Docket Number: 42

NEVARES SPRING [REVOKED]

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 #:** 042 **Docket Title** Nevares Spring [REVOKED]

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: Nevares Spring

State: CA
County: Inyo

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

Application #: _____ **Date:** _____
Permit #: 011924 **Date Issued:** _____
License / Certificate #: _____ **Priority Date:** _____
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 _____

POD Name / Location: _____ ☐ Multiple PODs (see water right)
Qtr: _____ Qtr: _____ Sec: _____ T: _____ R: _____ 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.

Revoked in 1976.

☐ Additional Page(s) Attached

02 STATE

Death Valley National Park

NEVARES SPRING [REVOKED]

State Water Rights Documentation

06-01-1976: memorandum to the superintendent from the chief, division of water resources regarding revoking of multiple permits

WW
Werrell
Witucki
~~Huston~~ JK
Kilgore 6/7
McDonnell 6/8

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 #1

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 18489

ORDER REVOKING PERMIT

PERMIT 11924 (APPLICATION 18489)

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.

___ 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.

_x_ 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

12-19-1975: letter to the division of water resources from the supervising engineer regarding a notice to revoke a permit (11924)

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 18489

DEC 19 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 11924 (APPLICATION 18489)
NEVARES SPRINGS 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

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 11924 (APPLICATION 18489)
NEVARES SPRINGS IN INYO COUNTY
PERMITTEE: U. S. DEATH VALLEY NAT'L. 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. WATER WAS TO HAVE BEEN PUT TO THE PROPOSED USE ON OR BEFORE DECEMBER 1, 1970.

2. AN INSPECTION WAS MADE OF THE PROJECT ON JANUARY 21, 1975 AND THE REPORT INDICATES THAT (A) THERE HAS BEEN NO USE IN EXCESS OF THAT ALREADY LICENSED UNDER LICENSE 4621 (APPLICATION 9510), AND (B) LICENSE 4621 COVERS ENTIRE OUTPUT OF SPRINGS.

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 19 1975

[redacted]
Werrell
Wituckiewicz

L54(WR)PSW
DEVA/WATER RIGHTS GEN April 16, 1975

Mr. Wilbert T. Chung
California State Water Resources
Control Board
Division of Water Rights
107 South Broadway
Los Angeles, California 90012

Dear Mr. Chung:

The following is in response to your letter dated March 19, regarding various water sources within Death Valley National Monument as listed below:

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

Progress Report forms for all of the above have been received by our office and, in accordance with our recent telephone conversation, are enclosed for your appropriate action.

Request for License is hereby made for the following:

Permit Number	Application Number
4645	8423
11421	16096
11424	15539
14533	21646

Enclosed are the appropriate signed forms necessary for making such a request. Funds in the amount of $40.00 ($15.00 - Permit 11421; $10.00 - Permit 11424; and $15.00 - Permit 14533) will be forwarded to you by the U.S. Treasury under separate cover.

The remaining permits will be placed in our inactive files, pending renewed usage.

We are pleased that Mr. Werrell had the opportunity to examine these sources with you during your field inspection.

Your continued cooperation and assistance continues to be appreciated.

Sincerely yours,

(SGD) GERARD S. WITUCKI

Gerard S. Witucki

Enclosures
a/s

cc: copy of encls to each individual
water right docket file.

w Werrell
(WR)PSW:[redacted]:mpm 4/16/1975

03-26-1975: progress report by permittee - 1974; application 18489

STATE OF CALIFORNIA — THE RESOURCES AGENCY

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
2125 Nineteenth Street, Sacramento, California 95818

PROGRESS REPORT BY PERMITTEE FOR 1974

OWNER OF RECORD — **APPLICATION** 18489

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: NEVARES SPRINGS

AMOUNT: 0.25 CU FT/SEC
PURPOSE: DOMESTIC, RECREATIONAL & INDUSTRIAL

PERMIT: 11924

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.
12-01-70

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? See remarks below 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) [X] Irrigation 14 acres of lawn, shrubs & trees. (Total acres irrigated / Name of crops served and acreage of each)
(b) [ ] Stockwatering _____ (Number of animals)
(c) [ ] Industrial _____ (Nature of use)
(d) [X] Domestic approx. 100 permanent & 50 seasonal residents (Number of persons, area of garden, lawn, etc.)
(e) [ ] Municipal _____ (Approximate population)
(f) [ ] Recreational _____ (Method of water use)
(g) [X] Recreational swimming pool (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	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 [ ] 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: 3/26/75 at 450 Golden Gate Ave. San Francisco, Calif. 94102 (location) (state)

Sign here: (SGD) GERARD S. WITUCKI
Permittee

Gerard S. Witucki, Chief, Division of Water Res.

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:

Improvements in the water source are anticipated.

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

STATE OF CALIFORNIA—RESOURCES AGENCY

Edmund G. Brown Jr.
~~RONALD REAGAN~~ 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.

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

03-13-1974: letter to the division of water rights from the nps regarding water rights permits in deva

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 #1

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 chief, water resources section from the division of water rights regarding water rights permits

STATE OF CALIFORNIA—THE RESOURCES AGEN
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

WR #s			WR #s
2/	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-9
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

03-07-1973: water user notice - application 18489

STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

Application 18489 Permit 11924

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 X No

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

3. The project is not yet complete and I request an extension of time. X 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 0.25 cfs

6. How many acres have been irrigated? 14 acres

7. How many houses or people have been served water? 100 permanent & 50 seasonal residents

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

Swimming pool for recreational purposes

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: _____

Date March 7, 1973 Signature Gerard S. Witucki

GERARD S. WITUCKI, Chief,
Division of Water Resources, Western Region

03-05-1973: progress report by permittee - 1972; application 18489

STATE OF CALIFORNIA—THE RESOURCES AGENCY

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

PROGRESS REPORT BY PERMITTEE FOR 1972

OWNER OF RECORD: APPLICATION 18489

WR1

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

TELEPHONE NUMBER

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

SOURCE: NEVARES SPRINGS

AMOUNT: 0.25 CU FT/SEC
PURPOSE: DOMESTIC, RECREATIONAL & INDUSTRIAL

PERMIT 11924 EXPIRATION DATE: 12-01-70

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? SEE REMARKS BELOW

USE OF WATER

1. Has use of water commenced? YES It was used for:
   - (a) ☒ Irrigation 14 acres of lawn, shrubs and trees. (Total acres irrigated / Name of crops served and acreage of each)
   - (b) ☐ Stockwatering ____ (Number of animals)
   - (c) ☐ Industrial ____ (Nature of use)
   - (d) ☒ Domestic Approx. 100 permanent & 50 seasonal residents (Number of persons, area of garden, lawn, etc.)
   - (e) ☐ Municipal ____ (Approximate population)
   - (f) ☐ Recreational ____ (Method of water use)
   - (g) ☒ Recreational swimming pool (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
X	X	X	X	X	X	X	X	X	X	X	X	

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 Improvements in the water source are anticipated. An extension of time will be required for this permit. Please forward the appropriate forms for request for extension. Petitions for Extension of Time enclosed.

(If more space is needed, use reverse side)

Date March 5, 1973 Sign Here GERARD S. WITUCKI, CHIEF, WATER RESOURCES SECTION, WESTERN DIVISION

Petitioner

1972

WRCB-15 (7-72)

68168-983 7-72 5,200 ① OSP

07-27-1972: letter to the chief, division of water rights from the nps regarding the nps 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

(WR)AS, Mr. Wallis
(WR)ASW, Water Resources File
(WR) Chron

(WR)FNP:JMMize:mpm 7/27/72

05-16-1972: letter to the chief, water resources section from the division of water rights regarding deva permits

TE OF CALIFORNIA—THE RESOURCES AGENCY

RONALD REAGAN, Governor

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

Witucki

May 16, 1972

RECEIVED
WATER RESOURCES SECTION
MAY 19 1972

ACT.	INFO.	INITIALS	DATE
	WITUCKI, G.		
	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

01-04-1971: letter to the chief, water resources section from the central region supervisor regarding the petition for an extension of time on multiple permits

STATE OF CALIFORNIA—THE RESOURCES AGENCY

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ROOM 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

00-00-0000: notification of existing water use

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

N.P.S. Code Number 8130 W.R. # 1

Previous State identification #s

App. # 18489 Permit # 11924

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 Nevares 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:

.25 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:

Domestic, Recreation, and Irrigation (domestic, irrigation, power, recreation, stockwatering, industrial, mining, fire control, wildlife, etc.).

(4) The place where the water is used is Headquarters Area (commonly used name or local designation).

(5) The water use covered by this notification commenced in year 1959.

(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 N.A.

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

_____.

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, 19 72.

UNITED STATES OF AMERICA

By Gerard S. Witucki

Gerard S. Witucki

Chief, Water Resources Division

STATE OF CALIFORNIA—THE RESOURCES AGENCY

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

PROGRESS REPORT BY PERMITTEE FOR 1970

OWNER OF RECORD: APPLICATION 18489

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: NEVARES SPRINGS WR-1

AMOUNT: 0.25 CU FT/SEC
PURPOSE: DOMESTIC, RECREATIONAL & INDUSTRIAL

PERMIT 11924 EXPIRATION DATE: 12-01-70

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 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, 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? SEE REMARKS BELOW

USE OF WATER

1. Has use of water commenced? YES It was used for:
   - (a) ☒ Irrigation 14 ACRES OF LAWN, SCRUBS AND TREES. (Total acres irrigated / Name crops served and acreage of each)
   - (b) ☐ Stockwatering ____ (Number of animals)
   - (c) ☐ Industrial ____ (Nature of use)
   - (d) ☒ Domestic APPROX. 100 PERMANENT&50 SEASONAL (Number of persons, Area of garden, lawn, etc.)
   - (e) ☐ Municipal ____ (Approximate population)
   - (f) ☐ Mining ____ (Method of water use)
   - (g) ☐ Recreational SWIMMING POOL (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 1970 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	X	X	X	X	X	X	X	

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 IMPROVEMENTS IN THE WATER SOURCE AND THE WATER SYSTEM ARE ANTICIPATED. AN EXTENTION OF TIME REGARDING THIS PERMIT IS IN ORDER; PLEASE FORWARD THE NECESSARY FORMS FOR REQUESTING AN EXTENTION OF TIME. (If more space is needed, use reverse side)

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

WRCB 15 (8-70)

1970

45870-983 8-70 5M ① OSP

02-17-1969: letter to the division of water rights from the chief, office of land and water rights regarding reports of licensee '66-'68 and 1968 reports by permittee

17 FEB 1969

L54 LWSSC YOSE - Wtr Docket No. 6
DEVA WTR DOCKET NOS. 1,3,4,5,6,9
17,21,22,24,25,26,27,28,31

State of California
Division of Water Rights
Resources Building, Room 1140
1416 Ninth Street
Sacramento, California 95814

Gentlemen:

Enclosed are Reports of Licensee for 1966, 1967, 1968, and Progress Reports by Permittee for 1968, as follows:

Reports of Licensee - Death Valley National Monument

Source	Application No.	License No.	Docket No.
Goldbelt Spring	18433	6740	26
Saratoga Springs	8183	6343	17
Mesquite Spring	19538	7578	28
Lower Emigrant Spring	15381	6110	9
Unnamed Tunnel	10119	7854	6
Ranger Spring	19482	7577	27

Progress Reports by Permittee - Death Valley National Monument

Tarantula Springs	16096	11421	21
Blue Cliff Springs	17839	11423	25
Chucker Spring	16138	11422	22
Unnamed Spring	8423	4645	24
Nevares Springs	18489	11924	1
Furnace Creek Wash	10001	5738	3
Furnace Creek Wash	10002	5739	4
Furnace Creek Wash	10118	5754	5
Surprise Spring	21646	14533	31

Progress Report by Permittee - Yosemite National Park

Moss Creek	19116	12387	6

Sincerely yours,

JOHN E. RITCHIE

John E. Ritchie
Chief, Office of Land
and Water Rights

Enclosures

cc: Chief, OLWW, WSC w/enc
Regional Director, Western
Superintendents, Death Valley; Yosemite

JWROBERTS:mlk 2/17/69

STATE OF CALIFORNIA—THE RESOURCES AGENCY

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

PROGRESS REPORT BY PERMITTEE FOR 1968

OWNER OF RECORD: APPLICATION 18489

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF 92328

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

SOURCE: NEVARES SPRINGS

AMOUNT: 0.25 CU FT/SEC
PURPOSE: DOMESTIC, RECREATIONAL & INDUSTRIAL

PERMIT 11924

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.

1. Has construction work commenced? Yes

2. Has all construction work been completed? No If not, give estimated date of completion 1970

3. State approximate cost of construction work on this project during the past 12 months None

   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? Improve the water source.

5. Has use of water commenced? Yes What was the maximum rate of diversion (if known)? 349 AF/year

6. What quantity of water was used each month in 1968 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
31,852	26,182	26,174	32,813	28,032	27,633	34,436	27,362	26,292	27,202	23,790	27,149	348.917 A.F.

7. Has use of water, both amount and season, been as great as you expect in any future year under this permit? No

8. Has location of the intake or place of use been changed? No

9. Did the source go dry? No If so, during what months?

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

11. You should keep complete records of your use of water in your own files. Please supply information below concerning your use of water.

(a) ☒ Irrigation 14 acres of lawn, shrubs and trees.
Total acres irrigated — Name crops served and acreage of each

(b) ☐ Stockwatering
Number of animals

(c) ☐ Industrial
Nature of use

(d) ☒ Domestic 100 permanent, 38 seasonal
Number of persons, Area of garden, lawn, etc.

(e) ☐ Municipal
Approximate population

(f) ☐ Mining
Method of water use

(g) ☒ Recreational Swimming pool
Nature of use

(h) ☐ Power
Installed horsepower capacity

(i) ☐ Other

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

REMARKS
(If more space is needed, use reverse side)

Date December 31, 1968 Sign Here Robert J. Murphy Superintendent
Permittee

WRCB 15 (8-68) 1968 24115-983 8-68 5M ① OSP

REMARKS

02-08-1968: progress report by permittee - 1967; application 18489

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

PROGRESS REPORT BY PERMITTEE FOR 1967

OWNER OF RECORD: APPLICATION 18489

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF

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

SOURCE: (1) NEVARES SPRINGS (2)
(3) (4)
(5) (6)
(7) PERMIT 11924

AMOUNT: 0.25 CU FT/SEC PURPOSE: DOMESTIC, RECREATIONAL & INDUSTRIAL

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.

1. Has construction work commenced? N/A
2. Has all construction work been completed? Yes If not, give estimated date of completion N/A
3. State approximate cost of construction work on this project during the past 12 months N/A
   Describe briefly the portions of the project upon which the above amount was spent replacement of utility area main line and service lines.
4. What construction work remains to be done to complete the project? General replacement as needs arise.
5. Has use of water commenced? Yes What was the maximum rate of diversion (if known)? 111,551,000 g/year
6. What quantity of water was used each month in 1967 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	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? No
8. Has location of the intake or place of use been changed? No
9. Did the source go dry? No If so, during what months?
10. Did your reservoir spill this year? N/A If not, how many feet below spillway vertically was the water level at maximum storage? N/A Have you emptied the reservoir? N/A If not, how many feet below spillway vertically was it drawn down at end of season? N/A
11. You should keep complete records of your use of water in your own files. Please supply information below concerning your use of water.
    (a) [X] Irrigation 14 acres of lawn, shrubs and trees. (Total acres irrigated / Name crops served and acreage of each)
    (b) [ ] Stockwatering ____ (Number of animals)
    (c) [ ] Industrial ____ (Nature of use)
    (d) [X] Domestic 90 permanent, 32 seasonal (Number of persons, Area of garden, lawn, etc.)
    (e) [ ] Municipal ____ (Approximate population)
    (f) [ ] Mining ____ (Method of water use)
    (g) [X] Recreational Swimming pool (Nature of use)
    (h) [ ] Power ____ (Installed horsepower capacity)
    (i) [ ] Other ____
12. The project has been abandoned and I request revocation of this permit. [ ] Yes [ ] No

REMARKS (If more space is needed, use reverse side)

Date February 8, 1968 Sign Here John W. Stratton, Superintendent (Permittee)

This report is of importance to you in establishing your water right as it will be used as a basis for action by the State Water Rights Board. It should be filled out carefully and returned promptly to the State Water Rights Board, Room 1140, Resources Building, 1416 Ninth Street, Sacramento, California 95814.

SWRB 15 (8-67) 1967 12780-957 8-67 5M ① OSP

02-12-1968: national park service stamp ; february 12, 1968

NATIONAL PARK SERVICE
FEB 12 1968
WESTERN REGIONAL OFFICE

STATE OF CALIFORNIA—RESOURCES AGENCY

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 18489 PERMIT 11924 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 11924; 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:

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

PETITION FOR EXTENSION OF TIME

Application 18489 Permit 11924
Nevares Spring

NOTE: A reasonable extension of time may be obtained upon a showing of good cause. Section 779 of the California Administrative Code, Title 23, Waters, provides that sickness, lack of finances or other conditions incident to the person and not to the enterprise will not generally be accepted as good cause for delay while weather conditions and conditions which are incident to the project itself may be accepted as good cause for delay. A fee of $5 is required for each permit petitioned.

A. If construction work has not commenced within the time allowed under the permit, an extension of such commencement date may be petitioned by completing Items 1, 2 and 3.

1. Approximate total amount of money spent in connection with the project to date $_____. What was the money spent for?_____

2. Estimated date of commencement of construction_____

3. Reasons why construction was not begun within the time allowed by the permit_____

B. If construction work and/or use of water is proceeding but is not fully complete, an extension of time may be petitioned by completing Items 4, 5, 6, 7, 8, 9 and 10.

4. A (1-year), (2-year), (3-year) extension of time is requested for completion of construction work and/or beneficial use of water. (Indicate period of time desired.) December 1, 1971, is requested.

5. Approximate total amount spent on project to date $ 118,600

6. Approximate amount spent during last extension period $ 7,600

7. Approximate per cent of construction work complete to date 65%

8. Estimated date of completion of construction work 1971

9. Estimated year in which full use of water will be made 1973

10. Reasons why construction and/or use of water was not completed within time previously allowed: As new housing is completed in the National Park Service residential area, additional improvements must be made in the water system. Such work is planned within the next three years.

Date June 13, 1967 Signature John W. Stratton

John W. Stratton, Superintendent
Death Valley National Monument

THIS COMPLETED PETITION MUST BE ACCOMPANIED BY A FEE OF $5

SWRB
20C (2-65)

06-13-1967: letter to mr. hill regarding enclosed progress reports by permittee for the year 1966 , june 13, 1967

SAN FRANCISCO PLANNING AND SERVICE CENTER
Office of Land and Water Rights
450 Golden Gate Avenue, Box 36063
San Francisco, California 94102
January 11, 1967

L54 SSCLW
DEVA - WR#1, 3, 4, 5, 21, 22, 24, 25, 31

Fields
Morris

Mr. L. K. Hill, Executive Officer
State Water Rights Board
Room 1140, Resources Building
1416 Ninth Street
Sacramento, California 95184

Dear Mr. Hill:

Enclosed are our Progress Reports by Permittee for the year 1966 for the following applications:

Application 18489	Permit 11924
Application 10001	Permit 5738
Application 10002	Permit 5739
Application 10118	Permit 5754
Application 16096	Permit 11421
Application 15539	Permit 11424
Application 16138	Permit 11422
Application 8423	Permit 4645
Application 17839	Permit 11423
Application 21646	Permit 14533

These sources serve administrative areas and campgrounds at Death Valley National Monument.

Sincerely,

(Sgd) MANUEL MORRIS

Manuel Morris
Supervisory Hydraulic Engineer

Enclosures

bc: Supt., DEVA w/o enc.
Chief, Branch of Water Resources, WASO w/enc.
Regional Director, WR, w/o enc.

PS. to Docket Holders: File in your dockets as follows: Application No./ Docket No.: 18489/1; 10001/3; 10002/4; 10118/5; 16096/21; 15539/22 16138/22; 8423/24; 17839/25; 21646/31

144

STATE OF CALIFORNIA—RESOURCES AGENCY

STATE WATER RIGHTS BOARD

RESOURCES BUILDING, ROOM 1140
1416 NINTH STREET
SACRAMENTO, CALIFORNIA 95814

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1966

OWNER OF RECORD: APPLICATION 18489

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF

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

SOURCE: (1) NEVARES SPRINGS (2)
(3) (4)
(5) (6)
(7)

PERMIT 11924

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.

1. Has construction work commenced? N/A
2. Has all construction work been completed? Yes If not, give estimated date of completion N/A
3. State approximate cost of construction work on this project during the past 12 months $7,600
   Describe briefly the portions of the project upon which the above amount was spent replacement of utility area main line and service lines.
4. What construction work remains to be done to complete the project? General replacement as needs arise.
5. Has use of water commenced? Yes What was the maximum rate of diversion (if known)? 111,551,000 g/year
6. What quantity of water was used each month in 1966 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	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? No
8. Has location of the intake or place of use been changed? No
9. Did the source go dry? No If so, during what months?
10. Did your reservoir spill this year? N/A If not, how many feet below spillway vertically was the water level at maximum storage? N/A Have you emptied the reservoir? N/A If not, how many feet below spillway vertically was it drawn down at end of season? N/A
11. You should keep complete records of your use of water in your own files. Please supply information below concerning your use of water.
    (a) ☒ Irrigation 14 acres of lawn, shrubs and trees. (Total acres irrigated / Name crops served and acreage of each)
    (b) ☐ Stockwatering (Number of animals)
    (c) ☐ Industrial (Nature of use)
    (d) ☒ Domestic 90 permanent, 32 seasonal (Number of persons, Area of garden, lawn, etc.)
    (e) ☐ Municipal (Approximate population)
    (f) ☐ Mining (Method of water use)
    (g) ☒ Recreational Swimming pool (Nature of use)
    (h) ☐ Power (Installed horsepower capacity)
    (i) ☐ Other
12. The project has been abandoned and I request revocation of this permit. ☐ Yes ☐ No

REMARKS One new six unit apartment added this year, cost $4,695. Water used under (If more space is needed, use reverse side)
this application is co-mingled with water under Application 9510, License 4621.

Date December 14, 1966 Sign Here Homer P. Leach, Acting Superintendent (Permittee)

This report is of importance to you in establishing your water right as it will be used as a basis for action by the State Water Rights Board. It should be filled out carefully and returned promptly.

Western Region
450 Golden Gate Avenue, Box 36064
San Francisco, California 94102

L 54

December 21, 1965

Mr. L. K. Hill
Executive Officer
State Water Rights Board
Room 1140, Resources Building
1416 Ninth Street
Sacramento, California 95814

Dear Mr. Hill:

Enclosed for your use are the following "Progress Report by Permittee for the year 1965."

1.	16138	11422	Chucker Spring
2.	15539	11424	Covered Spring and Wee Spring
3.	16096	11421	Tarantula Springs
4.	21646	14533	Surprise Spring
5.	17839	11423	Blue Cliff Springs
6.	18489	11924	Nevares Springs
7.	8423	4645	Unnamed Spring
8.	10119	5755	Texas Springs A, B, and C and Unnamed Tunnel
9.	10118	5754	Furnace Creek Wash
10.	10002	5739	Furnace Creek Wash
11.	10001	5738	Furnace Creek Wash

Sincerely yours,

(Sgd) Manuel Morris

Manuel Morris
Hydraulic Engineer

Enclosures (11)

cc:
Director

STATE OF CALIFORNIA—RESOURCES AGENCY

STATE WATER RIGHTS BOARD

RESOURCES BUILDING, ROOM 1140
1416 – 9TH STREET
SACRAMENTO, CALIFORNIA 95814

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1965

OWNER OF RECORD: APPLICATION 18489

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF

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

SOURCE: (1) NEVARES SPRINGS (2)
(3) (4)
(5) (6)
(7)

PERMIT 11924

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.

1. Has construction work commenced? N/A
2. Has all construction work been completed? Yes If not, give estimated date of completion N/A
3. State approximate cost of construction work on this project during the past 12 months None
   Describe briefly the portions of the project upon which the above amount was spent N/A
4. What construction work remains to be done to complete the project? N/A
5. Has use of water commenced? Yes Amount (if known)
6. Has use of water, as to both amount and season, been as great as you expect in any future year under this permit? No
7. During what months was water used in 1965 under this permit? All year
8. Has location of the intake or place of use been changed? No
9. Did the source go dry? No If so, during what months?
10. Did your reservoir spill this year? N/A If not, how many feet below crest vertically was the water level at maximum storage? N/A Have you emptied the reservoir? N/A If not, how many feet below crest vertically was it drawn down at end of season? N/A
11. You should keep complete records of your use of water in your own files. Please supply information below concerning your use of water.

(a) ☒ Irrigation 13 acres of lawn, shrubs and trees.
Total acres irrigated — Name crops served and acreage of each

(b) ☐ Stockwatering
Number of animals

(c) ☐ Industrial
Nature of use

(d) ☒ Domestic 90 permanent - 20 seasonal
Number of persons, Area of garden, lawn, etc.

(e) ☐ Municipal
Approximate population

(f) ☐ Mining
Method of water use

(g) ☒ Recreational Swimming pool
Nature of use

(h) ☐ Power
Installed horsepower capacity

(i) ☐ Other

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

REMARKS Maintenance costs for the system in 1965 were $2950. Water used under this application is comingled with water under Application 9510, License 4621

Date December 13, 1965 Sign Here William N. Burgen, Acting Superintendent
Permittee

This report is of importance to you in establishing your water right as it will be used as a basis for action by the State Water Rights Board. It should be filled out carefully and returned promptly.

YEAR 1965

51662-957 7-65 6M ① OSP

12-13-1965: letter to mr. hill regarding enclosed progress reports for the year1964 ; december 13, 1965

Mr Morris

Western Region
450 Golden Gate Avenue, P.O. Box 36063
San Francisco, California 94102

L54-SLW

January 20, 1965

Mr. L. K. Hill, Executive Officer
State Water Rights Board
1416 Ninth Street
Sacramento, California 95814

Dear Mr. Hill:

Enclosed are Progress Reports by Permittee for the Year 1964 as follows:

Application 18489	Permit 11924
Application 19482	Permit 12742
Application 19538	Permit 12743.

Sincerely yours,

(Sgd) Manuel Morris

Manuel Morris
Hydraulic Engineer

Enclosures

b.c. Supt., DeVa, w/o enclosures
Chief, WODC (2), w/enclosures
Director, w/enclosures

P.S. Add to dockets as follows:

Application	18489	Docket	1
"	19482	"	27
"	19538	"	28

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
ROOM 1140, 1416 NINTH STREET
SACRAMENTO 95814

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1964

18489

OWNER OF RECORD: APPLICATION

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF

Indicate Corrections Above If the Owner or Address Shown Are Incorrect

SOURCE: (1) NEVARES SPRINGS (2)
(3) (4)
(5) (6)
(7)

PERMIT 11924

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. After use of water is complete, an inspection will be made and license issued for the amount of water actually put to use under the terms and conditions of the permit.

1. Has the project been abandoned? No Has construction work commenced? N/A
2. Has all construction work been completed? Yes If not, give estimated date of completion N/A
3. State approximate cost of construction work on this project during the past 12 months None
   Describe briefly the portions of the project upon which the above amount was expended N/A
4. What construction work remains to be done to complete the project? N/A
5. Has use of water commenced? Yes
6. Has use of water, as to both amount and season, been as great as you expect in any future year under this permit? No
7. During what months was water used in 1964 under this permit? All year
8. Has location of the intake or place of use been changed? No
9. Did the source go dry? No If so, during what months? N/A
10. Did your reservoir spill this year? N/A If not, how many feet below crest vertically was the water level at maximum storage? N/A Have you emptied the reservoir? N/A If not, how many feet below crest vertically was it drawn down at end of season? N/A
11. You should keep complete records of your use of water in your own files. Please supply information below concerning your use of water.

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

(b) ☐ Stock-watering ____ (Number of animals)

(c) ☐ Industrial ____ (Nature of use)

(d) ☒ Domestic See Remarks (Number of persons; Area of garden, lawn, etc.)

(e) ☐ Municipal ____ (Approximate population)

(f) ☐ Mining ____ (Method of water use)

(g) ☒ Recreational See remarks (Nature of use)

(h) ☐ Power ____ (Installed horsepower capacity)

(i) ☐ Other ____

REMARKS Maintenance costs for the system in 1964 were $2350. Water used under this application is comingled with water used under Application 9510, License 4621. Total comingled use amounted to 0.54 cfs. for one week during period of peak use. Water was used by 90 perm. and 20 temp. residents for watering approx. 13 acres of lawn, shrubs & trees, for operation of a swimming pool & for uses incidental to the operation of the residential and utility areas of the Monument Headquarters.

Date January 5, 1965 *Sign Here*

William N. Burgen Permittee Acting Superintend

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly.

YEAR 1964

FORM 67

27980-957 8-64 5M ① OSP

12-11-1963: letter to mr. hill regarding enclosed progress reports for the year 1963 , december 11, 1963

Western Regional Office
180 New Montgomery Street
San Francisco, California 94105

L-54
Dockets 1,3,4,6,6
21,22,24,25,27,28

December 11, 1963

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

Dear Mr. Hill:

Enclosed are progress reports for the year 1963 for the following applications all at Death Valley National Monument.

Application 18499,	Docket 1 -	Nevares Spring
Application 10001,	Docket 3 -	Furnace Creek Wash
Application 10002,	Docket 4 -	Furnace Creek Wash
Application 10118,	Docket 5 -	Furnace Creek Wash
Application 10119,	Docket 6 -	Texas Spring
Application 16096,	Docket 21 -	Tarantula Spring
Application 15539,	Docket 22 -	Covered Spring, Wee Spring
Application 16138,	Docket 22 -	Chucker Spring
Application 8423,	Docket 24 -	Unnamed Spring
Application 17839,	Docket 25 -	Blue Cliff Spring
Application 19482,	Docket 27 -	Ranger Spring
Application 19538,	Docket 28 -	Mesquite Spring

Sincerely yours

(SGD) JAMES M. SILER

James M. Siler
Regional Chief of Lands

Enclosure
Progress Reports

cc:
Director
Superintendent, Death Valley
Chief, WODC (2)

129

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

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1963

OWNER OF RECORD: APPLICATION 18489

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF

Indicate Corrections Above If the Owner or Address Shown Are Incorrect

SOURCE: (1) NEVARES SPRINGS (2)
(3) (4)
(5) (6)
(7)

PERMIT 11924

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. After use of water is complete, an inspection will be made and license issued for the amount of water actually put to use under the terms and conditions of the permit.

1. Has the project been abandoned? No Has construction work commenced? yes
2. Has all construction work been completed? No If not, give estimated date of completion 1965
3. State approximate cost of construction work on this project during the past 12 months None
   Describe briefly the portions of the project upon which the above amount was expended
4. What construction work remains to be done to complete the project? Construct additional residences and utility buildings, install lawns, shrubs and trees and construct water distribution systems to serve these future components of the Cow Creek development.
5. Has use of water commenced? yes
6. Has use of water, as to both amount and season, been as great as you expect in any future year under this permit? No
7. Has location of the intake or place of use been changed? No
8. Did the source go dry? No If so, during what months?
9. Did your reservoir spill this year? Not Applicable If not, how many feet below crest vertically was the water level at maximum storage? Have you emptied the reservoir? If not, how many feet below crest vertically was it drawn down at end of season?
10. You should keep complete records of your use of water in your own files. Please supply information below concerning your use of water.

(a) ☐ Irrigation — Total acres irrigated — Name crops served and acreage of each
(b) ☐ Stock watering — Number of animals
(c) ☐ Industrial — Nature of use
(d) ☒ Domestic — See remarks — Number of persons; Area of garden, lawn, etc.
(e) ☐ Municipal — Approximate population
(f) ☐ Mining — Method of water use
(g) ☒ Recreational — See remarks — Nature of use
(h) ☐ Power — Installed horsepower capacity
(i) ☐ Other

REMARKS Water used under this application is comingled with water used under Application 9510, License 4621. Total comingled use amounted to 0.54 cfs. for one week during a period of peak use. Water was used by 90 permanent and 20 temporary residents, for watering of approximately 13 acres of lawn, shrubs and trees, for operation of a swimming pool and for uses incidental to the operation of the residential and utility areas of the Headquarters of the Monument.

Date December 2, 1963 *Sign Here* John A. Aubuchon Permittee Superintendent Death Valley National Monument

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly.

YEAR 1963

92398 7-63 4M ① SPO

RECEIVED
MAR 7 1963
Death Valley Nat'l Mon.

EDMUND G. BROWN
GOVERNOR OF
CALIFORNIA

RUGO FISHER
ADMINISTRATOR
RESOURCES AGENCY

THE RESOURCES AGENCY OF CALIFORNIA

State Water Rights Board

KENT SILVERTHORNE, CHAIRMAN
RALPH J. McGILL, MEMBER
W. A. ALEXANDER, MEMBER

1401 21ST STREET
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

LELAND K. HILL
EXECUTIVE OFFICER

✓	Supt.	Jaa
✓	Ch. Rgr.	
	Nat.	
✓	Engr.	
✓	Adm. Asst.	
	Proc. & Prop.	
	Mngt. Asst.	
	WQOC	
✓	Sec.	

MAR 6 1963

U. S.-Death Valley National Monument
Death Valley
California

Subject: Application 18489, Permit 11924

Gentlemen:

An order has been entered granting an extension of time until December 1, 1965, within which to complete construction work and application of water to the proposed use under the above-numbered permit.

It is suggested that the enclosed copy of the order be attached to your copy of the permit.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

Enc.
Cert.

03-06-1963: order granting extension of time within which to complete construction and use ; march 06, 1963

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 18489 PERMIT 11924 LICENSE

ORDER GRANTING EXTENSION OF TIME WITHIN WHICH TO COMPLETE CONSTRUCTION AND USE

The State Water Rights Board having determined that good cause has been shown for an extension of time within which to complete construction work and application of water to the proposed use under Permit 11924 , said Board having approved such extension and having directed that this order be issued;

NOW THEREFORE IT IS ORDERED that an extension of time be, and the same is, hereby granted until December 1, 1965 , within which to complete construction work and application of water to the proposed use under said permit.

Witness my hand and the seal of the State Water Rights Board this 6 th day of March, 1963

L. K. Hill

L. K. Hill
Executive Officer

10-15-1962: letter to mr. hill regarding enclosed request for a three year extension of time ; october 15, 1962

180 New Montgomery
San Francisco 5, California

L54
DEVA
Docket I

October 15, 1962

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

Dear Mr. Hill:

Enclosed is a request for a three year extension of time for completion of construction work and beneficial use, of water for Application 18489 Keyseres Springs, Death Valley National Monument. A purchase order for $5.00 is enclosed to accompany this request. A Progress Report for Application 18489 for the year 1962 is also included.

(SGD) JAMES M. SILER

James M. Siler
Regional Chief of Lands

Enclosures

cc:
Director w/c of enclosures
Superintendent, Death Valley w/c of enclosures
Chief, WODC (2) w/c of enclosures

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STATE OF CALIFORNIA - STATE WATER RIGHTS BOARD

Application 18489 Permit 11924

NOTICE OF EXPIRATION

The time within which to complete construction work and/or to place the water to full beneficial use under the above-numbered water right application and permit has expired or will expire shortly. The following alternatives are available:

1. If sufficient water has been diverted to satisfy your requirements, the amount used will be determined by inspection during the next field season with a view to the issuance of license which is the final confirmation of the water right initiated by the application. A right cannot be acquired for an amount of water or for a season of diversion in excess of that allowed in the permit. With respect to use of water under the terms and conditions of the permit:

(a) Have you used as much water heretofore as you expect to use in the future?

	Yes	No
		X

(b) Have you used the water for as long a season as you intend to?

	Yes	No
	X	

2. If the project has been abandoned or if no progress has been made toward use of water the permit will be revoked upon request.

Should the permit be revoked?

	Yes	No
		X

3. If construction work and/or use of water are proceeding with due diligence but not fully complete, a reasonable extension of time may be obtained upon a showing of good cause. Section 779 of the California Administrative Code, Title 23, Waters, provides that lack of finances, occupation with other work, physical disability or other conditions incident to the person and not to the enterprise will not be accepted as good cause for delay while weather conditions and conditions which are incident to the project itself may be accepted as good cause for delay.

A ~~(1-year)~~, ~~(2-year)~~, (3-year) extension of time is requested for completion of construction work and/or beneficial use of water. (indicate period of time desired).

The following information should be supplied where an extension of time is requested:

1. Approximate total amount spent on project to date $ ~~######~~ 111,000.
2. Approximate per cent of construction work complete to date 60 %.
3. Estimated date of completion of construction work 1965.
4. Estimated year in which full use of water will be made 1966,
5. Reasons why construction and/or use of water was not completed within time previously allowed:

Progress of the development of this water system depends upon funds allotted to the National Park Service for implementation of Mission 66, a long range improvement program. Cons truction plans for this system are scheduled in the next three years.

REQUEST FOR EXTENSION MUST BE ACCOMPANIED BY A FEE OF $5.00

Date October 5, 1962

SIGNATURE UNITED STATES OF AMERICA
Permittee
BY: Willard W. Danielson
Acting Superintendent
Death Valley National Monument

Form 67F
9-7-62

10-17-1962: stamp by the state water rights board sacramento , october 17, 1962

OCT 17 10 26 AM '62
STATE WATER RIGHTS BOARD
SACRAMENTO

00-00-0000: progress report for the year 1962

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
1401 21ST STREET, P. O. BOX 592
SACRAMENTO

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1962

OWNER OF RECORD:

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF

APPLICATION 18489

Indicate Corrections Above If the Owner or Address Shown Are Incorrect

SOURCE: (1) (2)
(3) NEVARES SPRINGS (4)
(5) (6)

PERMIT 11924

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. After use of water is complete, an inspection will be made and license issued for the amount of water actually put to use under the terms and conditions of the permit.

1. Has the project been abandoned? no Has construction work commenced? yes
2. Has all construction work been completed? no If not, give estimated date of completion 1965
3. State approximate cost of construction work on this project during the past 12 months $500.00
   Describe briefly the portions of the project upon which the above amount was expended Extension of water line to additional residences.
4. What construction work remains to be done to complete the project? Construct additional residences and utility buildings, install lawns, shrubs and trees and construct water distribution systems to serve these future components of the Cow Creek development.
5. Has use of water commenced? yes
6. Has use of water, as to both amount and season, been as great as you expect in any future year under this permit? no
7. Has location of the intake or place of use been changed? no
8. Did the source go dry? no If so, during what months?
9. Did your reservoir spill this year? Not applicable If not, how many feet below crest vertically was the water level at maximum storage? Have you emptied the reservoir? If not, how many feet below crest vertically was it drawn down at end of season?
10. You should keep complete records of your use of water in your own files. Please supply information below concerning your use of water.

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

(b) ☐ Stock watering — Number of animals

(c) ☐ Industrial — Nature of use

(d) ☒ Domestic see remarks — Number of persons; Area of garden, lawn, etc.

(e) ☐ Municipal — Approximate population

(f) ☐ Mining — Method of water use

(g) ☒ Recreational see remarks — Nature of use

(h) ☐ Power — Installed horsepower capacity

(i) ☐ Other

REMARKS Water used under this application is comingled with water used under Application 9510, License 4621. Total comingles use amounted to 0.54 cfs. for one week during a period of peak use. Water was used by 90 permanent and 20 temporary residents, for watering of approximately 13 acres of lawn, shrubs and trees, for operation of a swimming pool and for uses incidental to the operation of the residential and utility areas of the Headquarters of the Monument.

Date

Sign Here UNITED STATES OF AMERICA
/s/ Willard W. Danielson
BY: Willard W. Danielson
Permittee
Acting Superintendent
Death Valley National Monument

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly.

YEAR 1962

FORM 67

68113 7-62 4M ① SPO

10-17-1962: stamp by the state water rights board sacramento ; october 17, 1962

Oct 17 10 26 AM '62
STATE WATER RIGHTS BOARD
SACRAMENTO

EDMUND G. BROWN
GOVERNOR OF
CALIFORNIA

WILLIAM E. WARNE
ADMINISTRATOR
RESOURCES AGENCY

THE RESOURCES AGENCY OF CALIFORNIA

KENT SILVERTHORNE, CHAIRMAN
RALPH J. McGILL, MEMBER
W. A. ALEXANDER, MEMBER

State Water Rights Board

1401 21st STREET
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

LELAND K. HILL
EXECUTIVE OFFICER

January 10, 1962

Mr. George F. Whitworth
Acting Regional Chief of Operations
U. S. National Park Service
180 New Montgomery Street
San Francisco 5, California

Subject: Application 18489, Permit 11924
Nevares Springs in Inyo County

Dear Mr. Whitworth:

Pursuant to your letter of December 22, 1961, we are enclosing a Xerox copy of the Progress Report by Permittee for the Year 1961 submitted in connection with the above-numbered water right filing.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

Enclosure

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None

L54

180 New Montgomery
San Francisco 5, California

November 27, 1961

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

Dear Mr. Hill:

We are submitting the following Progress Reports for Death Valley National Monument for the year 1961:

Progress Report Application 18489 Nevares Springs - Docket #1
Progress Report Application 19482 Unnamed Spring (Ranger Spring) - #27
Progress Report Application 19538 Mesquite Spring - Docket - 28
Progress Report Application 18433 Goldbelt Spring - Docket - 26

Sincerely yours,

(Sgd.) George F. Whitworth

George F. Whitworth
Acting Regional Chief of Operations

Enclosure

Copy to: Director w/copy of each attachment
Supt., Death Valley w/copy of each attachment
Chief, WODC w/copy of each attachment

12

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
1401 21ST STREET
P. O. BOX 1598
SACRAMENTO

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1961

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet.

SOURCE Nevares Springs APPLICATION 18489

PERMIT 11924

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who are owners of this permit United States of America

MAILING ADDRESS National Park Service, 180 New Montgomery St., San Francisco 5, Cali

2. Has the project been abandoned? No Has construction work commenced? Yes

3. Has all construction work been completed? No If not, give estimated date of completion 1965

4. State approximate cost of construction work on this project during the past 12 months None

Describe briefly the portions of the project upon which the above amount was expended

5. What construction work remains to be done to complete the project? Construct additional residences and ut buildings, install lawns, shrubs and trees and construct water distribution works to serve these future components of the Cow Creek development.

6. Has use of water commenced? Yes State maximum rate of use if known See reverse

If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

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

(b) ☐ Stock watering ____ (Number of animals)

(c) ☐ Industrial ____ (Nature of use)

(d) ☒ Domestic See remarks (Number of persons; Area of garden, lawn, etc.)

(e) ☐ Municipal ____ (Approximate population)

(f) ☐ Mining ____ (Method of water use)

(g) ☒ Recreational See remarks (Nature of use)

(h) ☐ Power ____ (Installed horsepower capacity)

(i) ☐ Other ____

7. During what months was water used in 1961? all 12 months

Do you expect to use it over a longer or different season in the future?

If so, state other months of use

8. *Have you used as much water this year as you expect to use in any future year under this permit?* No

If not, estimate year in which use will be full and complete 1966

9. Has location of the intake or place of use been changed? No

IF PROJECT INVOLVES STORAGE ANSWER 10 AND 11

10. Have you filled in your reservoir during the 1960-61 collection season—if not, do you expect to fill it in any one future collection season? Does not apply How much of the stored water has been used?

Have you emptied the reservoir? If not, have you drawn down the reservoir as far as you intend to use in any one season? State acre-feet used if known

11. During which months was water collected in the reservoir? Does not apply

UNITED STATES OF AMERICA

Sign Here Granville B. Liles
Permittee

By: Granville B. Liles, Superintendent
Death Valley National Monument

Date November 14, 1961

(OVER)

YEAR 1961

Form 67

11-14-1961: progress report for the year 1961 cont. ; november 14, 1961

INSTRUCTIONS

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

Question 6. Water used under this application is comingled with water used under Application 9510, License 4621. Total comingled use amounted to 0.54 cfs. for one week during a period of peak use. Water was used by 80 permanent and 20 temporary residents, for watering of approximately 13 acres of lawn, shrubs and trees, for operation of a swimming pool and for uses incidental to the operation of the residential and utility areas of the Headquarters of Death Valley National Monument.

Nov 28 9 20 AM '61

STATE WATER RIGHTS BOARD
SACRAMENTO

DO NOT WRITE IN THIS SPACE

12-07-1960: letter to l. k. hill regarding enclosed progress report for the year 1960 ; december 07, 1960

W O D C
DEC 1 2'60
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CONT
SFTY
ACTION TAKEN - DATE
None
mp

Death Valley National Monument
Death Valley, California

L54

December 7, 1960

Mr. L. K. Hill
State Water Rights Board
1401 21st Street
P. O. Box 1592
Sacramento 7, California

Dear Mr. Hill:

Enclosed is the Progress Report of the year 1960 for Nevares Springs, supplemental supply, Cow Creek, Water Right Application No. 18489.

Sincerely yours,

/s/ Granville B. Liles

Granville B. Liles
Superintendent

Enclosure

Copy to: Director w/cy Report
Regional Director, Region Four w/cy Report
WODC w/cy Report

WODC

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

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1960

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet.

SOURCE Nevares Springs APPLICATION 18489

PERMIT 11924

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who are owners of this permit United States of America

MAILING ADDRESS National Park Service, 180 New Montgomery St., San Francisco 5, Calif.

2. Has the project been abandoned? No Has construction work commenced? Yes

3. Has all construction work been completed? No If not, give estimated date of completion 1965

4. State approximate cost of construction work on this project during the past 12 months None

Describe briefly the portions of the project upon which the above amount was expended.

5. What remains to be done to complete the project? Construct additional residences and utility buildings, install lawns, shrubs and trees and construct water distribution works to serve these future components of the Cow Creek development.

6. Has use of water commenced? Yes State amount used if known See reverse

If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

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

(b) ☐ Stock watering ____ Number of animals

(c) ☐ Industrial ____ Nature of use

(d) ☒ Domestic See remarks — Number of persons; Area of garden, lawn, etc.

(e) ☐ Municipal ____ Approximate population

(f) ☐ Mining ____ Method of water use

(g) ☒ Recreational See remarks — Nature of use

(h) ☐ Power ____ Installed horsepower capacity

(i) ☐ Other ____

7. During what months was water used in 1960? all 12 months

Do you expect to use it over a longer or different season in the future?

If so, state other months of use

8. *Have you used as much water this year as you expect to use in any future year under this permit?* No

If not, estimate year in which use will be full and complete 1966

9. Has location of the intake or place of use been changed? No

IF PROJECT INVOLVES STORAGE ANSWER 10 AND 11

10. Have you stored as much water in your reservoir during the 1959-60 collection season as you expect to store in any future collection season? Does not apply How much of the stored water has been used?

Have you emptied the reservoir? If not, have you used all the water that you intend to use in any one season? State acre-feet used if known

11. During which months was water collected in the reservoir? Does not apply

UNITED STATES OF AMERICA

Sign Here Granville B. Liles

By: Granville B. Liles, Permittee Superintendent
Death Valley National Monument

Date Dec. 5, 1960.

(OVER)

YEAR 1960 RECEIVED WITH MEMO OF ____

FORM 67

19207 8-60 3M (1) SPO

INSTRUCTIONS

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

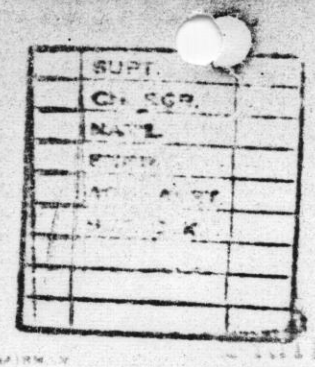
REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

Question 6. Water used under this application is comingled with water used under Application 9510, License 4621. Total comingled use amounted to 0.54 cfs. for one week during a period of peak use. Water was used by 80 permanent and 20 temporary residents, for watering of approximately 13 acres of lawn, shrubs and trees, for operation of a swimming pool and for uses incidental to the operation of the residential and utility areas of the Headquarters of Death Valley National Monument.

DO NOT WRITE IN THIS SPACE

00-00-0000: letter to fred w. binnewies regarding permit which has been issued in approval thereof



STATE OF CALIFORNIA

State Water Rights Board

HENRY HOLSINGER, CHAIRMAN
W. P. ROWE, MEMBER
RALPH J. McGILL, MEMBER

L. K. HILL
EXECUTIVE OFFICER

1416 NINTH STREET
P. O. BOX 1062
SACRAMENTO 7, CALIFORNIA

SEP 1 39

Application 18489

Fred W. Binnewies, Superintendent
U. S. Death Valley National Monument
Death Valley, California

Dear Mr. Binnewies:

Endorsed on the reverse side of the above-numbered application you will find the permit which has been issued in approval thereof. As prescribed by law the permit fixes a definite time schedule within which to begin construction, complete construction, and make full beneficial use. Extensions of time can be allowed only upon a showing of good cause and you will observe the permit prescribes that unless development proceeds promptly and is prosecuted diligently to completion the permit may be revoked.

Annual reports of progress will be required upon forms which will be provided for that purpose, and if and when use is reported full and complete an inspection of the project will be made by an engineer of this office. Following the inspection a license will be issued to confirm the right to the amount of water found at the time of inspection to have been beneficially used in accordance with the terms and conditions of the permit. After issuance of license there can be no further increase in the use under this right.

The form for your first progress report will be mailed to you on or about October 1, 1960.

Very truly yours,

L. K. Hill
Executive Officer

Enc.
Cert.

102

00-00-0000: application to appropriate unappropriated water

Region Four

FILE IN DUPLICATE

[For full information concerning the filling out of this form refer to Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 18489 Filed January 27, 1959 at 11:06 A. M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

I, U. S. Death Valley National Monument
Name of applicant

of Death Valley County of Inyo
Address

State of California, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, *SUBJECT TO VESTED RIGHTS:*

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is Nevares Springs
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed

located in Inyo County, tributary to North Canyon Cow Creek, thence Cow Creek, thence Salt Creek

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) For diversion to be directly applied to beneficial use 0.25 cubic feet per second
1 cubic foot per second equals 40 statute miner's inches or 646.317 gallons per day

to be diverted from January 1 to December 31 of each year.
Beginning date Closing date

(b) For diversion to be stored and later applied to beneficial use _____ acre-feet per annum
1 acre-foot equals 325,851 gallons

to be collected between _____ and _____ of each season.
Beginning date Closing date

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. The use to which the water is to be applied is domestic, recreational and incidental industrial
Domestic, irrigation, power, municipal, mining, industrial, recreational

purposes.

4. The point of diversion is to be located North 69° 39' east 3077 feet from E¼ corner of
State bearing and distance or coordinate distances from section or quarter section corner

Section 35, T28N, R1E, SBB&M

being within the SW¼ of NE¼
State 40-acre subdivision of public land survey or projection thereof

of Section 36, T. 28N, R. 1E, SB B. & M., in the County of Inyo

5. The main conduit terminates in SW¼ SW¼ of Sec. 34, T. 28, R. 1E, SB B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply)

(a) Diversion will be made by pumping from _____
Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being See attachment feet in height (stream bed to level of overflow); _____ feet long on top; and constructed of _____
Concrete, earth, brush, etc.

(c) The storage dam will be _____ feet in height (stream bed to overflow level); _____ feet long on top; have a freeboard of _____ feet, and be constructed of _____
Concrete, earth, etc.

7. Storage Reservoir See attachment
Name

The storage reservoir will flood lands in _____
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of _____ acres, and a capacity of _____ acre-feet.

☞ In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

FORM 1

8. Conduit System (describe main conduits only)

(a) Canal, ditch, flume: Width on top (at water line) _____ feet; width at bottom _____
Cross out two not used

feet; depth of water _____ feet; length _____ feet; grade _____ feet per 1,000 feet; materials of construction _____
Earth, rock, timber, etc.

(b) Pipe line: Diameter 8 3,340 6 5,040 inches; length _____ feet; grade 19.30 feet per
(Grade given is that of first 312 ft. of length of 8" pipe, which controls capacity)
1,000 feet; total fall from intake to outlet 976.9 feet; kind Length of 8" & 6" pipe from div. to res. 8,380 feet; length of 6" dist. main 6,770 feet.
Riveted steel, concrete, wood-stave, etc.

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. The estimated capacity of the diversion conduit or pumping plant proposed is at least 1.77 sec. ft.
State cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is $197,000 (see attachment)
Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

Completion Schedule

10. Construction work began October 28, 1957 (this enlargement)

Construction work will be completed before 1965

The water will be completely applied to the proposed use on or before 1966

Description of Proposed Use

11. Place of Use. See attachment
State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map.

Do(es) applicant(s) own the land whereon use of water will be made? Yes (Yes or No) Jointly? No (Yes or No)

If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

12. Other Rights. Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

Nature of Right (riparian, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use	Source of Other Supply
1. Riparian Claim	1933	0.015 section feet	All Year	Spring Area No. 2
2. (For spring area No. 2 and Spring 32 see accompanying map. Water supply developed by				
3. and for CCC camp and now used as supplemental supply for Monument Headquarters. The				
4. 0.015 sec. ft. is now obtained largely from Spring Area 2.)				

Attach supplement at top of page 3 if necessary.

13. Irrigation Use. The area to be irrigated is _____ acres.
State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice _____ acres; alfalfa _____ acres; orchard _____ acres; general crops _____ acres; pasture _____ acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about _____ (Beginning date) and end about _____ (Closing date)

14. Power Use. The total fall to be utilized is _____ feet.
Difference between nozzle or draft tube water level and first free water surface above

The maximum amount of water to be used through the penstock is _____ cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is _____ horsepower.
Second feet × fall ÷ 8.8

The use to which the power is to be applied is _____
For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is _____
Turbine, Pelton wheel, etc.

The size of the nozzle to be used is _____ inches.

The water will / will not be returned to _____ (Name stream) in _____ (State 40-acre subdivision) of

Sec. _____, T. _____, R. _____, _____ B. & M.

SUPPLEMENT

Question 4. Water is collected in a Spring Area #1, described as: Beginning at said point of diversion, N 69° 39' E 3077 ft. from E¼ Cor. Sec. 35, thence North 240 ft; East 200 ft; South 400 ft; West 200 ft; and North 160 ft. to point of beginning.

Question 6(b) Water is collected by approximately 600 feet of 6 inch drain tile and asbestos cement pipe which radiates from a concrete collecting sump, 7 ft. X 5 ft., in plan and 8 ft. deep at point of diversion.

Question 7 There was only regulatory storage, of which part has heretofore been provided by swimming pool for incidental irrigation of lower portion of area of use, and part has been provided by 10,000 gal. concrete reservoir formerly for CCC camp. Under this application it is proposed to install one or more 100,000 gallon concrete or steel regulatory reservoirs of which one is completed.

Question 9.

Land Purchase	$ 40,000	
Water resources study to appraise and determine quantity of water	1,500	
Diversion at spring area, 8" and 6" diversion pipes to reservoir	23,557	
100,000 gal. dist. reservoir	25,000	
Total Diversion Works		$ 90,057
Cooling tower	2,000	
Distribution pipes (1957 & 1958)	18,515	
Total New Dist. System		20,515
Total Cost through June 30, 1959		$ 110,572
Additional distribution system replacement and extension, proposed under MISSION 66 development by about 1966		86,100
Estimated Total Cost		$ 196,672

Question 11. Place of Use
Section 4, N½ NE¼, T27N, R1E, SBB&M
Section 3, NW¼ NW¼, T27N, R1E, SBB&M
Section 33, SE¼, T28N, R1E, SBB&M
Section 34, SW¼, SW¼, N½, SE¼, and S½, N½, T28N, R1E, SBB&M.

00-00-0000: application to appropriate unappropriated water cont.

DO NOT WRITE IN THIS SPAC
ATTACH EXTRA SHEETS HER

15. **Municipal Use.** This application is made for the purpose of serving _____
Name city or cities, town or towns. Urban areas only

having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

16. **Mining Use.** The name of the mining property to be served is _____
Name of claim

and the nature of the mines is _____
Gold placer, quartz, etc.

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____
Cubic feet per second, gallons per minute. State basis of estimate

The water will / will not be polluted by chemicals or otherwise _____
Explain nature of pollution, if any

and it will / will not be returned to _____ in _____ of
Name stream State 40-acre subdivision

Sec. _____, T. _____, R. _____, _____ B. & M.

17. **Other Uses.** The nature of the use proposed is domestic, recreational and incidental industrial
Industrial, recreational, domestic, stockwatering, fish culture, etc.

State basis of determination of amount needed. Present employee population is 57, and ultimate population
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type
of 100 is proposed, in 25 residences and apartment buildings, and seasonal trailers.
industrial use, and unit requirements.
Irrigation will be largely of small lawns and shrubbery at residences by hose sprinkling
and about 11,000 ft. of small ditch, a swimming pool and car washing/other needs of the
utility area and building air conditioners. Claim is for slightly more than measured
flow during recent drought and all available water will be used, with irrigation limited
by quantity of water available after other demands are satisfied.

General

18. Are the maps as required by the Rules and Regulations filed with Application? Yes
Yes or No
. If not, state specifically the time required for filing same _____

19. Does the applicant own the land at the proposed point of diversion? Yes
Yes or No
. If not, give name and address of owner and state what steps have been taken to secure right of access thereto _____

20. What is the name of the post office most used by those living near the proposed point of diversion?
Death Valley, California

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? None

NOTE: Nothing herein shall constitute a waiver of any other right which the United States may have to the same water.

United States of America

s/s Fred W. Binnewies

[SIGNATURE OF APPLICANT] Fred W. Binnewies, [illegible]dent

Death Valley [illegible]

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 11924

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed

twenty-five hundredths (0.25) cubic foot per second to be diverted from January 1 to December 31 of each year.

2. The maximum amount herein stated may be reduced in the license if investigation so warrants.

3. Actual construction work shall begin on or before December 1, 1959. and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.

4. Said construction work shall be completed on or before December 1, 1961.

5. Complete application of the water to the proposed use shall be made on or before December 1, 1962.

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

7. 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 Rights 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.

8. This permit is conditioned upon full compliance with Section 5937 of the Fish and Game Code.

9. 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: JUL 29 1959

STATE WATER RIGHTS BOARD

L. K. Hill

L. K. Hill
Executive Officer

FORM 61-A

IMPORTANT

[Please Read Carefully]

1. *Note the terms and conditions of this permit.* Construction work must be prosecuted, and the water applied to the beneficial uses intended with due diligence. Annual reports of progress will be expected from you upon forms which will be furnished for the purpose. When the water has been fully applied to the beneficial uses intended the Water Code requires that you notify the State Water Rights Board thereof.

2. Neither this application nor the permit is a water right, but *if the terms and conditions of the permit are observed a water right can be obtained through beneficial use of the water*—the extent of the right to be determined by a field inspection which will be made by a representative of the State Water Rights Board.

3. *No change in point of diversion, or place of use or character of use, can be made under this application and permit* without the approval of the State Water Rights Board.

4. *If the rights under this permit are assigned* immediate notice to that effect with the name and address of the new owner should be forwarded to the State Water Rights Board, Sacramento, California.

5. *Please advise immediately of any change of address.* Until otherwise advised communications will be sent to the address used in the letter transmitting this permit.

74092 4-67 2M SPO

08-31-1959: receipt no. 10573 for a $5.00 application fee charge , august 31, 1959

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

Receipt No 10573

Date August 31, 1959 ($ 5.00)

Received ($ 5.00)

☐ Cash ☐ Money Order ☒ Check *(Receipt contingent upon collection)*

U. S. Death Valley National Monument
Death Valley, California

Re APPLICATION NO. 18489

☐ Deposit ☐ Balance ☒ Full

Recordation Fee	$	Application No.	$
Verification—Fee	$	Permit Fee	$ 5.00
Expense	$	Permit Extension Fee	$
	$	Petition Fee	$
☐ Uncleared Collections		Additional Fee on Charges	$
☐ Application		Certification Fee	$
☐ Proof of Claim		Copying—Comparing	$
☐ Adjudication Apportionment		Proof of Claim Fee	$
☐ Verification Advance		Adjudication Apportionment	$
☐ Other		Refund—Verification	$
		Other	$

STATE WATER RIGHTS BOARD

LESLIE C. JOPSON, *Chief Engineer*

By Joanne Bowman
Title

FORM 300
47169 11-56 20M QUIN ⓢ SPO

Docket 1
Folder 2 RS

08-14-1959: letter to j. b. wosky regarding signed voucher for the application fee for application 18489 ; august 14, 1959

File DEVA Docket

Rec 8/17/59

LSS 8/18

Whitworth

Edmund G. Brown
Governor

STATE OF CALIFORNIA

State Water Rights Board

1401 21st STREET
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

KENT SILVERTHORNE, CHAIRMAN
W. P. ROWE, MEMBER
RALPH J. McGILL, MEMBER

L. K. HILL
EXECUTIVE OFFICER

August 14, 1959

Application 18489

U. S. Department of the Interior
National Park Service, Region 4
180 New Montgomery Street
San Francisco 5, California

Attention: Mr. J. B. Wosky, Regional Chief of Operations

Gentlemen:

Enclosed herewith is your voucher signed as instructed to cover permit fee in connection with Application 18489, Permit 11924, to appropriate from Nevares Springs in Death Valley National Monument in San Bernardino County.

given to John Arbanich to proceed for payment J.

Further action in the matter will await receipt of the necessary fees.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

Enc.

101

08-11-1959: registered letter to mr. l. k. hill regarding water rights application 18489 ; august 11, 1959

L-54

~~Spaulding~~ LSS

Whitworth

~~Manbey~~ BFM.

WCB

FILE COPY

Region Four
180 New Montgomery Street
San Francisco 5, California

August 11, 1959

REGISTERED LETTER

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

Re: Water Right Application 18489

Dear Mr. Hill:

Attached are a Purchase Order and voucher for $5.00 to cover the permit fee under Application 18489 for the appropriation of the water of Nevares Spring in Death Valley National Monument.

Please sign the voucher and return to this office for payment.

Sincerely yours,

(SGD) JOHN B. WOSKY

John B. Wosky
Regional Chief of Operations

Attachments

Copy to: Director (2)
Superintendent, Death Valley

LSSpaulding:hat

100

08-11-1959: public voucher for purchases and services other than personal ; august 11, 1959

Standard Form No. 1034—Revised
Form prescribed by
Comptroller General, U. S.
September 7, 1950
(Gen. Reg. No. 51, Supp. No. 11)

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

D. O. Vou. No. _____

Bu. Vou. No. _____

U. S. Department of the Interior, National Park Service, Region Four
(Department, bureau, or establishment)

Voucher prepared at San Francisco, California August 11, 1959
(Give place and date)

THE UNITED STATES, Dr., Payee's Account No. _____

To State Water Rights Board, State of California
(Payee)

P. O. Box 1592 (Address) Sacramento 7, (City) California (State)

PAID BY

(For use of Paying Office)

No. and Date of Order	Date of Delivery or Service	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary) Discount Terms	QUANTITY	UNIT PRICE Cost	UNIT PRICE Per	AMOUNT Dollars	AMOUNT Cts.
34-67 8/11/59		5-WR-60. Permit Fee, Application No. 18489, prescribed by Sec. 1525 of the California Water Code, as amended by Chapter 254 of the 1955 Statutes, for the appropriation of water of Nevares Springs in Death Valley National Monument.	1	$5	ea	5	00
		Use continuation sheet(s) if necessary			Total	$5	00

PAYMENT:
Complete ☐
Partial ☐
Final ☐

Shipped from to Weight Government B/L No.

I certify that the above bill is correct and just and that payment therefor has not been received.
(Sign original only)

Date _____ *Payee _____
(This certificate not required when a like certificate is made by payee on attached bill or bills)

Per _____ Title _____

(Payee must NOT use this space)
Differences _____

Account verified; correct for _____
(Signature or initials) _____

Contract No. Date Req. No. Date Invoice Rec'd.

Pursuant to authority vested in me, I certify that this account is correct and proper for payment.

† Approved for $ _____

By _____

Title _____

SIGN ORIGINAL ONLY

† _____
(Authorized Certifying Officer)

Title _____

Date _____

THE REVERSE OF THIS FORM MUST BE EXECUTED WHEN PURCHASES ARE MADE OR SERVICES SECURED WITHOUT WRITTEN AGREEMENT IN ANY FORM

ACCOUNTING CLASSIFICATION (For completion by Administrative Office)

Appropriation, limitation, or project symbol	Appropriation title	Limit'n. or Proj't. Amount	Appropriation Amount

Allotment symbol	Amount	Obligations liquidated	COST ACCOUNT Symbol	COST ACCOUNT Amount	OBJECTIVE CLASSIFICATION Symbol	OBJECTIVE CLASSIFICATION Amount

Paid by { Check No. _____ dated _____, 19____, for $_____ } on Treasurer of the United States in favor of payee named above.
{ Cash, $_____, on _____, 19____. Payee _____ }
(Sign original only)

* When a voucher is signed or receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.

† If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign on the line below "Approved for $_____", and over his official title.

Per _____

Title _____

16—22900-3

METHOD OF OR ABSENCE OF ADVERTISING

METHOD OF ADVERTISING

1. Advertising in newspapers Yes ☐ No ☐
2. (*a*) Advertising by circular letters sent to ---------- dealers.
   (*b*) And by notices posted in public places Yes ☐ No ☐.

   (If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made below.)

ABSENCE OF ADVERTISING

3. Without advertising, under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.
4. Without advertising in accordance with ----------

5. Without advertising, it being impracticable to secure competition because of ----------

---

(Here state in detail the nature of the exigency or circumstances under which the securing of competition was impracticable under 3 and 4)

NOTE.—The above form "Method of or Absence of Advertising" is to be used when purchases are made or services secured under proper authority without written agreement in any form. In case of a written agreement (formal contract, proposal, and acceptance, or less formal agreement) Standard Form No. 1036—Revised should be used for abstracting the method of or absence of advertising and award of contract. (See General Regulations No. 51, as amended.)

16—22900-2 ☆ U. S. GOVERNMENT PRINTING OFFICE : 1950—O-75806

file DEVA Docket #1

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

August 4, 1959

RECEIVED
NPS REGION FOUR OFFICE
AUG - 6 '59

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
✓ ~~SAM~~ Wentworth		
RECREATION		
✓ INTERP. Brady		
LEGAL		

L 54

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

Subject: Water Right Application 18489

~~X~~ Spaulding LSS 8/11

The attached letter of July 29 from the State Water Rights Board states that the above numbered water right application has been approved and that a $5.00 filing fee is required. Will you please prepare the necessary voucher for payment of the fee.

see memo to State W.R. Bd. 8/11

Fred W. Binnewies
Fred W. Binnewies
Superintendent

In duplicate

Attachment

99

07-29-1959: letter to fred w. binnewies regarding application 18489 has been approved and in accordance with chapter 254, statutes of 1955 ; july 29, 1959

File DEVA Docket #1

Edmund G. Brown
Governor

SUPT.	
CH. RGR.	
NAT'L.	
ENGR.	
ADM. ASST.	
SUP. CLK.	

STATE OF CALIFORNIA

State Water Rights Board

HENRY HOLSINGER, CHAIRMAN
W. P. ROWE, MEMBER
RALPH J. McGILL, MEMBER

1401 21ST STREET
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

L. K. HILL
EXECUTIVE OFFICER

1959

JUL 29 '59

Application 18489

Fred W. Binnewies, Superintendent
U. S. Death Valley National Monument
Death Valley, California

Dear Mr. Binnewies:

The above-numbered application has been approved and in accordance with Chapter 254, Statutes of 1955, a minimum fee of $5.00 will be required.

The water code requires that the fee must be received in this office within 30 days after service of notice of issuance of permit, personally or by registered mail. This letter is being sent by regular mail and is not intended as notice of issuance of permit within the purview of the water code, but is to informally advise you of the approval in order to prevent the running of the 30 day period of time.

Kindly send such vouchers or other forms as may be appropriate and the permit will be forwarded upon receipt of the check for the necessary fee.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

98

06-22-1959: letter to death valley national park regarding the state water rights board is prepared to proceed with consideration of issuance of permits ; june 22, 1959

D. 254

Edmund G. Brown
Governor

STATE OF CALIFORNIA

State Water Rights Board

HENRY HOLSINGER, CHAIRMAN
W. P. ROWE, MEMBER
RALPH J. McGILL, MEMBER

1401 21st STREET
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

L. K. HILL
EXECUTIVE OFFICER

June 22, 1959

Application 18489 - Docket 1

U. S. Death Valley National Monument
Death Valley
California

Gentlemen:

The State Water Rights Board is prepared to proceed with consideration of issuance of permits subject to the following special condition:

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

Unless we are advised to the contrary within 10 days it will be assumed that you have no objection to the special condition and we will proceed accordingly.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

Docket 1
Folder 2 RS

03-12-1959: letter to fred w. binnewies regarding signature acceptance in lieu of signature of a notary upon the affidavit of posting notice ; march 12, 1959

SUPT.	B
CH. RGR.	
NAT'L.	

Edmund G. Brown
Governor

STATE OF CALIFORNIA

State Water Rights Board

1401 21ST STREET
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

HENRY HOLSINGER, CHAIRMAN
W. P. ROWE, MEMBER
RALPH J. McGILL, MEMBER

L. K. HILL
EXECUTIVE OFFICER

March 12, 1959

Application 18489

Mr. Fred W. Binnewies
Superintendent
Death Valley National Monument
Death Valley, California

Dear Mr. Binnewies:

Inasmuch as you are authorized to sign oaths and certain other regular documents, we are accepting your signature in lieu of signature of a notary upon the Affidavit of Posting Notice of the above-numbered application.

Further action will follow in due course.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

Docket 1
Folder 2 RS

02-18-1959: notice of application and appropriation of water ; february 18, 1959

File DEVA Docket 1

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

1401 21st STREET
P. O. BOX 1592
SACRAMENTO, CALIFORNIA

Rec'd Feb 19, 1959
from State Wtr. Rts Board
no cover letter

NOTICE OF APPLICATION TO APPROPRIATE WATER

Application 18489

NOTICE IS HEREBY GIVEN, THAT U. S. - Death Valley National Monument
Death Valley
California

~~have~~
has under the date of January 27, 1959, applied to the State Water Rights Board for a permit to appropriate unappropriated water, subject to vested rights.

Description of Project

Water to be appropriated from Nevares Springs tributary to North Canyon Cow Creek thence Cow Creek thence Salt Creek.

In the County of Inyo.

Amount applied for: 0.254 cubic foot per second. 114 gpm

Diversion season named: January 1 to December 31 of each year.

Water to be used for domestic and recreational purposes.

Points of diversion within $SW\frac{1}{4}$ of $NE\frac{1}{4}$ of Section 36, T28N, R1E, SBB&M.

Place of use described: $NW\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 3, $N\frac{1}{2}$ of $NE\frac{1}{4}$ of Section 4, T27N, R1E, SBB&M; $SE\frac{1}{4}$ of Section 33, $S\frac{1}{2}$ of $NE\frac{1}{4}$, $N\frac{1}{2}$ of $SE\frac{1}{4}$, $SW\frac{1}{4}$, and $S\frac{1}{2}$ of $NW\frac{1}{4}$ of Section 34, T28N, R1E, SBB&M as shown on map filed with State Water Rights Board.

Relative to Protests

Blanks upon which to submit protests will be supplied free upon request.

Any person desiring to protest against the granting of such permit shall within 40 days from date hereof file with the State Water Rights Board, Sacramento, California, a written protest. 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.

A copy of the protest should be sent to the applicant and this office notified that the same has been done.

L. K. HILL
Executive Officer

Dated: Sacramento, California,
February 18, 1959

FORM 8-A

85772 10-58 10M ② SPO

00-00-0000: notice of application and appropriation of water

FILE IN DUPLICATE

[For full information concerning the filling out of this form refer t... Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. ..... Filed ..... at ..... M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

I, The U.S. of America, by Fred W. Binnewies, Superintendent, Death Valley Natl. Monument
Name of applicant

of Death Valley ..... County of Inyo
Address

State of California, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, *SUBJECT TO VESTED RIGHTS:*

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is Springs
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed

located in Inyo County, tributary to North Canyon Cow Creek & Cow Creek thence to Amargosa River

2. The amount of water which applicant desires to appropriate under this application is as follows:

(*a*) For diversion to be directly applied to beneficial use 0.254 cubic feet per second, to be diverted from January 1 to December 31 of each year.
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day
Beginning date — Closing date

(*b*) For diversion to be stored and later applied to beneficial use ..... acre-feet per annum, to be collected between ..... and ..... of each season.
1 acre-foot equals 325,851 gallons
Beginning date — Closing date

NOTE.—Answer (*a*) or (*b*) or both (*a*) and (*b*) as may be necessary. If amount under (*a*) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. The use to which the water is to be applied is Supplemental, domestic and recreational
Domestic, irrigation, power, municipal, mining, industrial, recreational
(Also see App. 9510, Per. 5381, Lic. 4621) purposes.

4. The point of diversion is to be located N 69° 39' E. 3077 ft. from E¼ Cor. Sec. 35, T 28 N, R 1 E, SBB&M (See attached spring area description)
State bearing and distance or coordinate distances from section or quarter section corner

being within the SW¼ NE¼
State 40-acre subdivision of public land survey or projection thereof

of Section 36, T. 28 N, R. 1 E, SB B. & M., in the County of Inyo

5. The main conduit terminates in SW¼ SW¼ of Sec. 34, T. 28 N, R. 1 E, SB B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply)

(*a*) Diversion will be made by pumping from .....
Sump, offset well, unobstructed channel, etc.

(*b*) Diversion will be by gravity, the diverting dam being See attachment feet in height (stream bed to level of overflow); ..... feet long on top; and constructed of .....
Concrete, earth, brush, etc.

(*c*) The storage dam will be ..... feet in height (stream bed to overflow level); ..... feet long on top; have a freeboard of ..... feet, and be constructed of .....
Concrete, earth, etc.

7. Storage Reservoir See attachment
Name

The storage reservoir will flood lands in .....
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of ..... acres, and a capacity of ..... acre-feet.

☞ In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

FORM 1

8. **Conduit System** (describe main conduits only)

(a) Canal, ditch, flume: Width on top (at water line) ..... feet; width at bottom .....
Cross out two not used

feet; depth of water ..... feet; length ..... feet; grade ..... feet per 1,000 feet; materials of construction .....
Earth, rock, timber, etc.

(b) Pipe line: Diameter 8 (3,340) 6 inches; length 5,040 feet; grade 19.30 feet per 1,000 feet; total fall from intake to outlet 976.9 feet; kind Length of 8" & 6" pipe from div. to res. 8,380 transite; length of 6" dist. main 6,770 feet.
(Grade given is that of first 312 ft. of length of 8" pipe, which controls capacity)
Riveted steel, concrete, wood-stave, etc.

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. **The estimated capacity** of the diversion conduit or pumping plant proposed is at least 1.77 sec.ft.
State cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is $197,000 (see attachment)
Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

Completion Schedule

10. **Construction work** began on October 28, 1957 (this enlargement)

Construction work completed before 1965

The water will be completely applied to the proposed use on or before 1966

Description of Proposed Use

11. **Place of Use.** See attachment
State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map.

Do(es) applicant(s) own the land whereon use of water will be made? Yes (Yes or No) Jointly? No (Yes or No)

If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

12. **Other Rights.** Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

Nature of Right (riparian, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use	Source of Other Supply
1. Riparian Claim	1933	0.015 sec.ft.	All Year	Spring Area No. 2
2. (For spring area No. 2 and Spring 32 see accompanying map. Water supply developed by				
3. and for CCC camp and now used as supplemental supply for Monument Headquarters. The				
4. 0.015 sec.ft. is now obtained largely from Spring Area 2.)				

Attach supplement at top of page 3 if necessary.

13. **Irrigation Use.** The area to be irrigated is small patches around houses, offices & along roads. acres.
State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice ..... acres; alfalfa ..... acres; orchard ..... acres; general crops ..... acres; pasture ..... acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about January 1 (Beginning date) and end about December 31 (Closing date)

14. **Power Use.** The total fall to be utilized is ..... feet.
Difference between nozzle or draft tube water level and first free water surface above

The maximum amount of water to be used through the penstock is ..... cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is ..... horsepower.
Second feet × fall ÷ 8.8

The use to which the power is to be applied is .....
For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is .....
Turbine, Pelton wheel, etc.

The size of the nozzle to be used is ..... inches.

The water will / will not be returned to ..... (Name stream) in ..... (State 40-acre subdivision) of Sec. ....., T. ....., R. ....., B. & M.

ATTACHMENT

Question 4. Water is collected in a Spring Area #1, described as: Beginning at said point of diversion, N 69° 39' E 3077 ft. from E¼ Cor. Sec. 35, thence North 240 ft; East 200 ft; South 400 ft; West 200 ft; and North 160 ft. to point of beginning.

Question 6(b) Water is collected by approximately 600 feet of 6 inch drain tile and asbestos cement pipe which radiates from a concrete collecting sump, 7 ft. X 5 ft., in plan and 8 ft. deep at point of diversion.

Question 7. There was only regulatory storage, of which part has heretofore been provided by swimming pool for incidental irrigation of lower portion of area of use, and part has been provided by 10,000 gal. concrete reservoir formerly for CCC camp. Under this application it is proposed to install one or more 100,000 gallon concrete (?) regulatory reservoirs of which one is completed.

Question 9.

Land Purchase	$ 40,000	
Water resources study to appraise & determine quantity of water	1,500	
Diversion at spring area, 8" and 6" diversion pipes to reservoir	23,557	
100,000 gal. dist. reservoir	25,000	
Total Diversion Works		$ 90,057
Cooling tower	2,000	
Distribution pipes (1957 & 1958)	18,515	
Total New Dist. System		20,515
Total Cost through June 30, 1959		$110,572
Additional distribution system replacement and extension, proposed under MISSION 66 development by about 1966		86,100
Estimated Total Cost		$196,672

Question 11. Place of Use

T 27 N, R 1 E, SBB&M - Sec. 4 - N½ NE¼
Sec. 3 - NW¼ NW¼
T 28 N, R 1 E, SBB&M - Sec. 33 - SE¼
Sec. 34 - SW¼; N½ SE¼; and S½ N½

00-00-0000: notice of application and appropriation of water cont.

DO NOT WRITE IN THIS SPACE

ATTACH EXTRA SHEETS HERE

15. **Municipal Use.** This application is made for the purpose of serving None
Name city or cities, town or towns. Urban areas only
having a present population of

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

16. **Mining Use.** The name of the mining property to be served is None
Name of claim
and the nature of the mines is
Gold placer, quartz, etc.

The method of utilizing the water is

It is estimated that the ultimate water requirement for this project will be
Cubic feet per second, gallons per minute. State basis of estimate

The water will / will not be polluted by chemicals or otherwise
Explain nature of pollution, if any

and it will / will not be returned to in of
Name stream State 40-acre subdivision

Sec. , T. , R. , B. & M.

17. **Other Uses.** The nature of the use proposed is
Industrial, recreational, domestic, stockwatering, fish culture, etc.

State basis of determination of amount needed. Question 13 - Present employee population is 57, and
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type
ultimate population of 100 is proposed, in 25 residences and apartment buildings, and
industrial use, and unit requirements.
seasonal trailers. Irrigation will be largely of small lawns and shrubbery at residences by hose sprinkling and about 11,000 ft. of small ditch, a swimming pool, and car washing other needs of the utility area, and building air conditioners. Claim is for slightly more than measured flow during recent drought and all available water will be used, with irrigation limited by quantity of water available after other demands are satisfied.

General

18. Are the maps as required by the Rules and Regulations filed with Application? Yes-NM-DV-6991. If not,
Yes or No
state specifically the time required for filing same

19. Does the applicant own the land at the proposed point of diversion? Yes. If not, give name and
Yes or No
address of owner and state what steps have been taken to secure right of access thereto

20. What is the name of the post office most used by those living near the proposed point of diversion?

Death Valley, California

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? None

NOTE: Nothing herein shall constitute a waiver of any other right which the United States may have to the same water.

[SIGNATURE OF APPLICANT] United States of America
by Fred W. Binnewies Jan. 7, 1959
Fred W. Binnewies, Superintendent
Death Valley National Monument

00-00-0000: notice of application and appropriation of water cont.

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No._____

This is to certify that the application of which the foregoing is a true and correct copy has been considered and is hereby approved SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed

2. The maximum amount herein stated may be reduced in the license if investigation so warrants.

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

4. Said construction work shall be completed on or before

5. Complete application of the water to the proposed use shall be made on or before

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

7. 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 Rights 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.

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:

STATE WATER RIGHTS BOARD

07 OTHER

Death Valley National Park

NEVARES SPRING [REVOKED]

Other Supporting Information

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.

CONSERVE AMERICA'S ENERGY

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 #11824 (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 #11824 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

07-03-1972: message record from paul fodor, ranger and james m. mize ; july 03, 1972

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 Water
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.

11-29-1960: memorandum to superintendent regarding annual progress report, water rights application #18489 nevares spring, supplemental supply, cow creek ; november 29, 1960

~~Spaulding~~ LSS

Whitworth (later)

~~Wosky~~

(quiat)

November 29, 1960

L 54

Memorandum

To: Superintendent, Death Valley

From: Regional Chief of Operations, Region Four

Subject: Annual Progress Report, Water Right Application #18489, Nevares Springs, Supplemental Supply, Cow Creek, Docket 1, Death Valley

Attached are the original, two carbon copies, and two apeco copies of the Progress Report for the year, 1960. The report has been prepared to include the information shown on the marked draft returned with your memorandum of November 25, and cognizance has been taken of Mr. Dunn's memorandum of November 10.

If agreeable all copies should be signed and dated, the original submitted to the State and the copies distributed as marked.

(SGD) JOHN B. WOSKY

Regional Chief of Operations

Attachment

Copy to: Director (w/cy DeVa memo 11/25/60)

LSSpaulding:lq

FILE COPY

115

11-29-1960: memorandum to regional director regarding annual progress report, water right application 18489 supplemental supply of nevares springs, docket 1 ; november 29, 1960

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Death Valley National Monument
Death Valley, California

IN REPLY REFER TO:
L54

November 25, 1960

RECEIVED
NPS REGION FOUR OFFICE
NOV 28 '60

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RECREATION		
INTERP.		
RANGER ACT		

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

L22 11/28

Subject: Annual Progress Report, Water Right Application 18489, Supplemental Supply of Nevares Springs, Docket 1, Death Valley National Monument

Returned herewith is one marked copy of the draft of the subject report as requested by Mr. Wosky's memorandum of November 2.

As Mr. Wosky has indicated, additional water consuming facilities are proposed in the Cow Creek area and extensions of the water system will be necessary to serve these facilities. However, no water is being wasted at present. All water excess to domestic needs is being turned into irrigation ditches. Incidentally, meter readings show that the average flow from the springs this past summer was 243 gallons per minute, down from the 270 gpm measured previously.

We have nothing to add to Mr. Wosky's comments concerning Mr. Dunn's January 4 memorandum.

Granville B. Liles
Superintendent

In duplicate

Attachment

NATIONAL PARK SERVICE
RECEIVED
NOV 28 1960
REGION FOUR OFFICE

114

11-10-1960: memorandum to regional director regarding annual progress report, water right application 18489, nevares springs supplemental supply, cow creek, docket 1 ; november 10, 1960

file Docket 1

IN REPLY REFER TO:
L54-OBL

Spaulding
CSS 11/28

Whitworth

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

November 10, 1960

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Annual Progress Report, Water Right Application 18489, Nevares Springs Supplemental Supply, Cow Creek, Docket 1, Death Valley

The draft of the subject report, which was referred to the Superintendent with the memorandum of November 2 from Mr. Wosky, will doubtless be satisfactory if the requested missing data show use in excess of that authorized under License 4621. However, I do not believe it will be necessary to pin the Superintendent down with all the details shown on the reverse of the page if there is any question. The alternative approach would be that the main water system has been constructed to provide the supplemental supply for the additional MISSION 66 developments listed in question 5 "which are scheduled for progressive construction in 19__, 19__ and 1966". You could also state, if true, that _____ acres of additional lawn were planted, and the employee population has increased by _____% since the inspection for License 4621 was made.

My comment on the questions in the application, to which Mr. Wosky referred, were largely for consideration before proof is made for the license, and not for interim reports unless you have reason to amend the application earlier. Some final amendments may simplify proof. Hose irrigation of about 0.25 acre at each residence would be a proper part of the domestic use. The most important consideration at the time of proof and licensing is to try to get the State representative to recognize that the developed springs can be fenced and fully diverted for domestic purposes because some of the adjacent springs are being left undeveloped for wildlife.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley
Chief, WODC (2)

NATIONAL PARK SERVICE
RECEIVED
NOV 16 1960
REGION FOUR OFFICE

113

11-02-1960: memorandum to superintendent regarding annual progress report, water rights application 18489 supplemental supply of nevares springs ; november 02, 1960

~~Spaulding~~ CSS
Whitworth
~~Manbey~~
~~Wosk~~ BFM
(Quiat)

November 2, 1960

L 54

Memorandum

To: Superintendent, Death Valley

From: Regional Chief of Operations, Region Four

Subject: Annual Progress Report, Water Right Application 18489, Supplemental Supply of Nevares Springs, Docket 1, Death Valley National Monument

Attached are two copies of a draft of the subject progress report which we prepared for your review. Please mark the draft, changing or adding to any item requiring modification and return one copy to us for preparation of the final report.

FILE COPY

It is our understanding that works diverting and conveying the water to the Cow Creek Residential area are complete. It is also our understanding that distribution works needed to put the water completely to use, particularly in the Cow Creek utility area, are not complete, and, further, that facilities for making full use of the water (additional residences, utility buildings, lawns, trees, etc.,) will not be completed for several years. As a consequence, we understand that at present, beneficial use is not being made of all the water of Nevares Springs. The draft of the 1960 progress report has been prepared to reflect this situation at Cow Creek.

In your answer please provide information which will enable a complete answer to be made to Question 6. Specifically, the data needed are the total amount of water used (amount diverted less waste) the number of permanent and temporary residents and the acreage watered.

Mr. Dunn wrote a memorandum on January 4, 1960 concerning the subject application and permit to which no full reply has been made. Please let us know if you are in agreement with the following response to Mr. Dunn's questions and comments:

> With regard to a definition of domestic use acceptable to the state it is evident that the state does accept the use being made at Cow Creek as being domestic and recreational. The state's acceptance is expressed in the terms of License 4621 covering the initial appropriation of Cow Creek which states that as of

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April 8, 1955 (the date of inspection) the United States had made proof to the satisfaction of the State Water Rights Board to the use of 0.446 cfs of water of Main Cow Creek and tributaries for domestic and recreational use at Headquarters. Further, domestic use as defined by Section 661 and as covered by instances of Section 657 (b) of the California Water Code appears broad enough to cover Park Service uses at Cow Creek.

In regard to Question 1 we believe "Nevares Springs" as appears on the application is the designation which should be used. The term used in the draft "Springs....tributary to North Canyon Cow Creek and Cow Creek....." is a broader term covering springs not now being diverted and outside the spring area described in Application 18489. If and when the other small springs are claimed we believe a separate application would be proper.

Question 2. Mr. Dunn's discussion of rounding off of quantity claimed seems not to require comment.

Question 3. Our views on the state's definition of domestic use has been covered. For the convenience of all concerned we are attaching a thermofax copy of Articles 657 (b), 661, 666 and 667 of the State Water Code covering definition of domestic, industrial and recreational uses.

Questions 3, 13, and 17. We make the observation that the application as prepared by Mr. Dunn made no separate claim for irrigation use but described irrigation of lawns and shrubbery along with use at residences. The state, by retyping the form, eliminated the comments in Question 13 which, on our reconsideration, do appear to have been misplaced on the original form inasmuch as irrigation use was not claimed in Question 3. It is our opinion as expressed above that the state, by the issuing of one license at Cow Creek, has accepted Park Service use, which its inspector examined in 1955, as falling under domestic and recreation use. We do not believe we could get any more specific answer by writing the state for definitions.

Condition 8. We agree with Mr. Dunn that Condition 8 imposed by the state on Permit 11924 has no real application to water at Nevares Springs.

Condition 9. We have no comment to make at this time upon Condition 9 of the permit which states that fences or other works which prevent access to water source shall not be constructed or maintained. We note that the Regional Solicitor's study of the Saratoga Spring applications to which the state has proposed the same conditions, may resolve this matter.

(SGD) JOHN B. WOSKY

Regional Chief of Operations

Attachments
Copy to: Director (w/attachments)

LSSpaulding:lq

09-19-1960: memorandum to superintendent regarding conditions imposed by state water rights board, permit no. 11924, nevares spring, docket 1 ; september 19, 1960

W O D C
SEP 20 '60
CHF
ADM
PERS
P & P
ARCH
ENGR
L.A.
SPEC
CONT
SFTY
ACTION TAKEN - DATE
none

September 19, 1960

L 54

Memorandum

To: Superintendent, Death Valley

From: Regional Chief of Operations, Region Four

Subject: Conditions Imposed by State Water Rights Board, Permit No. 11924, Nevares Spring, Docket 1, Death Valley

We note that you were sent a copy of Mr. Dunn's memorandum of September 14 on the subject, "Reservation of Natural Flows for Fish and Wildlife Under California Water Code and Fish and Game Code."

The last paragraph of the memorandum concerns Nevares Springs. The matter of Condition 9 imposed by the State in Permit 11924 may require modification when the right is licensed. We suggest that you be prepared to tell the State Inspector whether or not Condition 9 is objectionable from the point of view of protection of the water source and operation of the system.

(SGD) JOHN B. WOSKY

Regional Chief of Operations

Copy to: Director
Chief, WODC (2)

COPY

CALIFORNIA FISH AND GAME CODE

Section 5937 - Passage of water for fish below dam. The owner of any dam shall allow sufficient water at all times to pass through a fishway, or in the absence of a fishway, allow sufficient water to pass over, around or through the dam, to keep in good condition any fish that may be planted or exist below the dam. During the minimum flow of water in any river or stream, permission may be granted by the department to the owner of any dam to allow sufficient water to pass through a culvert, waste gate, or over or around the dam, to keep in good condition any fish that may be planted or exist below the dam, when, in the judgment of the department, it is impracticable or detrimental to the owner to pass the water through the fishway.

Sec. 5900 defines "Dam" as to include all artificial obstructions.

09-14-1960: memorandum to regional director regarding reservation of natural flows for fish and wildlife under california water code and fish and game code ; september 14, 1960

RECEIVED
SEP 20 1960
Death Valley Nat'l Mon.

✓	Supt.	MdV
	Ch. Rgr.	
	Nat.	
	Engr.	
	Adm. Asst.	
	Proc. & Prop. Mngt. Asst.	
	WODC	
	Sec.	

L54-OBL

September 14, 1960

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Reservation of Natural Flows for Fish and Wildlife Under California Water Code and Fish and Game Code

Attached are copies of my letter to the State Water Rights Board of July 22 and the reply of September 2 from Mr. Hill.

The inquiry was prompted by question as to whether the State might require the preservation of more or less flow in the Tuolumne River than you and the Bureau of Sports Fisheries and Forest Service have suggested in connection with the permit for relocation of the Canyon unit of the Hetch Hetchy Project. The answer appears to be that the State has no new laws or general criteria to help in the determination of reasonable releases which the United States would like to require as a condition for the permit. It is also significant that the State Water Rights Board still lacks control over rights established by county filings of the type on which the Hetch Hetchy Project is being constructed.

Of more general importance you will note that the United States, or any other appropriator, may suggest variations in the type of conditions to be prescribed in permits and licenses for individual water developments. Condition 9 in Permit 11924 on Application 18489, Docket 1, for the supplemental supply from Cow Creek, Death Valley, is one case in which I think there could be improvement when requesting inspection for license. The Park proposes to make full use of the waters of the diverted springs in the delineated spring area, as shown on the map supporting the application, and even fence them, and to leave some of the other springs on the Nevares tract for the use of wildlife. Condition 9 imposes toomuch restriction on the use of the diverted springs, and does not take cognizance of the availability of the undiverted springs for the wildlife. I believe any modification of the condition can be deferred until time to license the right.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachments 2
Copy to: Superintendent, Death Valley, w/c attachments
Superintendent, Yosemite, w/c attachments
Chief, WODC (2), w/c attachments

Docket 1
Folder 2 RS

01-04-1960: memorandum to regional director regarding water right application 18489 naveras spring ; january 04, 1960

file DEVA Docket 1

IN REPLY REFER TO:
L54-OBL

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

RECEIVED
NPS REGION FOUR OFFICE
JAN6 '60

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RECREATION		
✓ Lands	BFH 1/6	
RANGER ACT		

January 4, 1960

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Application 18489 - Nevares Spring, Docket 1, Death Valley National Monument

Whitworth
~~Spaulding~~ LSS 1/6

The memorandum of December 10 from Mr. Maier refers to changes which suggest that the application was rewritten by the State Water Rights Board. I believe that such a rewritten application is usually returned to the claimant for signature, but the photostat copy with memorandum of December 7 does not appear to have been so signed.

no immediate action needed

In the following comments, I suggest that the State approved Application 18489 - Permit 11924 can probably be accepted. However, we should like to have the definition of domestic use which the State Water Rights Board accepts in part for this right, and in part for comparison with the definitions used by other states.

Question 1 - Our docket contained an unnumbered, unfiled application signed by Mr. Binnewies on January 2, 1959, which incorrectly designated the source in question 1 as springs...tributary to Amargosa River. The copy with memorandum of December 10, 1959, was "filed January 27, 1959", and correctly indicates Nevares Springs...tributary to Salt Creek. The only question is whether the U.S. wishes to use "Nevares" Springs.

acceptable no action needed

Question 2 - As indicated, Mr. Binnewies signed an application for 0.254 sec.ft.on January 2, 1959, and the rewritten application "filed" January 27, 1959, is for only 0.25 sec.ft. - a reduction of 0.004 s.f. or 2685 gpd when the spring flow is there. The applications both indicate that the earlier measured flows of 0.254 sec.ft. has not occurred during recent dry years. Since the later application reads "0.25", and not "0.250", I should assume that the claim is only to the nearest hundredth. Whether the State would license 0.2549999 s.f. is not too important, since the diversion is on former patented land with riparian rights to local use and more restrictions on access by prospectors than sources on most of the Federal land. (Also see following comments on conditions 8 and 9 on permit on last page.)

no action needed

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Question 3 - The addition of incidental industrial use is satisfactory, but it introduces a question which is causing concern in other Regions. The question is what each state recognizes as domestic use. The State Engineer of New Mexico, for instance, has ruled that "Domestic" refers to the use of water for just one residence on a half-acre of land, or less, including irrigation of the lawn and a kitchen garden, and water for a milk cow and/or the family horse and chickens. The use becomes "industrial" if the system serves two or more residences and public facilities, even if there is no charge for water to any of the users. We should like to have you obtain the California definitions, also including "Recreational".

definitions requested

Questions 3, 13 and 17 - Under the above New Mexico definition all irrigation is of the minor type falling under "Domestic", "Municipal", or "Industrial" use. The elimination of the separate designation of irrigation in the approved application-permit will probably be explained by the requested definitions now being used by California. It also follows that industrial, in question 3, probably covers all except "Domestic" use. "Recreational" usually covers water for boating, swimming, fishing, scenic effect.

no action required

Condition 8 in the permit refers to Sec. 5937 of the Fish and Game Code, of which attached copy has been made from the volume of that title in "Deering's California Codes", annotated, 1957. Also attached is a print of "Department of Fish and Game Major Installations" which we obtained from FWS in attempt to define the Districts. District 4½ is defined in the code as all of Inyo and Mono Counties, not in other districts, and evidently includes Death Valley, but the whole code and district matter deserves further clarification for this and other cases. Sec. 5937 does not appear to have real application in this case because it only relates to fish, which I believe to be nonexistent in the Cow Creek waters.

no action required

Condition 9 does not appear to be supported by a specific state law. However, the Solicitor's Office has supplied the following references to suggest that the U.S. is not bound by State laws relating to fencing or the control of wildlife access:

Canfield vs. U.S. - 167 U.S. 518
Hunt vs. U.S. - 278 U.S. 96

no action by this office required

It is possible that there may be some argument when the State inspects the installation for water right proof, but we should probably

110

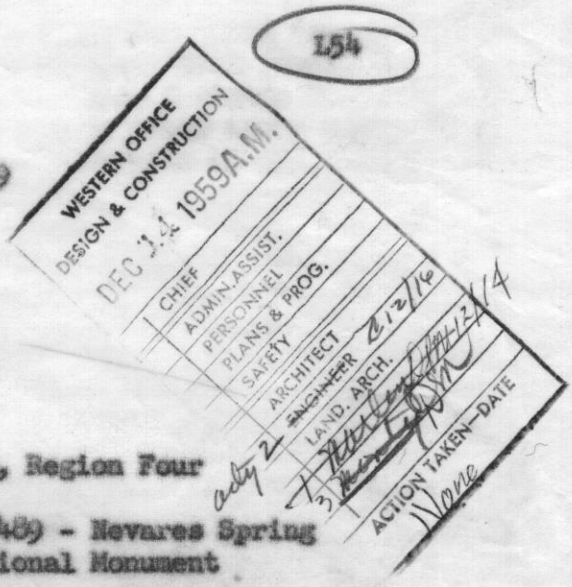
assume that the unappropriated springs provide sufficient water for wildlife and our plan to fence and fully divert the designated springs is not subject to State police powers.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Field Solicitor, w/c Sec. 5937 and map
Superintendent, Death Valley, w/c Sec. 5937 and map
Chief, WODC, w/c Sec. 5937 and map

WOOC

154



December 10, 1959

Memorandum

To: Director

From: Assistant Regional Director, Region Four

Subject: Water Right Application 18489 - Nevares Spring Docket 1, Death Valley National Monument

Attached to our memorandum of December 7 we distributed apeco copies of the subject application and permit made from a copy we presumed to be a duplicate of the form on file with the State Water Rights Board.

It may be seen that the application differs from the form prepared by Mr. Dunn, sent to this office with his memorandum of November 18, 1958 and forwarded (with two minor changes noted in our memo of 12/23/58) to the Superintendent. Some changes may have been made by the Superintendent but the application appears to have been entirely retyped by the State Water Rights Board with the following changes:

Question 1. Source has been changed from "Springs" etc., tributary to "Salt Creek" to read "Nevares Springs" etc., tributary to "Armagosa River."

Question 2. The amount has been changed from 0.254 cfs to 0.25 cfs.

Question 3. The use has been changed from "Supplemental, domestic and recreational" to "domestic, recreational and incidental industrial."

Question 13. All reference to irrigation use has been omitted.

Question 17. The statement has been changed to refer to Question 3 rather than being a listing of "other" uses.

There are several other minor changes.

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It should also be noted that the State has added two conditions to the standard permit. Item 8 requires full compliance with Section 5937 of the Fish and Game Code. Item 9 states "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."

In our opinion, several of the changes clarify the application while others make no practical difference. The water course to which Cow Creek is tributary whether it is the Armagosa River, Salt Creek or the Death Valley saltpan, makes no real difference in this particular case and we do not believe we should labor the point. The change in quantity is small enough to be within the probable error of measurement. It may be the State's practice to round off such figures as 0.254 cfs to the nearest one hundredth of a second foot.

The wildlife and public access reservation was discussed in our memorandum of March 26 and in Mr. Dunn's of April 6.

We believe that the changed application and permit are acceptable.

Assistant Regional Director

Copy to: Superintendent, Death Valley
Chief, WODC (2)

00-00-0000: application to appropriate unappropriated water

maps left in document file — moved to correspondence file 12/9/59 JS — ~~DEVA Docket 1 Part V~~

FILE IN DUPLICATE

[For further information concerning the filling out of this form, refer to Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

DRAFT

Application No. _____ Filed _____ at _____ M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

I, The U.S. of America, by Fred W. Binnewies, Superintendent, Death Valley Natl. Monument
Name of applicant

of Death Valley, County of Inyo
Address

State of California, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, *SUBJECT TO VESTED RIGHTS:*

Source, Amount, Use and Location of Diversion Works

1. **The source** of the proposed appropriation is Springs
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed

located in Inyo County, tributary to North Canyon Cow Creek & Cow Creek thence to Amargosa River.

2. **The amount of water** which applicant desires to appropriate under this application is as follows:

(*a*) For diversion to be directly applied to beneficial use 0.254 cubic feet per second, to be diverted from January 1 to December 31 of each year.
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day
Beginning date — Closing date

(*b*) For diversion to be stored and later applied to beneficial use _____ acre-feet per annum, to be collected between _____ and _____ of each season.
1 acre-foot equals 325,851 gallons
Beginning date — Closing date

NOTE.—Answer (*a*) or (*b*) or both (*a*) and (*b*) as may be necessary. If amount under (*a*) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. **The use** to which the water is to be applied is Supplemental, domestic and recreational
Domestic, irrigation, power, municipal, mining, industrial, recreational
(Also see App. 9510, Per. 5381, Lic. 4621) purposes.

4. **The point of diversion** is to be located N 69° 39' E. 3077 ft. from E¼ Cor. Sec. 35, T 28 N, R 1 E, SBB&M (See attached spring area description)
State bearing and distance or coordinate distances from section or quarter section corner

being within the SW¼ NE¼
State 40-acre subdivision of public land survey or projection thereof

of Section 36, T. 28 N, R. 1 E, SB B. & M., in the County of Inyo

5. **The main conduit** terminates in SW¼ SW¼ of Sec. 34, T. 28 N, R. 1 E, SB B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. **Intake or Headworks** (fill only those blanks which apply)

(*a*) Diversion will be made by pumping from _____
Sump, offset well, unobstructed channel, etc.

(*b*) Diversion will be by gravity, the diverting dam being See attachment feet in height (stream bed to level of overflow); _____ feet long on top; and constructed of _____
Concrete, earth, brush, etc.

(*c*) The storage dam will be _____ feet in height (stream bed to overflow level); _____ feet long on top; have a freeboard of _____ feet, and be constructed of _____
Concrete, earth, etc.

7. **Storage Reservoir** See attachment
Name

The storage reservoir will flood lands in _____
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of _____ acres, and a capacity of _____ acre-feet.

☞ In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

8. **Conduit System** (describe main conduits only)

(a) Canal, ditch, flume: Width on top (at water line) ____ feet; width at bottom ____ feet; depth of water ____ feet; length ____ feet; grade ____ feet per 1,000 feet; materials of construction ____
Cross out two not used
Earth, rock, timber, etc.

(b) Pipe line: Diameter 8 (3,340) 6 (5,040) inches; length 8,380 feet; grade 19.30 feet per 1,000 feet; total fall from intake to outlet 976.9 feet; kind Length of 8" & 6" pipe from div. to res. (Grade given is that of first 312 ft. of length of 8" pipe, which controls capacity) length of 6" dist. main 6,770 feet.
Riveted steel, concrete, wood-stave, etc.

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. **The estimated capacity** of the diversion conduit or pumping plant proposed is at least 1.77 sec.ft.
State cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is $197,000 (see attachment)
Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

Completion Schedule

10. **Construction work** began on October 28, 1957 (this enlargement)

Construction work completed before 1965

The water will be completely applied to the proposed use on or before 1966

Description of Proposed Use

11. **Place of Use.** See attachment
State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map.

Do(es) applicant(s) own the land whereon use of water will be made? Yes (Yes or No) Jointly? No (Yes or No)

If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

12. **Other Rights.** Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

Nature of Right (riparian, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use	Source of Other Supply
1. Riparian Claim	1933	0.015 sec.ft.	All Year	Spring Area No. 2
2. (For spring area No. 2 and Spring 32 see accompanying map. Water supply developed by				
3. and for CCC camp and now used as supplemental supply for Monument Headquarters. The				
4. 0.015 sec.ft. is now obtained largely from Spring Area 2.)				

Attach supplement at top of page 3 if necessary.

13. **Irrigation Use.** The area to be irrigated is small patches around houses, offices & along roads.
State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice ____ acres; alfalfa ____ acres; orchard ____ acres; general crops ____ acres; pasture ____ acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about January 1 (Beginning date) and end about December 31 (Closing date)

14. **Power Use.** The total fall to be utilized is ____ feet.
Difference between nozzle or draft tube water level and first free water surface above

The maximum amount of water to be used through the penstock is ____ cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is ____ horsepower.
Second feet × fall ÷ 8.8

The use to which the power is to be applied is ____
For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is ____
Turbine, Pelton wheel, etc.

The size of the nozzle to be used is ____ inches.

The water will / will not be returned to ____ (Name stream) in ____ (State 40-acre subdivision) of Sec. ____, T. ____, R. ____, ____ B. & M.

ATTACHMENT

Question 4. Water is collected in a Spring Area #1, described as: Beginning at said point of diversion, N 69° 39' E 3077 ft. from E¼ Cor. Sec. 35, thence North 240 ft; East 200 ft; South 400 ft; West 200 ft; and North 160 ft. to point of beginning.

Question 6(b) Water is collected by approximately 600 feet of 6 inch drain tile and asbestos cement pipe which radiates from a concrete collecting sump, 7 ft. X 5 ft., in plan and 8 ft. deep at point of diversion.

Question 7. There was only regulatory storage, of which part has heretofore been provided by swimming pool for incidental irrigation of lower portion of area of use, and part has been provided by 10,000 gal. concrete reservoir formerly for CCC camp. Under this application it is proposed to install one or more 100,000 gallon concrete or steel regulatory reservoirs of which one is completed.

Question 9.

Land Purchase	$ 40,000	
Water resources study to appraise & determine quantity of water	1,500	
Diversion at spring area, 8" and 6" diversion pipes to reservoir	23,557	
100,000 gal. dist. reservoir	25,000	
Total Diversion Works		$ 90,057
Cooling tower	2,000	
Distribution pipes (1957 & 1958)	18,515	
Total New Dist. System		20,515
Total Cost through June 30, 1959		$110,572
Additional distribution system replacement and extension, proposed under MISSION 66 development by about 1966		86,100
Estimated Total Cost		$196,672

Question 11. Place of Use

T 27 N, R 1 E, SBB&M - Sec. 4 - N½ NE¼
Sec. 3 - NW¼ NW¼
T 28 N, R 1 E, SBB&M - Sec. 33 - SE¼
Sec. 34 - SW¼; N½ SE¼; and S½ N½

ATTACH EXTRA SHEETS HERE

15. **Municipal Use.** This application is made for the purpose of serving None
Name city or cities, town or towns. Urban areas only
having a present population of

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

16. **Mining Use.** The name of the mining property to be served is None
Name of claim
and the nature of the mines is
Gold placer, quartz, etc.

The method of utilizing the water is

It is estimated that the ultimate water requirement for this project will be
Cubic feet per second, gallons per minute. State basis of estimate

The water will / will not be polluted by chemicals or otherwise
Explain nature of pollution, if any

and it will / will not be returned to
Name stream
in
State 40-acre subdivision
of Sec. , T. , R. , B. & M.

17. **Other Uses.** The nature of the use proposed is
Industrial, recreational, domestic, stockwatering, fish culture, etc.

State basis of determination of amount needed. Question 13 - Present employee population is 57, and
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type
ultimate population of 100 is proposed, in 25 residences and apartment buildings, and
industrial use, and unit requirements.
seasonal trailers. Irrigation will be largely of small lawns and shrubbery at residences by hose sprinkling and about 11,000 ft. of small ditch, a swimming pool, and car washing other needs of the utility area., and building air conditioners. Claim is for slightly more than measured flow during recent drought and all available water will be used, with irrigation limited by quantity of water available after other demands are satisfied.

General

18. Are the maps as required by the Rules and Regulations filed with Application? Yes-NM-DV-6991. If not,
Yes or No
state specifically the time required for filing same

19. Does the applicant own the land at the proposed point of diversion? Yes. If not, give name and
Yes or No
address of owner and state what steps have been taken to secure right of access thereto

20. What is the name of the post office most used by those living near the proposed point of diversion?
Death Valley, California

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? None

NOTE: Nothing herein shall constitute a waiver of any other right which the United States may have to the same water.

[SIGNATURE OF APPLICANT] United States of America
by
Fred W. Binnewies, Superintendent
Death Valley National Monument

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No._____

This is to certify that the application of which the foregoing is a true and correct copy has been considered and is hereby approved SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed

2. The maximum amount herein stated may be reduced in the license if investigation so warrants.

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

4. Said construction work shall be completed on or before

5. Complete application of the water to the proposed use shall be made on or before

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

7. 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 Rights 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.

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:

STATE WATER RIGHTS BOARD

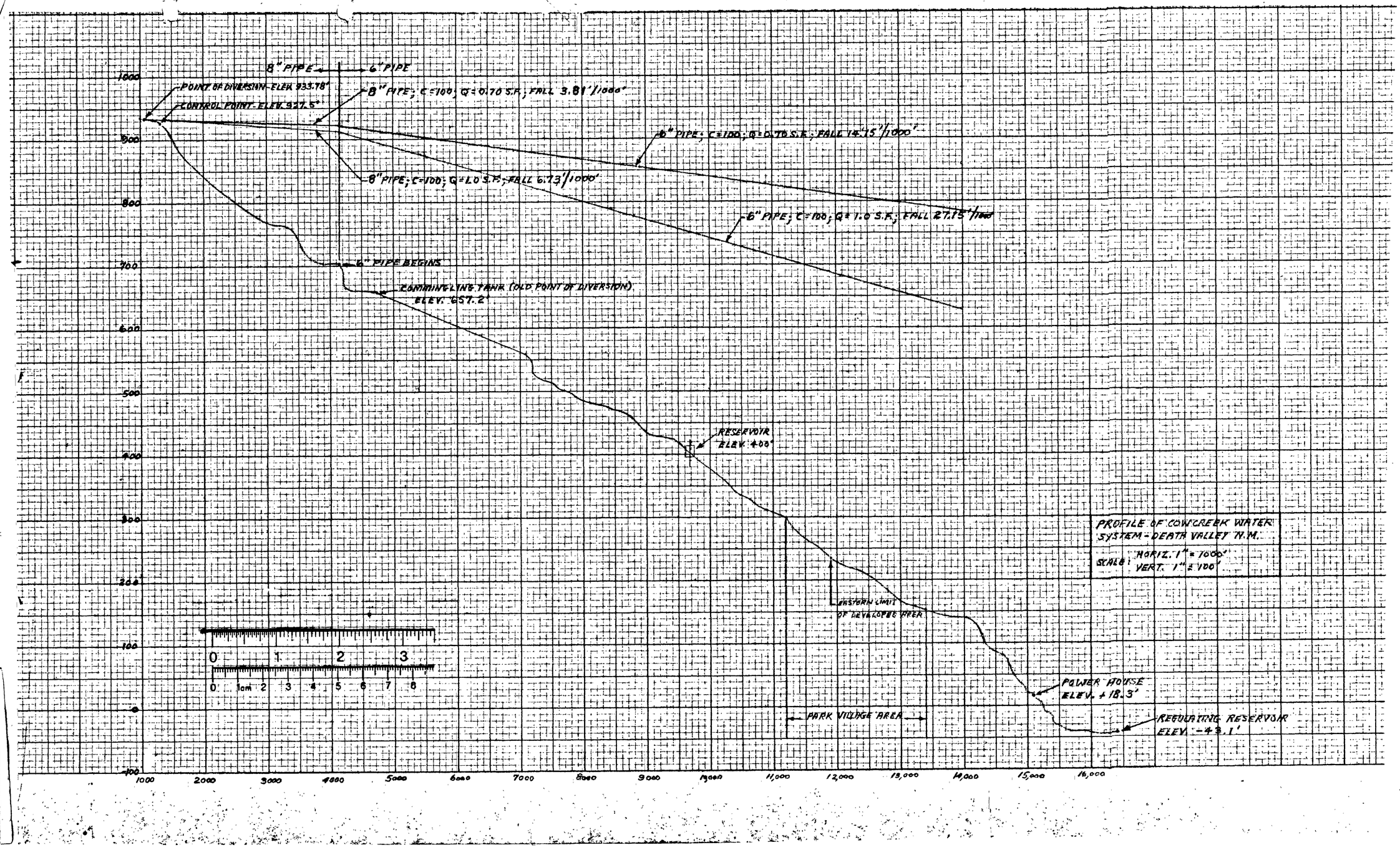
08 MAPMISC

Death Valley National Park

NEVARES SPRING [REVOKED]

Maps and Miscellaneous Information

00-00-0000: profile of cow creek water system



POINT OF DIVERSION - ELEV. 933.78'

8" PIPE; C=120; Q=10.70 S.F., FALL 3.45'/1000'

6" PIPE; C=120; Q=10.70 S.F., FALL 10'/1000'

6" PIPE; C=120; Q=10.70 S.F., FALL 14'/1000'

ELEV. 721.5' - CONTROL POINT

DI. SLOPE 19"/1000'
MAXIMUM CAPACITY 2.6 C.F.

8" PIPE

93 LBS. RESIDUAL PRESSURE

6" PIPE

6" PIPE BEGINS

COMMINGLING TANK (LOSS POINT OF DIVERSION)
ELEV. 657.2'

ELEV. 530'
* SITE 3

THIS LOCATION OF PROPOSED RESERVOIR WILL PROVIDE 80 LBS. RESIDUAL PRESSURE AT 300 FT. (TOP OF HIGHEST RESIDENCE)

ELEV. 448'
* SITE-2

ELEV. 400'
SITE-1

THIS LOCATION OF PROPOSED RESERVOIR WILL PROVIDE 80 LBS. RESIDUAL PRESSURE AT 240 FT. (EASTERN LIMIT OF DEVELOPED AREA)

LOCATION OF PROPOSED RESERVOIR, AS PER PCP U-14-5, WILL PROVIDE 40 LBS. RESIDUAL PRESSURE AT 300 FT., 65 LBS. RESIDUAL PRESSURE AT 240 FT. (EASTERN LIMIT OF DEVELOPED AREA), 80 LBS. RESIDUAL PRESSURE AT 200 FT.

* NOTE: SITES 1, 2, & 3 ARE SHOWN IN PENCIL ON DRAWING NM-DV 6991

6" PIPE; C=120; Q=0.70 S.F., 16'/1000'

6" PIPE; C=100; Q=0.70 S.F., 74'/1000'

80 LBS. RESIDUAL PRESSURE AT 300' (TOP OF HIGHEST RESIDENCE)

80 LBS. RESIDUAL PRESSURE AT 184 FT. OF WATER PRESSURE

40 LBS. RESIDUAL PRESSURE AT 184 FT. OF WATER PRESSURE

EASTERN LIMIT OF DEVELOPED AREA

PARK VILLAGE AREA

POWER HOUSE ELEV. 18.3'

REGULATING RESERVOIR ELEV. +43.1'

PROFILE OF COW CREEK WATER SYSTEM - DEATH VALLEY N.M.

SCALES: HOR. 1" = 1000'
VERT. 1" = 100'

DRAWN BY W.A.E. 4 DATE JULY 1958

Docket Information

Number of Documents in Docket : 104

Documents Dated from : 02-18-1959 to 02-25-2025

Docket Compiled: 6/18/2025