied the reservoir? YES [ ] NO [ ]. If not, how many feet below spillway vertically was it drawn down at end of season? _____

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

Dated: 5/26/75 at 450 Goldeh Gate Ave. San Francisco, Ca. 94102
(location) (state)

Sign here: (SGD) GERARD S. WITUCKI
Permittee

Gerard S. Witucki, Chief, Division of Water Resources

1974

SWRCB 15(9/74)

(REPORT CONTINUES ON REVERSE SIDE)

MUNICIPAL, COMMUNITY, OR SUBDIVISION PROJECTS ONLY

11. How many service connections to date?_____ Total population served by the water system _____
12. Estimated number of service connections under full use: _____
13. Are the connections individually metered? YES ☐ NO ☐.
14. Do you plan to meter the connections? YES ☐ NO ☐ When? _____
15. Sewage generated by those to whom you deliver water is disposed of by: Septic tanks and leach lines ☐; Seepage pits ☐; Central treatment plant ☐ operated by _____; Other ☐ (specify under "remarks") _____

PURVEYORS OF WATER ONLY

16. Water service is provided to an area or subdivision including a recreational reservoir: YES ☐ NO ☐.
17. Name of area or subdivision so served: _____
18. State surface area of recreational reservoir(s) at maximum water level referred to in 16 and 17. Identify surface area(s) by name of dam or reservoir: _____

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

CONSERVATION OF WATER

19. What measures are you using or planning to reduce water losses in conveyance systems? (1) Seepage or leak detection program ☐; (2) Lining canals ☐; (3) Phreatophyte and aquatic vegetation control ☐; (4) Other (describe in "remarks") ☐;
20. What measures are used to encourage consumers to conserve water in agricultural use? (1) Program to encourage more efficient irrigation systems (sprinkler, drip, etc.), where applicable ☐; (2) Return flow systems on individual farms ☐; (3) Return flow system areawide ☐; (4) Water pricing to encourage reduced use ☐; (5) Charges for drainage of irrigated lands ☐; (6) Other (describe in "remarks") ☐;
21. What measures are used to encourage municipal and industrial consumers to conserve water? (1) Regulations to control wasteful use ☐; (2) Public education program on water conservation ☐; (3) Pricing to encourage reduced use ☐; (4) Assistance to industry in design of recycle systems ☐; (5) Other (describe in "remarks") ☐.
22. What records are maintained on water use and conservation? (1) Loss rate from conveyance system ☐; (2) Water use for major crops by each farm ☐; (3) Other (describe in "remarks") ☐.

WATER QUALITY AND WASTEWATER RECLAMATION

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

24. After use, the water is (1) retained in reservoir ☐; (2) discharged into a stream or lake ☐; (3) discharged into settling ponds ☐. (4) Other ☐ Describe: _____
25. Is or will water being discharged contain waste materials? YES ☐ NO ☐. (1) Domestic ☐; (2) Municipal ☐; (3) Industrial ☐; (4) Agricultural ☐; (5) Other ☐ Describe: _____
26. Is or will water being discharged contain any specific material which is deleterious to fish and wildlife or which would impair the water for beneficial uses? YES ☐ NO ☐. Describe: _____
27. Describe what steps you are, have been, or can take to reclaim or directly reuse the water sought to be appropriated:

REMARKS

Please designate by number the question you are answering:

The Nemo Silver Corporation is presently in operation & further use of this water source is uncertain.

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

03-07-1973: progress report by permittee for 1972;green spring. ; march 07, 1973

STATE OF CALIFORNIA—THE RESOURCES AGENCY

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

CENTRAL REGION-LAHONTAN

PROGRESS REPORT BY PERMITTEE FOR 1972

OWNER OF RECORD:

U S DEATH VALLEY NATL MONUMENT
C/O U S NATIONAL PARK SERVICE,
DIVISION OF WATER RESOURCES, SSC,
450 GOLDEN GATE AVENUE, BOX 36025,
SAN FRANCISCO, CALIF 94102

APPLICATION 22979

NR 34

TELEPHONE NUMBER

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

SOURCE: GREEN SPRING

AMOUNT: 6000 GAL/DAY
PURPOSE: DOMESTIC & MINING

PERMIT 15721 EXPIRATION DATE: 12-01-72

This report is important in establishing your water right. It should be filled out carefully and returned promptly to the State Water Resources Control Board, Division of Water Rights, Room 1015, Resources Building, 1416 Ninth Street, Sacramento, California 95814.

Neither the filing of an application nor issuance of a permit in approval thereof constitutes a water right. A water right is established only by beneficial use of water in accordance with the terms and conditions of the permit. This report provides a record of the development of your project. If the project is diligently completed a license will be issued to confirm the right developed by beneficial use.

The project has been abandoned and I request revocation of this permit. ☐ Yes ☒ No

CONSTRUCTION WORK

1. Has construction work commenced? YES
2. Has all construction work been completed? NO If not, describe briefly the portions of the project completed including cost of work done:
3. If not completed, give estimated date of completion UNKNOWN
4. What construction work remains to be done to complete the project?

USE OF WATER

1. Has use of water commenced? YES It was used for:

(a) ☐ Irrigation ____ Total acres irrigated ____ Name of crops served and acreage of each

(b) ☐ Stockwatering ____ Number of animals

(c) ☒ Industrial mining intermittently — Nature of use

(d) ☒ Domestic intermittent — Number of persons, area of garden, lawn, etc.

(e) ☐ Municipal ____ Approximate population

(f) ☐ Recreational ____ Method of water use

(g) ☐ Recreational ____ Nature of use

(h) ☐ Power generation ____ Installed horsepower capacity

(i) ☐ Other ____

2. Has use of water, both amount and season, been as great as you expect in any future year under this permit? NO
3. Has location of the intake, place of use or type of use been changed? NO
4. Did the source go dry? NO If so, during what months?
5. What quantity of water was used each month in 1972 under this permit in gallons or acre-feet? (If not known check months water was used.)

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
				INTERMITTENT USE								

STORAGE PROJECTS ONLY

Did your reservoir spill this year? N/A If not, how many feet below spillway vertically was the water level at maximum storage? Have you emptied the reservoir? If not, how many feet below spillway vertically was it drawn down at end of season?

REMARKS THE NEMO SILVER CORPORATION IS PRESENTLY NOT IN OPERATION & FURTHER USE OF THIS WATER SOURCE IS UNCERTAIN. (If more space is needed, use reverse side) PETITION FOR EXTENSION OF TIME IS ATTACHED.

Date March 7, 1973 Sign Here

Permittee

1972 GERARD S. WITUCKI, CHIEF, DIVISION OF WATER RESOURCES, WESTERN REGION

WRCB-15 (7-72)

cb169-000 7-72 5,200 ① OSP

00-00-0000: application 22979;permit 15721.

STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

Application 22979 Permit 15721

To Water User:

Water Code Section 1396 requires an applicant to exercise due diligence in developing a water supply for beneficial use. The State Water Resources Control Board, in considering requests for extension of time for said development, will review the facts presented herein to determine whether there is a showing of good cause upon which to grant a reasonable extension of time to complete the project. Where diligence in completing the project is not fully substantiated, the Board may set the matter for hearing to determine the facts upon which to base formal action relating to the permit. Formal action may involve:

(1) Issuing a license for the amount of water heretofore placed to beneficial use under the terms of the permit.

(2) Granting a reasonable extension of time to complete construction work and/or full beneficial use of water.

(3) Revoking the permit for failure to proceed with due diligence in completing the project.

The time previously allowed within which to complete construction work and/or use of water has either expired or will expire shortly. Please indicate below the action which you desire taken on this permit:

1. The project has been abandoned and I request revocation of the permit. _____ Yes XXX No

2. Full use of water has been made, both as to amount and as to season, and I request license be issued. _____ Yes XXX No

3. The project is not yet complete and I request an extension of time. XXX Yes _____ No

If an extension is requested, the remainder of this form should be completed in detail.

PETITION FOR EXTENSION OF TIME*

If start of construction work has been delayed, complete Items 1, 2, and 3.

1. What has been done since permit was issued toward commencing construction?

_____

_____

2. Estimated date construction work will begin _____

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

_____

* A fee of $5 must accompany this petition.

WRCB 20C (. 2-70)

If construction work and/or use of water is proceeding but is not complete, an extension of time may be petitioned by completing the appropriate items below. Statements must be restricted to construction or use of water under this permit only.

4. A ~~(1-year)~~ / / ~~(2-year)~~, (3-year) extension of time is requested to complete construction work and/or beneficial use of water. (Indicate period of time required.)

5. How much water has been used? _____ AF/year Unknown cfs

6. How many acres have been irrigated? _____

7. How many houses or people have been served water? _____

8. Extent of past use of water for any other purpose _____

9. What construction work has been completed during the last extension?

10. Approximate amount spent on project during last extension period.
$ _____

11. Estimated date construction work will be completed _____

12. Estimated year in which water will be fully used _____

13. Reasons why construction and/or use of water was not completed within time previously allowed: _____
SEE PROGRESS REPORT FOR PERMITTEE 1972

Date March 7, 1973 Signature Gerard S. Witucki
GERARD S. WITUCKI, CHIEF, DIVISION OF WATER RESOURCES, WESTERN REGION

12-01-1970: progress report by permittee for 1969;green spring. ; december 01, 1970

STATE OF CALIFORNIA—THE RESOURCES AGENCY

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

PROGRESS REPORT BY PERMITTEE FOR 1969

OWNER OF RECORD: APPLICATION 22979

U S DEATH VALLEY NATL MONUMENT
C/O U S NATIONAL PARK SERVICE,
DIVISION OF WATER RESOURCES, SSC,
450 GOLDEN GATE AVENUE, BOX 36025,
SAN FRANCISCO, CALIF 94102

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

SOURCE: GREEN SPRING WR-34

AMOUNT: 6000 GAL/DAY
PURPOSE: DOMESTIC & MINING

PERMIT 15721

This report is important to you in establishing your water right. It should be filled out carefully and returned promptly to the State Water Resources Control Board, Division of Water Rights, Room 1140, Resources Building, 1416 Ninth Street, Sacramento, California 95814.

Neither the filing of an application nor issuance of a permit in approval thereof constitutes a water right. A water right is established only by beneficial use of water in accordance with the terms and conditions of the permit. This report provides a record of the development of your project. If the project is diligently completed a license will be issued to confirm the right developed by beneficial use.

The project has been abandoned and I request revocation of this permit. ☐ Yes ☒ No

CONSTRUCTION WORK

1. Has construction work commenced? YES
2. Has all construction work been completed? NO If not, give estimated date of completion UNKNOWN
3. State approximate cost of construction work on this project during the past 12 months
   Describe briefly the portions of the project upon which the above amount was spent
4. What construction work remains to be done to complete the project?

USE OF WATER

1. Has use of water commenced? YES It was used for:

(a) ☐ Irrigation ____ Total acres irrigated ____ Name crops served and acreage of each

(b) ☐ Stockwatering ____ Number of animals

(c) ☐ Industrial ____ Nature of use

(d) ☒ Domestic INTERMITTENT Number of persons, Area of garden, lawn, etc.

(e) ☐ Municipal ____ Approximate population

(f) ☒ Mining INTERMITTENT Method of water use

(g) ☐ Recreational ____ Nature of use

(h) ☐ Power generation ____ Installed horsepower capacity

(i) ☐ Other ____

2. Has use of water, both amount and season, been as great as you expect in any future year under this permit? NO
3. Has location of the intake or place of use been changed? NO
4. Did the source go dry? NO If so, during what months?
5. What quantity of water was used each month in 1969 under this permit in gallons or acre-feet? (If not known check months water was used.)

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
		INTERMITTENT USE										

STORAGE PROJECTS ONLY

N/A

Did your reservoir spill this year? ____ If not, how many feet below spillway vertically was the water level at maximum storage? ____ Have you emptied the reservoir? ____ If not, how many feet below spillway vertically was it drawn down at end of season?

REMARKS THE NEMO SILVER CORPORATION IS PRESENTLY NOT IN OPERATION- FORTHER USE OF THIS WATER SOURCE IS PRESENTLY UNCERTAIN.
(If more space is needed, use reverse side)

(SGD) GERARD S. WITUCKI

Date DECEMBER 1, 1970 Sign Here GERARD S. WITUCKI, CHIEF, WATER RESOURCES SECTION, WESTERN SERVICE CENTER.
Permittee

WRCB 15 (7-62) 1969 34338-983 7-69 5M ① OSP

STATE OF CALIFORNIA—RESOURCES AGENCY

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 15539 PERMIT 11424 LICENSE

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

THE STATE WATER RIGHTS BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 11424; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1970

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1970

DATED: NOV 30 1967

/S/ L. C. Spencer

L. C. SPENCER
CHIEF ENGINEER

02-07-1968; permit for diversion and use of water; permit no. 15721.; february 07, 1968

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

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT NO. 15721

Application 22979 of United States Death Valley National Monument
Death Valley, California

filed on February 7, 1968, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source: Green Spring

Tributary to: Unnamed Stream thence Emigrant Canyon thence Emigrant Wash thence Death Valley

2. Location of point of diversion:

40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridian
S81°30'W, 6,900' from USGS Bench Mark M165 — SE ¼ of SW ¼	proj. 34	17S	44E	MD
¼ of ¼				
¼ of ¼				
¼ of ¼				
¼ of ¼				
¼ of ¼				

County of Inyo

3. Place of use: Gold Bottom Mill Site in SE¼ of NW¼ of Section 35, T17S, R44E, MDB&M, as shown on map on file with the State Water Resources Control Board.

4. Purpose of use: Domestic and mining.

5. The water appropriated shall be limited to the quantity which can be beneficially used, and shall not exceed 6,000 gallons per day by direct diversion to be diverted from January 1 to December 31 of each year.

6. The maximum quantity herein stated may be reduced in the license if investigation warrants.

7. Actual construction work shall begin on or before June 1, 1969, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.

8. Said construction work shall be completed on or before December 1, 1971.

9. Complete application of the water to the proposed use shall be made on or before December 1, 1972.

10. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Resources Control Board until license is issued.

11. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

12. Permittee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit.

13. Permittee shall not construct or maintain fences or other works which may prevent access to water from the source hereunder by the public or wildlife.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: OCT 29 1968

STATE WATER RESOURCES CONTROL BOARD

K. L. Woodward

Chief, Division of Water Rights

21519-983 6-68 3M ① OSP

06-14-1968: notice of application to appropriate water; application 22979. ; june 14, 1968

RECEIVED
JUN 17 1968

Supt.	
Adm. Off.	
Prop. Mgt.	
Personnel	
Ch. Ranger	
Ch. Nat.	
Maint Supt	
Fore. P & U	
Fore. R & T	
Mgt. Asst.	

DEATH VALLEY
MONUMENT

STATE OF CALIFORNIA - RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ROOM 1140, RESOURCES BUILDING
1416 NINTH STREET
SACRAMENTO, CALIFORNIA 95814

NOTICE OF APPLICATION TO APPROPRIATE WATER

APPLICATION 22979

NOTICE IS HEREBY GIVEN THAT ON FEBRUARY 7, 1968

ROY C TROEGER
4600 ENCINO AVENUE, ENCINO, CALIF 91316

APPLIED TO THE STATE WATER RESOURCES CONTROL BOARD FOR A PERMIT TO APPROPRIATE UNAPPROPRIATED WATER, SUBJECT TO VESTED RIGHTS.

DESCRIPTION OF PROJECT

WATER TO BE APPROPRIATED FROM GREEN SPRING TRIBUTARY TO
UNNAMED STREAM THENCE EMIGRANT CANYON THENCE EMIGRANT WASH
POINT OF DIVERSION WITHIN SE1/4 OF SW1/4 SECTION 34 T17S R44E MDB&M
IN THE COUNTY OF INYO
AMOUNT APPLIED FOR: 6000 GALLONS PER DAY BY DIRECT DIVERSION
DIVERSION SEASON NAMED: JANUARY 1 TO DECEMBER 31 OF EACH YEAR

WATER TO BE USED FOR DOMESTIC & MINING PURPOSES

PLACE OF USE DESCRIBED: AT MINING CLAIMS AND MILL SITE WITHIN SE1/4 OF NW1/4 OF PROJECTED SECTION 35, T17S, R44E, MDB&M, AS SHOWN ON MAP FILED WITH STATE WATER RESOURCES CONTROL BOARD. THE WATER WILL NOT BE POLLUTED NOR WILL IT BE RETURNED TO ANY WATERCOURSE.

NOTE: THIS APPLICATION WILL BE ASSIGNED TO THE DEATH VALLEY NATIONAL MONUMENT IN ACCORDANCE WITH FEDERAL REGULATIONS AFTER THE PERMIT IS ISSUED.

RELATIVE TO PROTESTS

BLANKS UPON WHICH TO SUBMIT PROTESTS WILL BE SUPPLIED FREE UPON REQUEST

ANY PERSON DESIRING TO PROTEST THE GRANTING OF SUCH PERMIT SHALL WITHIN 40 DAYS FROM DATE HEREOF FILE A WRITTEN PROTEST WITH THE STATE WATER RESOURCES CONTROL BOARD, ROOM 1140, RESOURCES BUILDING, 1416 NINTH STREET, SACRAMENTO, CALIFORNIA 95814. A COPY OF THE PROTEST SHOULD BE SENT TO THE APPLICANT. SUCH PROTEST SHALL CLEARLY SET FORTH THE PROTESTANT'S OBJECTIONS TO THE APPROVAL OF THE APPLICATION AND SHALL CONTAIN THE FOLLOWING INFORMATION:

(1) STATEMENT OF THE INJURY WHICH WOULD RESULT TO PROTESTANT FROM SUCH APPROPRIATION AND USE.

(2) THE BASIS OF PROTESTANT'S WATER RIGHT.

(3) PROTESTANT'S PAST AND PRESENT USE OF WATER BOTH AS TO AMOUNT USED AND LAND IRRIGATED OR USE MADE OF WATER IF OTHER THAN IRRIGATION.

(4) THE APPROXIMATE LOCATION OF PROTESTANT'S LAND OR PLACE OF USE AND POINT OF DIVERSION OF THE WATER.

K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

DATED: SACRAMENTO, CALIFORNIA
JUN 14 1968

05 ADMIN

Death Valley National Park

GREEN SPRING DIVERSION

Administrative Agreements

01-30-1975: letter to russ journigan; water rights vested in the united states. ; january 30, 1975

Death Valley National Monument
Death Valley, California 92328

L54 (WR #34, AWR #34) January 30, 1975
L3023

Mr. Russ Journigan
Tucki Mining Company
P. O. Box 122
Lone Pine, CA 93545

Dear Mr. Journigan:

The Western Regional Office, National Park Service, was asked to make a study of the water rights on Burro Spring and other nearby springs of a group of six which once have or may have provided water to Mr. Troeger and others for mining or milling purposes, and water rights on Telephone Spring. Findings concluded that water rights from these springs are vested in the United States.

The water from these springs has been in recent years and continues to receive beneficial use by wildlife. This beneficial use is in keeping with the purposes for which the Monument was established and responsibilities of National Park Service Management.

We conclude that water rights from these springs are vested in the United States and that the water is beneficially used by the United States and is therefore unavailable for other purposes.

Sincerely,

James B. Thompson
Superintendent

cc

Witucki, w/cpy ltr
Zentner
files
reading file
RMitcham:jm

01-27-1975: memo from chief, division of mining and minerals; subject: russell journigan's water permit request, tucki mine, death valley. , january 27, 1975

United States Department of the Interior

NATIONAL PARK SERVICE
WESTERN REGION
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIFORNIA 94102

IN REPLY REFER TO:
L3023
(WR) MM

January 27, 1975

Memorandum

To: Division of Water Resources, Western Region
Attention: Jerry Witucki

From: Chief, Division of Mining and Minerals, Western Region

Subject: Russell Journigan's Water Permit Request, Tucki Mine, Death Valley

Mr. McMunn's opinion on the Journigan water permit is based on NPS needs for the water from the springs.

Mr. Journigan's request is based on need of water for mining. Water for mining purposes is a right recognized under the mining laws. His current water needs are being satisfied by water from Panamint Springs more distant and expensive to obtain than water from Telephone Spring and ~~Emigrant Spring.~~ Barrow ck

We agreed to Tenneco's obtaining water from a proposed well in Furnace Creek. If we deny Mr. Journigan's request, we should be prepared to identify specifically how the water is being used for wildlife.

L. S. Zentner

1/27/75

Cec -
I don't want any more
correspondence on this.
Ches

CONSERVE AMERICA'S ENERGY

Save Energy and You Serve America!

UNITED STATES
Department of the Interior
National Park Service

No. 68-1
Previous Permit
No. NEW

PERMIT FOR WATER USE
incidental to mining operations in
DEATH VALLEY NATIONAL MONUMENT

Pursuant to the act of August 25, 1916 (39 Stat. 535) and the act of June 13, 1933 (48 Stat. 139) and the regulations governing surface use thereunder (36 C.F.R. 7.26)

Nemo Silver Corporation, Box 97, Trona, California

is hereby authorized to use the surface of lands in Death Valley for the construction, maintenance, and operation of the water system described by the attached plan, which is hereby approved and made a part of this permit;

and to use _____ sec. ft. _____ acre ft. per annum for domestic
~~_____ sec. ft.~~ 6,000 gallons/day ~~acre ft. per annum~~ for milling
_____ sec. ft. _____ acre ft. per annum for _____

(strike out inapplicable unit)

purposes of the waters of Green Spring
(give names of sources)

under Water Right Application No. 22979, as said water right is designated by the State Water Rights Board of California, with subpriority No. B, at no fee but subject to the special conditions on the following pages.
(California or Nevada)

Signed at Death Valley this 17th day of December, 19 68,

Homer P. Leach
Acting Superintendent

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

W D J. Heironimus Pres. * John L. Shaw - Secty

Address 809 W. Hellman Alham Address 8845 Callita St. San Gabriel Calif

W Mary A. Heironimus Vice Pres.

Address 809 W. Hellman Ave Address _____
Alhambra Calif.

APPROVED: Regional Director, _____ Region, National Park Service.

_____

_____
(date)

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

(This copy for the Permittee)
(This copy for the Superintendent's water right docket)
(This copy for the Director's water right docket)
(This copy for the Regional Director)
(This copy for the SSC-LW)



SPECIAL CONDITIONS

1. This permit is granted subject to assignment to the United States of all rights to the use of waters of the designated sources(s) by the permittee(s).

2. In the absence of recorded Federal water rights or those assigned herewith, the designated use of water is granted subject to the perfection of necessary Federal water rights in accordance with the applicable state water laws and provisions of this permit.

3. The United States reserves paramount rights, with subpriority No. 1 under the designated Water Right Application No. 22979, to such quantities of the designated source(s) as may be needed by the transient general public, for fire protection and other incidental administrative, maintenance and operating purposes; it being understood that subpriorities for major permanent water development and use by the United States and permittee(s) shall be in the order initiated unless a special reservation for Federal use is made a part of this instrument.

4. The United States reserves the rights to authorize other miners and prospectors to use water when available, from the same source, and under the same Federal water right, or such junior Federal rights as may be necessary, and permittee(s) agree(s) to joint land use and equitable consolidation of water systems by the United States or other permittee(s) as may be necessary for the most efficient and beneficial diversion and use of the water, subject to equitable proration of the cost of the consolidated water system, and provided that no permittee(s) shall be liable for the enlargement or modification of his water system if said water system is already sufficient for his needs.

5. The permittee(s) may assign his subpriority of use of the water of one or more springs covered by a single water right, but such assignment shall not be binding until a copy is recorded with the County Recorder and filed with the Director, National Park Service, and such assigment is subject to the granting or amendment of Surface Use Permits to the grantor and assignee.

6. Water use will be authorized under established Federal rights or those assigned as herein provided, when practical, it being the objective to establish adequate, permanent Federal rights in compliance with the state water laws for any Federally authorized uses on the surface of the land in Death Valley National Monument.

7. All necessary future applications for the appropriation of water, and other instruments relating to the perfection of water rights in accordance with the state water laws, which are needed in connection with water use by the permittee(s), shall be prepared by the permittee(s), on behalf of the United States in accordance with instructions to be supplied by the Director, National Park Service, and submitted to the Superintendent with a check or money order for prescribed statutory fees made payable to the State Engineer, for execution and transmittal to the State Engineer by the authorized Federal official.

8. All posting, and other actions prescribed by the State Water Rights Board shall be carried out by permittee(s) when and as directed by the Director, National Park Service; and permittee(s) shall supply check or money order made payable to proper recipient to cover prescribed state fees and advertising costs, provided that permittee(s) shall supply the Director, National Park Service, with 4 copies of a receipt if he or they, elect to pay in person by cash.

9. The permittee(s) shall use all possible diligence in the construction of the water system and perfection of rights, provided that the United States may assume, or participate in such responsibilities at the discretion of the Director, National Park Service, to protect other Federal or public interests.

10. The permittee(s) shall supply the Director, National Park Service with information on construction and its cost, and water use progress, during each preceding year if the rights are evidenced by permit or on the proper alternate years if rights are licensed during the first 2 weeks of September, and the Director, or his authorized representative, will file that annual or biennial reports required by the State Division of Water Resources, based on that information, with copy (copies) to the permittee(s).

11. The permittee(s) shall comply with the terms of Federal water rights as prescribed in copies of the applications, permits, licenses and other instruments to be supplied by the Director, National Park Service.

12. No withdrawal or cancellation of Federal water claims or rights shall be made except by the Director, National Park Service, or his authorized representative.

13. No portion of a water diversion and supply system which is essentail to the preservation of a water right shall be removed without the prior approval of the Director, National Park Service, who shall be given 90 days notice of any intent to abandon the use of water and the right to arrange for Federal acquisition of permittee(s) interest in such structures at reasonable depreciated value within said 90 days.

14. Failure to use the water system herein authorized for more than one year shall constitute a forfeiture of the subpriority of water right granted; provided that if permittee(s) shall sustain his possessory right in the mining claim under the mining law, he may preserve his said subpriority by ffling with the Superintendent prior to the end of each year of nonuse of a notice of intention to resume the use of said water system and the mining claim or millsite where the water is used.

15. The United States assumes no responsibility for the protection of the water system or other structures and equipment authorized pursuant to this permit. Furthermore, except for actionable damages resulting from the negligent or wrongful act or omission of an employee of the Government while acting within the scope of his office or employment, the United States shall not be liable for any damages to the permittee(s') water system or other structures or equipment.

16. No structures, dumps, or other surface uses shall be located where they will lead to possible pollution of sources of water, interfere with traffic on established highways, or interfere with the proper enjoyment of established administrative, residential and public campground areas.

17. Permittee(s) shall exercise this privilege subject to the supervision of the Superintendent and shall comply with the regulations of the Secretary of the Interior governing the administration of the Monument.

18. Use by the permittee(s) of the land surface covered hereby is subject to the right of the Director, National Park Service, to establish trails, roads, public campgrounds, and other improvements and betterments over upon or through said premises, and further to the use by travelers and others of such roads and trails as well as of those already existing.

19. All buildings or other structures shall be erected under this permit only at sites indicated in attached drawing, and the premises and all appurtenances thereto shall be kept in a safe, sanitary, and sightly condition.

20. Permittee(s) shall dispose of brush and other refuse as required by the Superintendent.

21. Permittee(s) shall pay the United States for any damage resulting from this use.

22. Permittee(s) and his (their) employees shall take all reasonable precautions to prevent forest fires and also shall assist the Superintendent to extinguish forest fires in the vicinity of any tract which may be used hereunder and in the preservation of good order within the metes and bounds of the area.

23. No timber may be cut or destroyed without first obtaining permit therefor from the Director, National Park Service, in writing.

24. Permittee(s) shall take adequate measures, as directed and approved by the Superintendent, to arrest and prevent soil erosion on the lands covered hereby and shall so utilize such lands as not to contribute to erosion on adjoining lands.

25. This permit may not be transferred or assigned without the consent of the Director, National Park Service in writing, but nothing herein shall deny the right of transfer or assignment, as appurtenances to the mining claim or millsite on approval of and proper recording with the Director National Park Service.

26. This permit may be terminated upon breach of any of the conditions herein, at the discretion of the Director of the National Park Service, on equitable reimbursement of the permittee(s) for his (their) investments, or modified as mutually agreed to by the permittee(s) and the Director, National Park Service.

27. The term "Director, National Park Service" as representative of the Secretary of the Interior, as used herein shall include the appropriate Regional Director, National Park Service, and Superintendent of Death Valley National Monument, as the representatives of the Director.

28. Neither members of, nor delgates to Congress, or resident commissioners, shall be admitted to any share or part of this permit or derive either directly or indirectly, any pecuniary benefit to arise therefrom: Provided, however, that nothing herein contained shall be construed to extend to any incorporated company, if the permit be for the general benefit of such corporation.

29. All uranium, thorium, and all other material determined pursuant to section 5(b)(1) of the Atomic Energy Act of 1946 (60 Stat. 761) to be peculiarly essential to the production of fissionable material contained in whatever concentration, in deposit in the lands covered by this permit are hereby reserved for the use of the United States, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same, making just compensation for any damage or injury occasioned thereby.

30. No work will be undertaken to increase the rate of flow at the spring. Removal of overburden at the site and cleaning of the spring may be accomplished under this permit. The sides of the spring may be stabilized by shoring.

31. Permittee shall not construct or maintain fences or other works which may prevent access to water from the source hereunder by the public or wildlife.

32. A water trough or other facility will be provided for wildlife use and the brush cover left intact except removal as may be necessary to allow access to the spring.

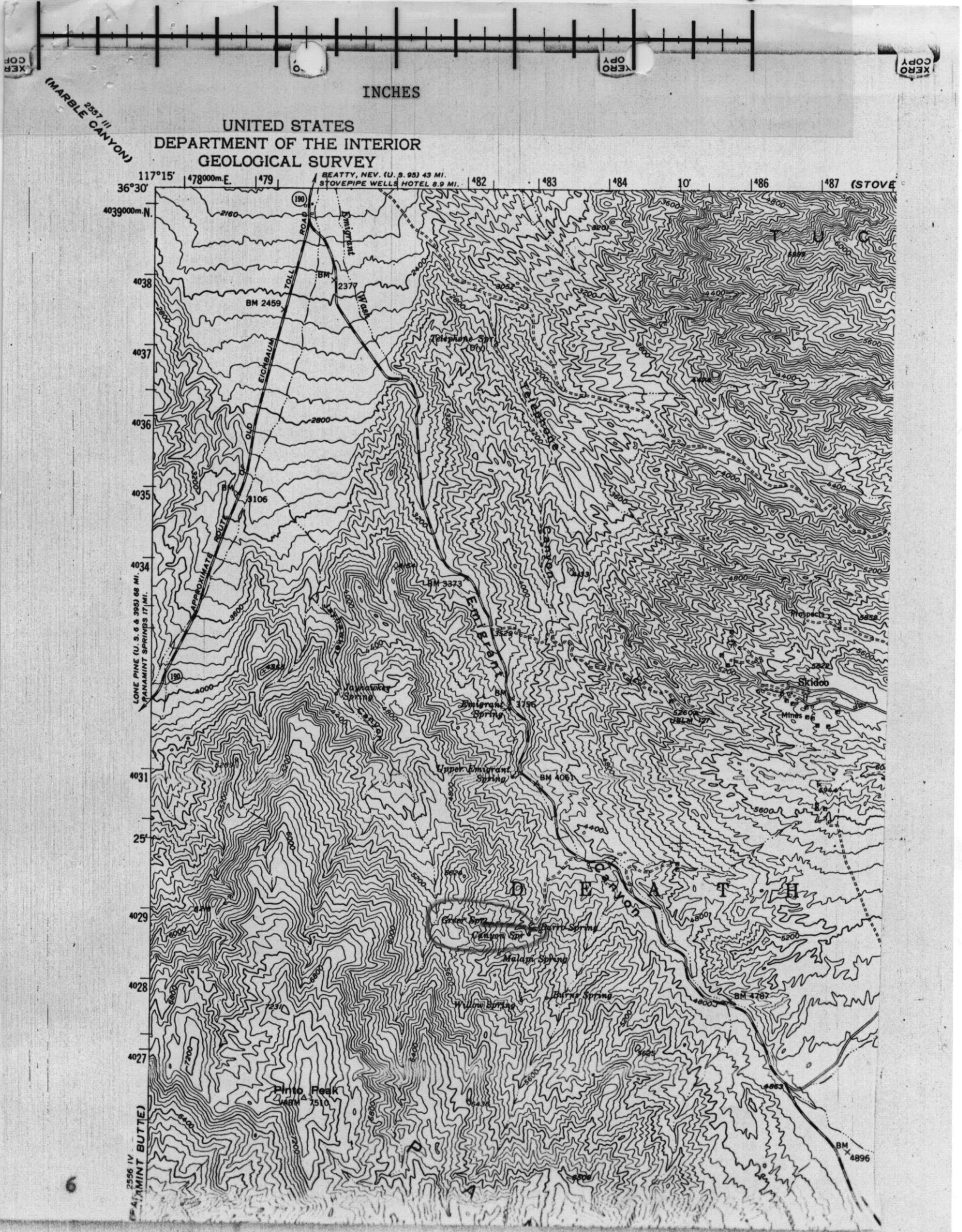
33. The road from Burro Spring to the base of the hill below Green Spring may be improved following the old road route and a turnaround provided as indicated and agreed with the District Ranger at the site.

00-00-0000: topographic map of the death valley area

Scale Made July 1998 (Not Part of Image)

0 1 2 3 4 5 6

INCHES



00-00-0000: letter describing plans to upgrade the green spring

Water Use Permit 68-1 & 69-1

ab.

Green Spring

WE Will extend the road from Burro Spring to the base of the hill leading up to Green Spring, Put in a turnaround so we can get back down.

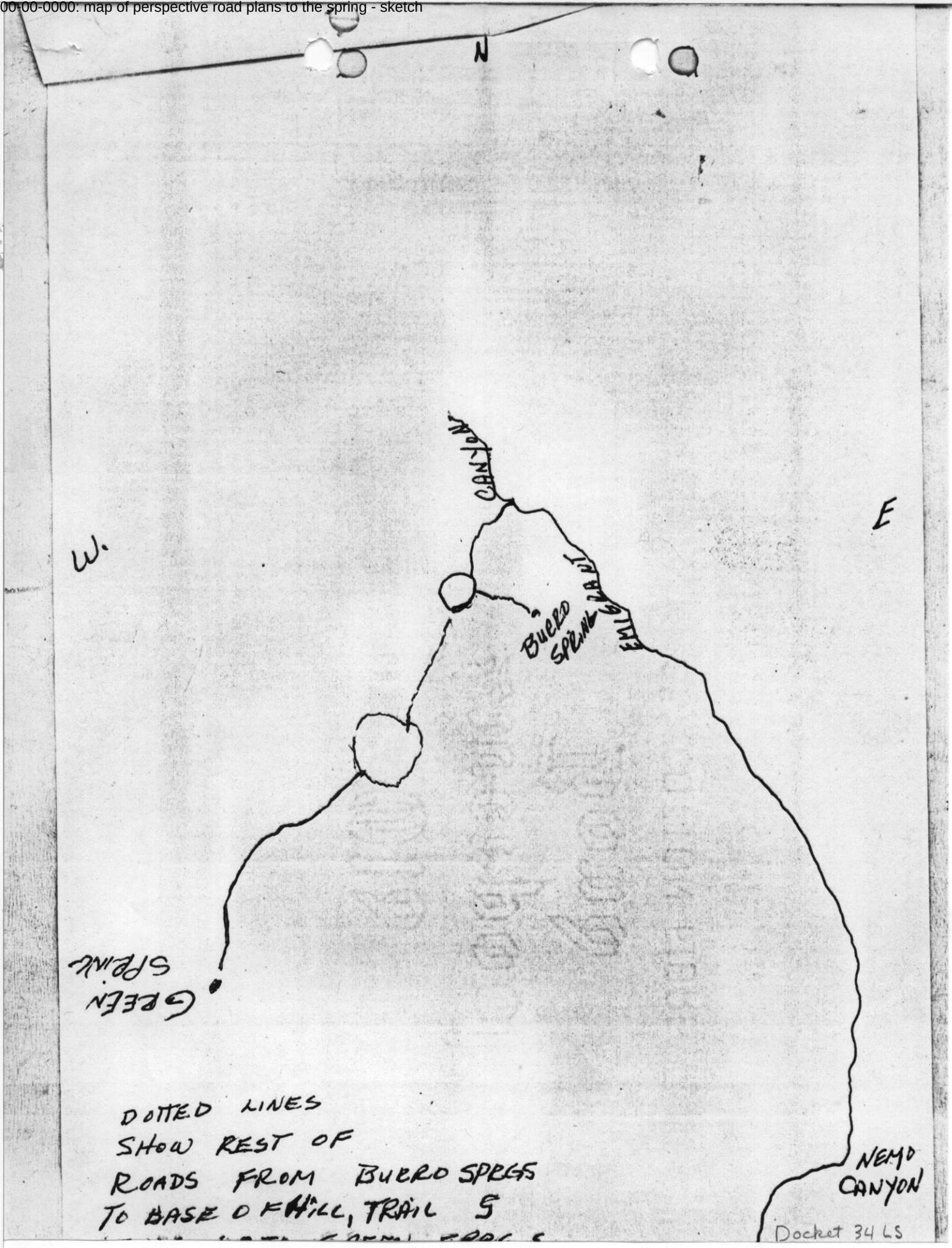
We will clear away some of the brush and Overburden, Clean out the spring and Old pipeline, Shore up the entrance and Clean it up in Genl

We will use as much of the Old pipeline as possible, Install a water trough for Wildlife & leave the Area of Brush Covering Stand like it is as much as possible, and still have access to the Spring.

O. L. Heironimus

Docket 34 LS

00-00-0000: map of perspective road plans to the spring - sketch



07 OTHER

Death Valley National Park

GREEN SPRING DIVERSION

Other Supporting Information

STATE OF CALIFORNIA—RESOURCES AGENCY

Edmund G. Brown Jr.
Governor

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
LOS ANGELES OFFICE
107 SO. BROADWAY, ROOM 4022
LOS ANGELES 90012

March 19, 1975

Mr. Gerald S. Witucki, Chief
Water Resources Division
United States Department of the Interior
National Park Service
450 Golden Gate Ave., Box 36063
San Francisco, California 94102

Dear Mr. Witucki:

Your Reference: L54 (WR) PSW DEVA/WATER RIGHTS GEN

Permit 4645 (Application 8423)	Permit 11423 (Application 17839)
Permit 5738 (Application 10001)	Permit 11424 (Application 15539)
Permit 5739 (Application 10002)	Permit 11924 (Application 18489)
Permit 5754 (Application 10118)	Permit 14533 (Application 21646)
Permit 11421 (Application 16096)	Permit 15363 (Application 22366)
Permit 11422 (Application 16138)	Permit 15721 (Application 22979)

Various Springs and Washes in Death Valley National Monument

Bill Werrell from your division and I recently completed a field inspection of 12 Water Rights Permits issued to the U. S. Death Valley National Monument in Death Valley.

The purpose of the field inspection was to determine the extent of the use of water made under each permit and make recommendations as to the future status of these permits.

I have reviewed the information collected from the field inspection, personnel of the Death Valley National Monument, and other persons involved with the use of water from these sources. My recommendations regarding each of the 12 permits and the reasons for my recommendations are listed in the attached summary.

A Request for License form is enclosed for each of the four permits that I have recommended licensing action. If you have any questions regarding the findings on the Request for License, I will be glad to discuss them with you. If the findings are satisfactory, please sign the form on behalf of your division and return them to me. Please note that Permit 11424 require a petition fee of $10 and Permits 11421 and 14533 require a petition fee of $15.

00-00-0000: summary - recommended status for permits issued to deva

SUMMARY

RECOMMENDED STATUS FOR PERMITS ISSUED TO THE DEATH VALLEY NATIONAL MONUMENT

Permit No.	Application No.	Source	Recommendation	Reason for Recommendation
4645	8423	Thorndike Spring	License: 400 gpd	Use of water at campground complete.
5738 5739 5754	10001) 10002) 10118)	Furnace Cr. Wash	Revoke	No evidence of any construction work done on project. Lack of diligence.
11421	16096	Tarantula Spring	License: 4350 gpd	Use of water complete for Mining, Domestic and Wildlife Propagation Uses.
11422	16138	Chucker Spr.	Revoke	No diversion system-appears abandoned. Lack of diligence.
11423	17839	Blue Cliff Spr.	Revoke	No Diversion system-appears abandoned. Lack of diligence.
11424	15539	Wee and Covered Spr.	License: 100 gpd	Use of water complete only for Wildlife Propagation Use.
11924	18489	Nevares Sprs.	Revoke	Source cannot supply an amount in excess of that can be already taken under Lic. No. 4621 (A. 9510) for 0.446 cfs (200 gpm) from the same source. The place and character of use same as License 4621.
14533	21646	Surprise Spr. Changed to: unnamed st.	License: 7300 gpd	Use of water completed.
15363	22366	Ibex Spr. No. 1	Revoke	Use of water does not exceed the amount allowed under Lic. No. 2910 for the same source.
15721	22979	Green Spr.	Revoke	No diversion system-lack of diligence.

The remaining 8 permits should be revoked. I cannot justify recommending an extension of time and still conform with the "Guidelines for Considerating Petitions for Extensions of Time". Forms for revoking these permits are also enclosed.

I hope that you concur with my recommendations.

Thank you for sending Bill Werrel to accompany me on these inspections. He was knowledgable, conscientious and of great assistance.

If I can be of any assistance, please donot hesitate to telephone me. Your prompt consideration to this matter will be appreciated.

Sincerly,

W. T. Chung

W. T. Chung

Enclosure

02-25-1975: memorandum to the chief, division of water resources from a hydrologist regarding field trip of january 20-24 to death valley

United States Department of the Interior

NATIONAL PARK SERVICE
WESTERN REGION
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIFORNIA 94102

IN REPLY REFER TO:

L54 (WR) PSW
DEVA/WATER RIGHTS GENERAL
WR # 1, 4, 21, 22, 24, 25, 31 and 34

February 25, 1975

Memorandum

To: Chief, Division of Water Resources, Western Region

From: Hydrologist, Division of Water Resources, Western Region

Subject: Field Trip of January 20-24, to Death Valley

Purpose of the trip: Trip made to coordinate on site examination of several water sources which are on file with the State of California, Division of Water Rights. The on site examinations were made with a representative of the State in order to determine the current use status of these sources. (State Division of Water Rights letter of February 19, 1974 suggests joint NPS, State examination -- trip postponed several times by State request).

Itinerary: Left San Francisco and arrived at the park on January 20, 1974. On site examinations conducted on January 21-23. Departed the park and returned to San Francisco on January 24.

Companions: None.

Accomplishments and or observations: Met with Mr. Wilbert T. Chung, representative for the State of California Water Rights Division, Los Angeles Office. Jointly visited with Superintendent Jim Thompson, Robert Mitcham, Mining and Minerals; Milo Bonifield, Maintenance Supervisor; Roger Weber, Administrative Officer; and Peter Sanchez, Resource Management Specialist. The following water sources were visted with Mr. Chung:

1. Well in Furnace Creek Wash - Permit #5739 (Water Right Docket #4). We were unable to locate any evidence of a well in this area. Well is shown as "test well" on NPS drawing of area. We concluded that upon completion of the well that all casing was removed and that subsequent sedimentation has obliterated the site. Permit requests 0.5 cfs for irrigation of 20 acres. In view of the above findings, Mr. Chung stated that the State may move to revoke the permit.



Save Energy and You Serve America!

Mr. Glen Miller of the U.S. Geological Survey was telephoned on the following day in regards to this source. It appears that the "well" is actually a 4' x 4' concrete box (such was located in the field during our inspection) which had an unknown number of drain lines which extend out under the adjacent wash. Mr. Miller was uncertain as to where the water was used - he believes that possibly the water is joined with that of Texas Spring and is used by NPS. Mr. Chung was informed of the above.

2. Naveras Spring - Permit #11024 (Water Right Docket #1). Spring collection box and adjoining area was inspected. A Hershey flow meter located in the pipeline was read and it was determined that 0.001 acre-feet of water was flowing per 85 seconds (0.51 cfs). Permit requests 0.25 cfs for domestic usage by 100 permanent and 50 seasonal employees. Mr. Chung noted that water was also utilized for irrigation of lawns, shrubs and trees. Mr. Chung requested past readings of the flow meter. Mr. Bonifield was asked about such data and it was learned that no readings had been made for the last several years - as suggested by Mr. Miller of the USGS. Independent discharge measurements by Mr. Miller indicated that the meter was inaccurate and, therefore, readings were unnecessary.

   During a phone conversation with Mr. Chung subsequent to the field trip, he stated that this permit should be revoked since NPS already has a license for 0.446 cfs (Application #9510, License #4621, Water Right Docket #1). This license is for water obtained by "French Drains" downstream, to the west, of property owned by Mr. Naveras (1939).

   It appears that since 1939 the park has bought Mr. Naveras' property and by Permit #11024 has changed the point of diversion and essentially raised the appropriated amount by 0.25 cfs.

   Mr. Bonifield was called to inquire of the present physical conditions of this water source. He stated that all of the water is now derived from the inspected springs and pipeline. Disuse of the "French Drain" system apparently dates back a number of years.

3. Surprise Spring - Permit #14533 (Water Right Docket #31). Difficulty was encountered in locating this spring due to : (a) the Grapevine Ranger Station is no longer at the site shown on the U.S. Geological Survey Topo Map, Tin Mountain, 1957. The station is presently

about one mile north of its old location, being situated on the west side of the highway in Section 14 - T 11 S, R 42 E, at approximately 2240 feet elevation, and (b) field map located spring in canyon on eastern edge of Section 18, T 11 S, R 43 E. This canyon was examined and found to contain no water source. The chlorinator house for the Ranger Station water supply is located in the SE-1/4, SE-1/4, SE-1/4 of Section 13, T 11 S, R 42 E. Evidence of a pipeline from the chlorination house extended in the direction of N 15 E up a canyon. About 3/4 of a mile up this canyon, a hundred feet or so of tall green grass, etc., was found indicating the presence of water. However, water from this point is apparently not piped to the Ranger Station because no pipeline could be found. It is believed that a pipeline of undetermined length extends up the canyon and terminates in a French Drain system somewhere between the chlorinator house and the grassy area. Permit requests 0.03 cfs for eight persons and lawn. At present the Ranger Station site has 13 persons.

4. Nameless Spring - Permit #4645 (Water Right Docket #24). This spring is known by park personnel as Thorndike Spring because water from this source is used at Thorndike Campground. Due to the high elevation and thus coldness, the pipeline is presently disconnected to allow free drainage and thus prevent water freezing damage. The discharge was volumetrically determined at one gpm. From inspection it appears that two French drains are situated along the streambed, being situated only a few feet apart - one appears to be upstream of the other. Permit requests 0.05 cfs for irrigation and domestic. The campground has four camp sites, no irrigation area was observed.

5. Green Spring - Permit #15721 (Water Right Docket #34). An inspection of the Nemo Silver Company millsite was made. At present the millsite is in all but total ruin. Only one building has a roof - the "mill" portion of the site is reduced to concrete foundation only. The two large water storage tanks are dry. There is no evidence of operation of any type at this location for an extended period of time. In view of the above, the disuse of Green Spring (and other springs up the canyon to the South) is obvious. No inspection of the spring sites was made.

   Note: Roy C. Troeger (license on Burro Spring AWR #34) requested the use of this spring in conjunction with Burro for his millsite. The monument allowed such a use with the permit filed in the name of the NPS.

6. Wee Spring, Covered Spring, Burnes Spring, and Chucker Spring - These water sources are contained in two Water Dockets. Wee, Covered and Burnes Springs are in Water Right Docket #22. This docket contains Wee Spring and Covered Spring (Application #15539, Permit #11424) and Burnes Spring (Application #13852, Permit #8536, License #6559A). Chucker Spring is in Water Right Docket #22A (Application #16138, Permit #11422). All of the above springs and the adjoining millsite were visited. The millsite, although in somewhat better physical condition than the Nemo millsite, was in disrepair and there was no evidence of recent work. All of the above water sources were developed to supply water for the millsite, development for all was by excavation along a streambed of small drainage and placement of a collection pipe in a French Drain type of construction. Pipes from each source conveyed water to the mill, these pipes are now in non-operating condition having been busted by freezing water, etc. Storage tanks at the mill contain no water and pipelines at that point are empty. The broken pipeline just below Wee Spring is flowing about 1/4 gpm. Flow, if any, from the other sources was not determined - but it is reasonable to assume that Covered Springs and Burnes Spring are producing about the same amount. Chucker Spring is situated in a larger drainage area and may be producing several times as much water as Wee Spring.

7. Blue Cliff Spring - Application #17839 (Water Right Docket #25). Two springs are listed by this permit. Upon inspection of the site no natural springs were found in the listed area however, two dams across the stream have been built. These dams are about 100 yards apart, the upper dam appears to have been about 5-6 feet high while the lower dam was about 20 feet high. Both dams have been breached and eroded and are incapable of retaining water. A pipeline from the dam area is in need of repair. There is no evidence of water usage for months. Mr. Chung stated that such dams are illegal.

8. Tarantula Spring - Application #160996 (Water Right Docket #21). Two springs are listed by this permit. Tartantula Spring is a natural spring with discharge of about three gpm. A pipeline from the millsite to the immediate spring area apparently ends in the wet soil below the spring - collecting water as a "French Drain." Tracks, droppings, etc., indicate heavy use of this spring by wildlife - including sheep and burrows. About 200 feet downstream of the spring a dam exists. This dam is

about 40 feet high and in good condition, but does not impound any water. Spring flow not intercepeted by the French Drain probably seeps through the porous material at the dam base. Mr. Chung stated that the dam was illegal and in his opinion was dangerous should it ever fill and break. The pipeline to the spring appears in working condition and conveys water at least part way to the millsite.

The water sources of both Blue Cliff and Tartantula were filed upon in order to acquire water for the Morning Glory Millsite and Campsite. The Millsite shows no evidence of operation for several months, but is in acceptable condition. The Campsite is also in acceptable condition, reading material was found which was dated January 1972.

Recommendations: State of California records, for each of the above water sources, indicate that the current status is one of Permit. In each case an extension of time has been requested and granted in order to complete neccessary work and thus to proceed to State License.

Conclusions: After review of the information obtained, Mr. Chung will prepare the appropriate papers and forward them to National Park Service, Water Resources Division. Water Resources will then review the proposed State action and will take any necessary steps to properly protect the NPS legal position while maintaining comity with the State.

William L. Werrell

William L. Werrell

Approved:

Gerard S. Witucki

Gerard S. Witucki
Chief, Division of Water Resources

01-02-1975: memorandum to the field solicitor's office from the associate regional director regarding a request for opinion

United States Department of the Interior

NATIONAL PARK SERVICE
WESTERN REGION
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIFORNIA 94102

IN REPLY REFER TO:

L54- WR 34 AWR 34
(WR) (PSW)
Y1823 (Greacy)

January 2, 1975

Memorandum

To: Field Solicitor's Office, San Francisco

From: Associate Regional Director, Park System Management
National Park Service, Western Region

Subject: Request for Opinion, Field Solicitor's Office, San Francisco on Russel Journigan obtaining water from springs for use in leaching operation at his Tucki Mine, Death Valley

This supplements Acting Regional Director Ward's memorandum of December 26, 1974. The following research by Division of Water Resources of the appropriate dockets (WR No. 34 and AWR #34 of DEVA) has revealed the following about "Troeger's Water" referred to in Superintendent Thompson's memorandum.

There are six springs located in the subject portion of Emigrant Canyon. These are Green, Canyon, Burro, Malapi, Burns, and Willow Springs. Various mining claims and water right applications in relation thereto, have been made in regard to these springs. The springs were originally a part of the operation of the Burro or Lost Burro mining operation antedating the establishment of the Monument by many years. The operation was unsuccessful and the pipeline and assets were sold at a tax lien sale to Roy Journigan about 1934. The earliest application to the State of California for a water right on these springs (specifically, Burro Spring) was filed on April 23, 1923, by a Carl Suksdorf to be used at the Golden Dollar Mill Site (in projected NW 1/4, SE 1/4, of Sec. 5, T18S, R4E), this was Application No. 3369. On February 27th, 1926, this application (Permit No. 1527) was revoked for failure to develop the source and to put it to beneficial use.

CONSERVE AMERICA'S ENERGY

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Roy Journigan filed Application No. 8961 on May 4th, 1937, on Green, Burro, Willow, and Burns Springs for use at the Journigan Gold Bottom Mill Site (in SE 1/4 of Sec. 29, T17S, R4E) and on December 20, 1937, Mr. Journigan sought a right-of-way from Death Valley National Monument (established by Proclamation No. 2028 on February 11, 1933) for his pipeline. It appears that this group of springs supplied the Journigan Mill up until W. W. II. During this time, a business arrangement existed between Journigan and Judge Gray, operator of the Skidoo Mines, for the reduction of the Skidoo ores by Journigan's mill. Subsequently, the title to the Skidoo Mines passed through Howard Gray, son of Judge Gray, to the Del Norte Mining Company. During W. W. II, the mill was abandoned by Journigan and his water rights were transferred to the Del Norte Mining Company of Skidoo. It should be noted that there was no chain of title between Suksdorf (the Golden Dollar Mill Site) and Journigan (the Gold Bottom Mill Site), Journigan merely located in the same vicinity.

It appears the owners of the Del Norte Mining Company were John M. Rogers, Joe Stiver, and Roy C. Troeger. A letter dated March 27, 1951, from the attorney of the Del Norte Mining Company, to the California Division of Water Resources, stated that his clients had relinquished to a Mr. Bennett and a Mr. Barginski their rights to Application No. 9846 (filed by the Del Norte Mining Company) and Application No. 8961 (filed by Roy Journigan). Bennett and Barginski had leased the Gold Bottom Mill Site from J. Stivers and Roy Troeger (by an agreement dated March 1, 1951) and also located three additional mill sites in the immediate vicinity, these being B & B, B & B I, B & B II. Bennett and Barginski had also filed Application No. 13851, on Malapi and Canyon Springs and Application No. 13852 on Burro, Green, Willow, and Burns Springs, both dated July 17, 1950.

As a result of the agreement dated March 1, 1951, mentioned above, Applications No. 13851 and 13852 were allowed by the Del North Mining Company to proceed, (Del Norte had previously filed a protest to these applications), and Applications No. 9846 and 8961 were cancelled on April 26, 1951. Mr. Bennett became aware of a shortage of water in the Emigrant Spring area and offered to give up his rights to Burns Springs to the NPS.

On August 1, 1951, Bennett and Barginski abandoned their rights to Burns Spring to Death Valley National Monument. Due to the somewhat ambiguous language in the instrument and its possibly adverse effects, the NPS requested an assignment by Bennett and Barginski which they made on November 30, 1951. A letter dated March 6, 1952, from the Superintendent of Death Valley to Bennett and Barginski stated that it had been the Park Service's impression that the springs were on land patented prior to the establishment of the Monument but there appeared to be no record of such and therefore their use of this land and the appurtenant water rights were based upon a mineral or mill site filing subject to the regulations promulgated on June 7, 1934, (now 36 CFR 7.26). The Superintendent stated "It is the established policy of this Service to acquire all water rights for sources on Monument lands in the name of the U.S., and to issue permits for approved users of water." As a result, no action was to be taken on the assignment of Burns Springs until the land status was established as well as the Park Service's position in relation thereto. The primary issue, as noted in a memorandum from the Assistant Director to the Regional Director, on Octobver 2, 1952, was whether a mill site location had been made prior to the establishment of the Monument; if not, then Bennett and Barginski's operations were subject to the regulations.

Prior to any action on the part of the Park Service, Bennett and Barginski assigned all their interests in Application No. 13852, to Albert Detloff on October 20, 1953. On November 2, 1953, the State received notice that Mr. Detloff had assigned a portion of his interests in this water right to a Mr. Dobbins, making him a partner. On November 20, 1953, he then assigned his interests in Burns Spring (one of those included in Application No. 13852) to a Mr. and Mrs. Greene.

At this point, the ownership of Burns Spring appeared to be very confused as the previous assignment to the NPS had not been recorded prior to that of the Greene's. Due to the efforts of the NPS and the assigning of her rights in Burns Spring by Mrs. Greene (Transfer No. 168), it appears title became vested in the NPS. As a result, on November 6, 1958, the State in response to a request by the Park Service ordered a correction in the points of diversion and place of use under Application No. 13852, so that Burns Spring was in the name of the U.S., and Green, Willow, and Burro Springs were in the names of Dobbins and Detloff.

On March 4, 1959, Dobbins and Detloff assigned their interests in Application No. 13851 and 13852, to a Mr. Roy C. Troeger, but the NPS was listed as co-applicant under 13852. During the entire period of ownership by Bennett and Barginski, the NPS had tried to acquire the title in full to both applications. Due to legal complications arising out of the split-up of the partnership between Bennett and Barginski and the successive conveyances, nothing appears to have been done.

An inspection made by the State Engineer on April 12, 1961, stated that the full flow of Burns Spring was being used for domestic purposes by the Greene's. The water from Burro Spring appeared to have been used by two people for domestic use and irrigation of 80 acres of land. He therefore recommended a license be issued to the U.S. (Death Valley) in the amount of 100 g.p.d. from Burns Spring for year-round domestic use and a license be issued in the name of Roy C. Troeger in the amount of 2,900 g.p.d. from Burro Spring for year-round domestic use. As a result, a license was issued on April 16, 1962, (License No. 6559-B) in the name of Roy C. Troeger on Burro Spring in the amount of 2,900 g.p.d. for domestic use. (License No. 6559-A was issued to the NPS for Burns Spring.)

On April 20, 1962, License No. 4788, issued on Application 13851, was cancelled and revoked by the State Water Resources Board in response to a request dated March 2, 1962, by Mr. Troeger (as previously mentioned, this application was for Malapi and Canyon Springs).

A report of Licensee for the years of 1962, 63, and 64, on Burro Spring stated that the water was used by Carl Dresselhaus, contractor, and his crew while doing annual assessment work on the Del Norte and Skidoo groups of mining claims.

A letter dated July 2, 1962, from the Chief, Branch of Water Resources, to the Regional Director, raised the question of whether this license should have been assigned to the U.S. but suggested that the matter be referred to the Regional Solicitor prior to taking any action.

Mr. M. Morris of the Park Service, made an inspection of the area on May 13, 14, and 15, 1966, and stated that Burro Springs was the spring with the most water showing. He said, "There was no evidence that any use was being made of this water. The mouth of the tunnel was partially closed by several boards and earth piled against them.

There is no visible evidence of any means of carrying this water away unless you did this by buckets. You can't even drive a truck close enough to pump the pool." Mr. James Roberts, in a memorandum dated August 4, 1967, said that he called the State Water Rights Board and talked with a Mr. Miller. Mr. Miller said that the reports by licensee on Burro Spring were filed on a three-year basis; the next being due in 1968 for this water right license. If there was any question of non-use or types of use, this would come up on the 1968 report.

On February 2, 1968, Roy C. Troeger submitted Application No. 22979 for appropriation of 6,000 g.p.d from Green Spring to be used for mining and domestic purposes (to supplement the existing supply from Burro Spring used at the Gold Bottom Mill Site). The State wrote to Death Valley on February 29, 1968, regarding this application and asked the Monument to notify them whether it was going to grant Troeger a right-of-access to the spring and in whose name the application should be filed (this was in relation to 36 CFR 7.26). Mr. Troeger assigned his right under the application to Death Valley in exchange for a use permit (No. 68-1, issued to the Nemo Silver Corporation, D. L. Heironimus, President) to use the water from Green Spring with a priority second to that of the Monument. Permit No. 15721 was issued to the U.S. on October 29, 1968, by the State for Green Spring.

Recently, the Superintendent of Death Valley stated that he believed that no development had been made of Green Spring. The time in which to complete construction under this permit expired on December 1, 1972, and presently, the state is scheduling an inspection of the source.

It would seem that the decision to allow the use of Monument water would largely be predicated on the validity of economic mining claims as well as a higher priority of use for wildlife and other threatened ecosystems in the Monument.

cc: Superintendent, DEVA
(WR)MM (Mining and Minerals)

12-26-1974: memorandum to the field solicitor's office from the acting regional director regarding a request for opinion on r. journigan obtaining water from the spring for a leaching operation at his mine

Rolandso

Weiler

Act'g.Assoc.Re
Dir.

L3023
(WR) 121

December 26, 1974

Memorandum

To: Field Solicitor's Office, San Francisco

From: Acting Associate Regional Director, Park System Management
National Park Service, Western Region

Subject: Request for Opinion, Field Solicitor's Office, San Francisco on Russell Journigan obtaining water from springs for use in leaching operation at his Tucki mine, Death Valley

Enclosed is a memorandum for your information and rendering of an opinion regarding the request of Mr. Russell Journigan on above-mentioned subject.

Copies of memorandum have been made for our files.

(SGD.) PHILIP W. WARD

Enclosure

cc: HL, Jones-SF, w/encl.

PRolandson:pr - 12/26/74

00-00-0000: memorandum to the regional director from the superintendent regarding a request for a field solicitor's opinion on obtaining water from springs for use in a mining operation

Death Valley National Monument
Death Valley, California 92328

L3023 (WR)M
xL54
Tucki
Gold Bottom

Memorandum

To: Regional Director, Western Region

From: Superintendent, Death Valley National Monument

Subject: Request for Field Solicitor's opinion on Russell Journigan obtaining water from springs for use in leaching operation at his Tucki Mine

The Field Solicitor's opinion is requested on whether a permit should be issued to Russell Journigan for obtaining water from one of two sources in Death Valley National Monument.

Mr. Russell Journigan, owner of the Tucki and Tucki Nos. 1 and 2 Mining Claims, has inquired as to whether or not he could obtain "Troeger's water," i.e., from springs near Troeger's Millsite, or water from Telephone Spring to truck to the claims for leaching dumps of oversize material from an old gold recovery operation. Copies of a letter and memoranda on the requests are attached. The springs near Troeger's millsite are located in Emigrant Canyon, a distance of 18 miles from the Tucki Mine, and Telephone Springs is in a canyon by that name, a distance of 8 miles from the Tucki Mine.

Claims. It is not known whether or not mining claims or millsites incorporate the ground where the involved springs are located.

Mineral Interests. "Troeger's water," is in reference to water once used at the Gold Bottom Mill Site. The millsite was located by Roy Journigan and others in 1934 to process ore from the Skidoo Mine and later acquired by Roy C. Troeger, now deceased. The millsite is commonly referred to as "Journigan's Millsite." Troeger's estate holds a 3/4 interest in the millsite with a 1/4 interest held by his

associate, David Hinckle. A copy of a record of ownership on the millsite is enclosed. Additional information on chain of ownership of the millsite is available in Office of Mining and Minerals files.

During a period when the Gold Bottom Mill Site was leased, the lessee located three other millsites contiguous to each other and to the Gold Bottom Mill Site located on up the Burro Canyon branch off of Emigrant Canyon toward the water sources. These are the B and B Millsite and the B and B Millsite #1 and #2. Ownership in the B and B Group was quitclaimed to Art Detloff, associate of lessees.

The Gold Bottom lease was terminated in 1959. A copy of an abstract of ownership and plat showing the location of the millsites is also enclosed.

Troeger entered a use agreement on the Gold Bottom Mill Site with O. L. Heironimus, now deceased, in 1967, replaced with an agreement in 1968, that probably has terminated by default.

Troeger's Water. Source of the water that Russell Journigan has inquired about is from a group of springs located in Sections 2 and 3, T18S, R44E, MDM (unsurveyed) that drain northeast into Burro Canyon or a parallel canyon immediately above it, both tributary to Emigrant Canyon. The springs are shown on the USGS Emigrant Canyon Quadrangle.

Apparently the sources on which a water permit last stood narrowed to State Water Resources Control Board, Water Rights Permit 15721 on Green Spring, last reported to have been intermittently utilized in 1970 by Nemo Silver Corporation (an unregistered association of O. L. Heironimus); and Permit 6559-B on Burns and Burro Springs last reported to have been utilized at the Skidoo Mine in 1964 by Roy C. Troeger. Complete information on the water rights are in Western Regional Office's Death Valley Water Docket 34.

Telephone Spring. There is no record of private utilization of water from Telephone Spring.

Park Service Use. Present flows from the proposed springs provide critical water sources for wildlife.

James B. Thompson

Enclosures
cc
ZENTNER
EMIGRANT (Thru Chief IRM)

01-00-1975: pictures of death valley - green spring (place of use)



Death Valley - Place of Use
Green Spring
Picture taken in January 1975



Death Valley - Place of use
Green Spring
Picture taken in January 1975



Death Valley - Place of Use
Green Spring
Picture taken in January 1975

United States Department of the Interior

NATIONAL PARK SERVICE
WESTERN REGION
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIFORNIA 94102

IN REPLY REFER TO:

L54(WR)PSW
DEVA/WATER RIGHTS GEN
WR#34

March 13, 1974

California State Water Resources
Control Board
Division of Water Rights
1416 Ninth Street
Room 1015
Sacramento, California 95814

Gentlemen:

This is in response to your letter of February 19, wherein you reference permits of certain springs and washes in Inyo County, Death Valley National Monument. Your letter specifically discusses status of water uses as reported for Permits 11422, 11423, and 11424 during the past three years. Permits 11422 (Application 16138) and Permit 11424 (Application 15539) are used jointly as a water system. Also in the same system is Permit 8536 (Application 13852), License 6559A. Water from these sources are used by (1) wild game, the use is constant and (2) a small mining operation in the area uses the water for domestic purposes. The duration of the mining activities is unpredictable because of the variables inherent to such operations e.g, size of ore deposit, fluctuations in price of ore and labor, etc. The result is a series of "opening" and "closing down" of mining operations; use and unuse of the water supply. No mining is presently being done and these permits are currently in our inactive file.

In the interest of comity, this office has supplied water use information to the State in regards to these permits over the past several years. Water usage reported has been based upon the reported mining status at the time the report was submitted. These same reports indicate no usage and subsequent reports contain water use data.

Permit 11423 (Application 17839) pertains to water located several miles away from the above permits, but of similar use. On March 11,

JOHNNY HORIZON 76
Let's Clean Up America For Our 200th Birthday

it was reported that this mining operation had been "reopened" several weeks ago. Thus this permit has been removed from our inactive file and placed in the active status.

When contacted by Mr. Wilbert Chung of your Los Angeles Office, we will notify the appropriate park personnel so as to provide the necessary assistance to the on-site examination of Permits 4645, 5738, 5739, 5754, 11421, 11924, 14533, 15363, and 15721.

Sincerely yours,

(SGD) JAMES B. THOMPSON

James B. Thompson
Acting Regional Director

cc:
Supt., DEVA w/cy of inc.
and cys for each
individual Water
Right Docket File
(WR #1,3,4,5,21,22,22A,
24,25,34, and AWR #7)

WASO(MR) w/cy of inc. and
cys for each individual
Water Right Docket File
(WR #1,3,4,5,21,22,22A,24,
25,34, and AWR #7)

02-19-1974: letter to the nps from the state of california water resources control board regarding permits for various springs and washes in inyo county

STATE OF CALIFORNIA—THE RESOURCES AGE

RONALD REAGAN, Govern

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ROOM 1015, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814

FEB 19 1974

U. S. Death Valley National Monument
c/o U. S. National Park Service
Office of Land and Water Rights
450 Golden Gate Avenue, Box 36063
San Francisco, CA 94102

Attention: Mr. Gerard S. Witucki
Chief, Water Resources Section

Gentlemen:

WR #s

24-Permit 4645 (Application 8423) Permit 11423 (Application 17839)- 25
3-Permit 5738 (Application 10001) Permit 11424 (Application 15539)- 22
4-Permit 5739 (Application 10002) Permit 11924 (Application 18489)- 1
5-Permit 5754 (Application 10118) Permit 14533 (Application 21646)- 31
21-Permit 11421 (Application 16096) Permit 15363 (Application 22366) AWR-7
22A-Permit 11422 (Application 16138) Permit 15721 (Application 22979) WR-34
Various Springs and Washes in Inyo County

In your letter of July 27, 1972, you indicated that water is not in use nor is use foreseen in the near future under Permits 11422 and 11424. In reviewing the permits we find also that no use of water is being made under Permit 11423 (Application 17839). In accordance with guidelines for considering petitions for extensions of time, a copy of which is enclosed for your information, it appears that Permit 11423 should be revoked. Although you indicated that water is not now being used under Permits 11422 and 11424, in your letter of July 27, 1972, the progress reports indicate intermittent use of water. It may be that this intermittent use of water should be considered a riparian use, and therefore it would be appropriate to revoke these two permits. Forms are enclosed for your use in requesting revocation of these three permits, if you concur.

It appears that use of water has been made under the remaining nine permits and that in most or all of the cases licensing action is indicated. We are therefore scheduling Permits 4645, 5738, 5739, 5754, 11421, 11924, 14533, 15363, and 15721 for inspection for the purpose of issuing a license for the amount of water beneficially used. If the inspection generates information which would provide justification for an extension of time under the guidelines, we will

proceed to recommend to the State Water Resources Control Board that an extension of time be granted to complete use of water.

Within a few weeks you can anticipate receiving a communication from Mr. Wilbert Chung, of our Los Angeles Office, requesting information on whom he should contact at each project site for communication regarding the inspection.

Whether or not you concur with the proposed licensing action, please provide the information needed to make a proper inspection of each project. Thereafter we will be in a better position to communicate with you about the projects.

We are pleased that the Park Service intends to continue to cooperate with the State Division of Water Rights as indicated in your letter. Your cooperation is sincerely appreciated.

Sincerely,

R. L. Rosenberger

R. L. Rosenberger, Acting Chief
Division of Water Rights

Enclosures

cc: Mr. Wilbert T. Chung
State Water Resources Control Board
Division of Water Rights
107 South Broadway, Room 9038
Los Angeles, CA 90012

07-27-1972: letter to the chief of the california division of water rights from the nps regarding national park service water requirements

United States Department of the Interior

NATIONAL PARK SERVICE

WESTERN REGION
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIFORNIA 94102

IN REPLY REFER TO:

L54(WR)ASW
DEVA/Water Rights

July 27, 1972

Mr. K. L. Woodward
Chief, Division of Water Rights
State Water Resources Control Board
Room 1015, Resources Building
1416 Ninth Street
Sacramento, California 95814

Dear Mr. Woodward:

In accordance with your letter of May 16, 1972, the National Park Service will continue to inform the State Division of Water Rights concerning National Park Service water requirements. We have reviewed the twelve permits listed in your letter and have discussed each case with appropriate field personnel to determine the current status of each. We intend to make every effort to cooperate with the State to develop a system that will be mutually satisfactory to the Park Service policy objectives and the concerns of the State.

To this end we are submitting a Notification of Existing Water Use for ten of the twelve permits listed in your May 16 correspondence. The following seven permits continue to have regular use:

Permit #	Application #	N.P.S. Water Right #
4645	8423	24
11421	16096	21
14533	21646	31
11423	17839	25
15721	22979	34
15363	22366	AWR 9
11924	18489	1

Three of the permits, as noted in your letter, have not been active for some time. However, this water is now being used and the following permits have been placed in our active files:

Permit #	Application #	N.P.S. Water Right #
5738	10001	3
5739	10002	4
5754	10118	5

The remaining two permits have been used regularly in past years but are not now in use nor do we foresee use in the near future. These permits shall be placed on inactive status in the Park Service's records.

Permit #	Application #	N.P.S. Water Right #
11424	15539	22
11422	16138	22-A

The Park Service intends to continue to give consideration to the State Division of Water Rights regarding difficulties which might arise in conjunction with the information contained within these reports of existing use.

We continue to appreciate your assistance in these matters.

Sincerely yours,

(SGD) GERARD S. WITUCKI

Gerard S. Witucki
Chief, Water Resources Division

Enclosures

cc:
PN, WASO w/encls
Supt., Death Valley NM, w/encls

05-16-1972: letter to the chief, water resources division from the california water resources control board regarding renewal of water rights permits

TE OF CALIFORNIA—THE RESOURCES AGENCY RONALD REAGAN, Governor

TE WATER RESOURCES CONTROL BOARD
VISION OF WATER RIGHTS
M 1015, RESOURCES BUILDING
NINTH STREET • SACRAMENTO 95814

Witucki

May 16, 1972

RECEIVED
WATER RESOURCES SECTION
MAY 19 1972

ACT.	INFO.		INITIALS	DATE
		VICTORY, C.		
		BARNETT, D.		
		[illegible]		
		CHAVEZ, D.		
		KENNEDY, M.		
		GOLD, S.		
		FILE		

REMARKS

U. S. Death Valley National Monument
c/o U. S. National Park Service
Office of Land and Water Rights
450 Golden Gate Avenue, Box 36063
San Francisco, CA 94102

Attention: Mr. Gerard S. Witucki, Chief
Water Resources Section

Gentlemen:

Permits 15363, 4645, 5754, 5738, 5739, 11424, 11422, 11421, 11924, 11423, 14533 and 15721 (Applications 22366, 8423, 10118, 10001, 10002, 15539, 16138, 16096, 18489, 17839, 21646 and 22979) Various Springs and Washes in Inyo County

The time to complete use of water under all but one of the subject permits expired December 1, 1970. The time to complete use of water under the one permit--15721--expires December 1, 1972.

In your letter of February 17, 1971 confirming a meeting of January 26, 1971, you stated, "In accordance with the understanding reached at the meeting, it is understood no action would be undertaken by the State in view of the recent modification of the State Water Code, particularly in regards to the Point Reyes National Seashore.... Further, as agreed, in the future, we will pattern our procedures somewhat after those used by the Forest Service in the State of California."

Prior to the above-mentioned meeting, on December 1, 1970 you submitted progress reports for the above permits in which you requested necessary forms for petitioning an extension of time. The forms were mailed to you on January 4, 1971. These petitions have not been received. Also, we have not received your 1971 progress reports.

We assume that you are in the process of determining which of the above permits should be revoked and replaced by reports of water use, either patterned after those used by the Forest Service or using our "Statement of Water Diversion and Use" forms, and which of the permits should be kept in good standing. Copies of our "Statement of Water Diversion and Use" forms are enclosed. Simply reporting on use of water is not a substitute for applying for a water right permit if the land involved was formerly in private ownership and your use is not riparian in nature.

According to the California State Water Resources Control Board's "Guidelines for Considering Petitions for Extensions of Time" (a copy of which is enclosed), and the latest information in our files, it appears that Permits 5738, 5739 and 5754

should be revoked because construction has not been started. It appears that Permits 4645, 11421, 11422, 11423, 11424, 14533 and 15363 should be inspected to confirm the amount of use for licensing purposes unless an extension of time can be justified. Use of water under Permit 11924 appears to have been increasing according to progress reports on file. If you want an extension of time under this permit, you will need to submit a petition.

Please advise what course of action you propose to take.

Sincerely,

K. L. Woodward

K. L. Woodward, Chief
Division of Water Rights

Enclosures

00-00-0000: notice of existing water use; permit 15721

Name of N.P. Area Death Valley Nat. Mon.

N.P.S. Code Number 8130 W.R. # 34

Previous State identification #s _____

App. # 22979 Permit # 15721

UNITED STATES DEPARTMENT OF INTERIOR

NATIONAL PARK SERVICE

NOTIFICATION OF EXISTING WATER USE

TO THE STATE WATER RIGHTS BOARD OF THE STATE OF CALIFORNIA:

The UNITED STATES OF AMERICA, acting by and through the NATIONAL PARK SERVICE, UNITED STATES DEPARTMENT OF INTERIOR, hereby notifies you of the following existing water use on reserved land in California for National Park Service purposes:

(1) The source of the water used is Green Spring (stream, lake, spring, or well; if unnamed so state), located in Inyo County, California.

(2) The amount of water used is as follows: (Complete only applicable items)

(a) For diversion and direct application to beneficial use:

6000 gpd
.0093 cubic feet per second, the diversion commencing Jan. 1

and ending Dec. 31 of each year.

(b) For diversion storage and later application to beneficial use:

------- acre-feet per annum, to be collected between _____

and _____ of each year.

(3) The use(s) to which the water is put is (are) the following:

Mining
(domestic, irrigation, power, recreation, stockwatering, industrial, mining, fire control, wildlife, etc.)

(4) The place where the water is used is Gold Bottom Mill Site (commonly used name or local designation).

(5) The water use covered by this notification commenced in year 1968.

(6) If the water use covered by this notification is by a person or entity occupying National Park Service land under a special use permit:

(a) The permittee is named Nemo Silver Corporation.

(b) The permit was issued for the purpose(s) of Mining.

SAID PERMITTEE DOES NOT HAVE A WATER RIGHT UNDER CALIFORNIA LAW COVERING THIS USE.

(7) The foregoing diversion and use are made pursuant to a withdrawal and reservation of the affected land and resources thereon for National Park Service purposes. The effective date of said withdrawal and reservation is Feb. 11, 1933.

A map, if available, showing points of diversion and use is attached.

The UNITED STATES OF AMERICA gives this notification to the STATE OF CALIFORNIA in the interest of comity, and does not concede that the State has power to regulate the rights of the United States to use of the water.

DATED this 21 day of July, 1972.

UNITED STATES OF AMERICA

By Gerard S. Witucki

Gerard S. Witucki

Chief, Water Resources Division

07-03-1972: message record regarding deva water rights dockets

Subject:

DEVA - Water Dockets

NATIONAL PARK SERVICE

Western Regional Office

MESSAGE RECORD

Date July 3, 1972

Routed for: ☒ Information ☐ Action

☐ Incoming Call

☒ Outgoing Call

To: Chief, Water Resources Division

Name and Title Paul Fodor, Ranger

Representing DEVA - Works with Water Rights Dockets

Telephone No. 714 786-2331

Address Death Valley National Park

NPS Personnel in on Call James M. Mize, Legal Assistant, Water Rights

Conversation: Information requested regarding current status of twelve DEVA Water Rights dockets. The following list was verified by Paul Fodor utilizing latest information available:

PERMIT #	APPLICATION #	N.P.S. W.R. #	N.P.S. USE	USES
4645	8423	24	Yes	Camping and Picnicking
11421	16096	21	No	Mining and Domestic
14533	21646	31	Yes	Domestic
11423	17839	25	No	Mining
15721	22979	34	No	Mining
15363	22366	AWR 9	Some	Mining and some radiator Wate
11924	18489	1	Yes	Domestic, Recreation, Irrig.
5738	10001	3	Yes	Headquarters Facility
5739	10002	4	Yes	" "
5754	10118	5	Yes	" "
11424	15539	22	No	None
11422	16138	22-A	No	None

Follow-up Action to be Taken: Consult with Regional Solicitor re: operating procedure for water rights in communications with State Dept. of Water Rights. Reply to State Department of Water Rights letter of May 16 re: status of these permits.

Follow-up Action Taken: July 20, 1972 consultation with Regional Solicitor, Mihan, who approved a draft of response to May 16, 1972 letter from State Department of Water Rights.

01-04-1971: letter to the nps from the central region supervisor regarding water permits in iyo county

TATE OF CALIFORNIA—THE RESOURCES AGENCY

TATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHT
OOM 1140, RESOURCES BUILDING
416 NINTH STREET • SACRAMENTO 95814

January 4, 1971

U. S. Death Valley National Monument
c/o U. S. National Park Service
Office of Land and Water Rights
450 Golden Gate Avenue, Box 36063
San Francisco, California 94102

Attention: Mr. Gerard S. Witucki, Chief
Water Resources Section

Gentlemen:

Permit 15363 (Application 22366), Ibex Spring No. 1;
Permit 4645 (Application 8423), Unnamed Spring;
Permit 5754 (Application 10118), Furnace Creek Wash;
Permit 5738 (Application 10001), Furnace Creek Wash;
Permit 5739 (Application 10002), Furnace Creek Wash;
Permit 11424 (Application 15539), Covered and Wee Springs;
Permit 11422 (Application 16138), Chucker Spring;
Permit 11421 (Application 16096), Tarantula Springs;
Permit 11924 (Application 18489), Nevares Springs;
Permit 11423 (Application 17839), Blue Cliff Springs;
Permit 14533 (Application 21646), Surprise Springs;
Permit 15721 (Application 22979), Green Spring
in Inyo County

Enclosed is a form to petition for an extension of time to complete the projects authorized by the subject permits. During the 1971 season, an engineer from our staff will inspect the projects and at that time, subsequent action will be discussed with your representative with respect to an extension of time.

Sincerely,

J. M. Page

J. M. Page, Supervisor
Central Region

Enclosure

11-01-1968: letter to deva from the chief of the california division of water rights regarding permit 15721

STATE OF CALIFORNIA—THE RESOURCES AGENCY

RONALD REAGAN, Governor

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ROOM 1140, RESOURCES BUILDING

1416 NINTH STREET • SACRAMENTO 95814

RECEIVED
NOV 4 1968

	Supt.
	Adm. Off.
	Prop. Mgt.
	Personnel
✓	Ch. Ranger
	Ch. Nat.
	Maint Supt
	Fore. B & U
	Fore. R & T
	Mgt. Asst.

DEATH VALLEY

November 1, 1968

U. S. Death Valley National Monument
Death Valley
California

Subject: Permit 15721 (Application 22979)
Green Spring in Inyo County

Gentlemen:

Three copies of your water right permit are enclosed. Annual reports of progress in completing the appropriation are required. Forms for reporting will be mailed to you. If and when beneficial use has been completed, an inspection will be made and a license will be issued confirming the right to the use of such water as is found by the inspection to have been made.

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

Sincerely,

K. L. Woodward

K. L. Woodward, Chief
Division of Water Rights

Enclosures

cc: Mr. Roy C. Troeger
4600 Encino Avenue
Encino, California 91316

05-24-1968: letter to r.c. troeger from the nps, supervising engineer regarding application 22979, green spring

STATE OF CALIFORNIA—THE RESOURCES AGENCY

RONALD REAGAN, Governor

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ROOM 1140, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814

RECEIVED
MAY 27 1968

Supt.	
Adm. Off.	
Prop. Mgt.	
Personnel	
Ch. Ranger	
Ch. Nat.	
Maint Supt	
Fore. R & U	
Fore. R & T	
Mgt. Asst.	

DEATH VALLEY

May 24, 1968

Mr. Roy C. Troeger
4600 Encino Avenue
Encino, California 91316

Subject: Application 22979
Green Spring in Inyo County

Dear Mr. Troeger:

Your letter agreeing to assign any permit issued on your application to the Death Valley Monument has been received.

We will continue to process the application in your name until after a permit is issued. At that time we will make the assignment.

Notices for posting are being prepared and will be sent to you shortly.

Sincerely,

D. W. Sabiston
Supervising Engineer

cc: U. S. Department of the Interior
National Park Service
Death Valley National Monument
Death Valley, California 92328

Docket 34 RS

04-16-1968: letter to the nps supervising engineer from r.c. troeger regarding application 22979

L 54

ROY C. TROEGER
4600 ENCINO AVENUE
ENCINO, CALIFORNIA

RECEIVED
APR 18 1968

Supt.	
Adm. Off.	
Prop. Mgt.	
Personnel	
Ch. Ranger	
Ch. Nat.	
Maint Supt	
Fore. P & U	
Fore. R & T	
Mgt. Asst.	

DEATH VALLEY
NAT'L MON.

April 16, 1968

D. W. Sabiston, Supervising Engineer
Division of Water Rights
Room 1140 Resources Building
1416 Ninth Street
Sacramento, California 95814

Subject: Application 22979
Green Spring, Inyo County

Dear Mr. Sabiston:

Thank you for your letter of April 2, 1968.

Since present Federal Regulations with respect to Death Valley National Monument require the permit to be in its name, you may assign permit to them. It appears that the Monumet will then issue a second priority permit to me to use of the water.

If you require any further action on my part, please advise, and I shall render whatever assistance is necessary.

Sincerely,

Roy C. Troeger

Roy C. Troeger

cc/ Homer P. Leach
Acting Superintendent
Death National Monument

Docket 34 RS

03-29-1968: letter to the nps supervising engineer from the acting supervisor regarding application 22979

RECEIVED
San Francisco Planning and Service Center
Office of Land and Water Rights
NATIONAL PARK SERVICE
APR 1 1968

ACT.	INFO.		INITIALS	DATE
	✓	CHIEF		
	✓	ASS'T. CHIEF		
		STAFF ASST.		
		SUPV. A ...		
		PRE-A.Q ...		
		TITLE		
	✓	EXCHANGE		
		Supv. ..y... En..		
		Witucki		
		DOCKET		
		FILE		

Death Valley National Monument
Death Valley, California 92328

L54
LWSSC

March 29, 1968

DEVA

D. W. Sabiston
Supervising Engineer
State Water Rights Board
Room 1140, Resources Building
1416 Ninth Street
Sacramento, California 95814

Dear Mr. Sabiston:

In reply to your letter of February 29, 1968, regarding application 22979, Green Spring, submitted by Mr. Roy C. Troeger, the application should be assigned to the United States in accordance with the Code of Federal Regulations, Title 36, Part 7.26 (b).

A second priority permit will subsequently be issued by this office to Mr. Troeger for water use and upon application, a right-of-way permit for a transportation system.

Thank you for referring this matter to us.

Sincerely yours,

"Sgd." Homer P. Leach

Homer P. Leach
Acting Superintendent

cc: Mr. Roy C. Troeger
4600 Encino Avenue
Encino, California 91316

✓Supervisory Hydraulic Engineer LWSSC

03-29-1968: memorandum to the superintendent, deva from the supervisory hydraulic engineer regarding application 22979

WITUCKI

FIELDS

GRAY
(Actg)

L54 LWSSC March 29, 1968

DEVA

Memorandum

To: Superintendent, Death Valley

From: Supervisory Hydraulic Engineer, SSC

Subject: Application 22979, Green Spring, Roy C. Troeger

This is in reply to your memorandum of March 5, 1968, inquiring about the Troeger application for water from Green Spring.

We have checked our records as regard Mr. Troeger and past problems and find nothing to preclude following any of the courses of action suggested in the telephone conversation of March 22, 1968, between yourself, Chief Ranger H. D. Leach, Field Solicitor W. J. Costello, and Supervisory Hydrologist G. S. Witucki.

(Sgd) William E. Fields
William E. Fields

cc: Regional Director, Western Region
W. J. Costello, Field Solicitor,
Western Region

GSWITUCKI:mlk

03-05-1968: memorandum to the supervisory hydraulic engineer from the superintendent regarding application 22979

LtW

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Death Valley National Monument
Death Valley, California 92328

IN REPLY REFER TO:

RECEIVED
San Francisco Planning and Service Center
Office of Land and Water Rights
NATIONAL PARK SERVICE
MAR 7 - 1968

ACT.	INFO.		INITIALS	DATE
	✓	CHIEF		
		ASST. CHIEF		
		STAFF ASST.		
		SUPV. APPR.		
		P... A. Q.N.		
		TI...E		
		C...ANCE		
	✓	Supv. Hyd. Eng.		2/29
	✓	Fields		2007
	✓	Wiftucki		
		DOCKET		
		FILE		

L54
DEUA

March 5, 1968

Memorandum

To: Supervisory Hydraulic Engineer

From: Superintendent, Death Valley

Subject: Application 22979, Green Spring, Roy C. Troeger

Enclosed is a letter from the California Division of Water Rights, regarding an application to appropriate water from Green Spring.

Because of complicating problems in the past in this area with Mr. Troeger, we are requesting your review of the application prior to initiating any action.

John W. Stratton

John W. Stratton

Enclosure
Copy of Letter

02-29-1968: letter to the superintendent from the state water resources control board regarding application 22979

RECE
MAR 1 1968

STATE OF CALIFORNIA—THE RESOURCES AGENCY

RONALD REAGAN, Governor

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ROOM 1140, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814

Supt.	
Adm. Off.	
Prop. Mgt.	
Personnel	
Ch. Ranger	
Ch. Nat.	
Maint Supt	
Fore B & U	
Fore. R & T	
Mgt. Asst.	

DEATH VALLEY
NAT'L MONUMENT

February 29, 1968

U. S. Death Valley National Monument
Death Valley
California

Attention: Mr. John W. Stratton,
Superintendent

Subject: Application 22979, Green Spring
in Inyo County

Gentlemen:

On February 2, Mr. Roy C. Troeger submitted Application 22979 for the diversion of 6,000 gallons per day from Green Spring (aka Greer Spring) to be used for mining and domestic purposes. The place of use described is within SE¼ of NW¼ of projected Section 35, T17S, R44E, MDB&M; the same as the place of use under License 6559B (Application 13852), also held by Mr. Troeger.

Mr. Troeger plans to supplement the existing supply from Burro Spring with the additional water from Green Spring applied for under Application 22979.

Federal statutes and regulations both seem to indicate that applications within Death Valley National Monument on unpatented mining claims or claims patented after 1933 should be in the name of the Death Valley National Monument. The application states that the spring is on federal land within the Monument and that the place of use is owned by Mr. Troeger.

Please notify us if you will grant right of access to the spring and have no objection to the application remaining in Mr. Troeger's name or if you believe the application should be assigned to the Monument.

Sincerely,

D. W. Sabiston

D. W. Sabiston
Supervising Engineer

cc: Mr. Roy C. Troeger
4600 Encino Avenue
Encino, California 91316

03-05-1968: letter to the supervising engineer from the superintendent regarding application 22979

Death Valley National Monument
Death Valley, California 92328

L54 March 5, 1968

Mr. D. W. Sabiston
Supervising Engineer
DIVISION OF WATER RIGHTS
Room 1140, Resources Building
1416 Ninth Street
Sacramento, California 95814

Dear Mr. Sabiston:

We have referred your letter of February 29, 1968, Application 22979, Green Spring in Inyo County, to our regional office for consideration. We shall reply further after their review and comments are received.

Sincerely yours,

John W. Stratton
Superintendent

cc:
Files
Reading File

HPLeach:sca

Docket 34 RS

Docket Information

Number of Documents in Docket : 64

Documents Dated from : 11-30-1967 to 02-25-2025

Docket Compiled: 6/18/2025