

**THE STATE OF NEVADA****PERMIT TO APPROPRIATE WATER**

Name of Permittee: UNITED STATES OF AMERICA,
NATIONAL PARK SERVICE

Source: STREAM (BAKER CREEK)

Basin: SNAKE VALLEY

Manner of Use: WILDLIFE

Period of Use: JANUARY 1ST THROUGH DECEMBER 31ST

Priority Date: 08/05/2009

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the maximum flow rate of 17.1 cubic feet per second, herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

Measuring devices shall be designed and a monitoring plan shall be submitted to and approved by the State Engineer prior to filing the proof of completion of work. The permittee shall be responsible for maintenance of stream flow gage(s) for the duration of the permit, including recalibration and development of a new rating curve, as field conditions warrant. Presence of the gage(s) will be deemed to represent the proof of completion of work. A monitoring program that establishes the measurement frequency and reporting requirement at the gage(s) will be jointly established by the National Park Service and the State Engineer. This plan must include monthly records of water use reported annually to the State Engineer no later than February 15 of each year.

This permit is issued as a non-consumptive use (in-stream flow) subject to State Engineer's Ruling 6324 and shall be left undiverted, remaining within the natural bed and banks of the source within the described place of use. Flow rates are limited to those shown in the application for the various periods of the year.

No change in manner of use or place of use will be allowed.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 17.1 cubic feet per second, but not to exceed 6,597 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

December 23 2016

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

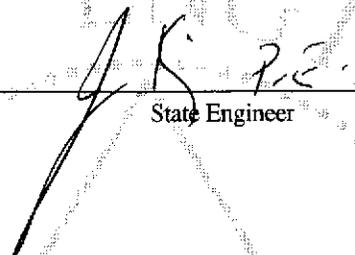
December 23 2017

Map in support of proof of beneficial use shall be filed on or before:

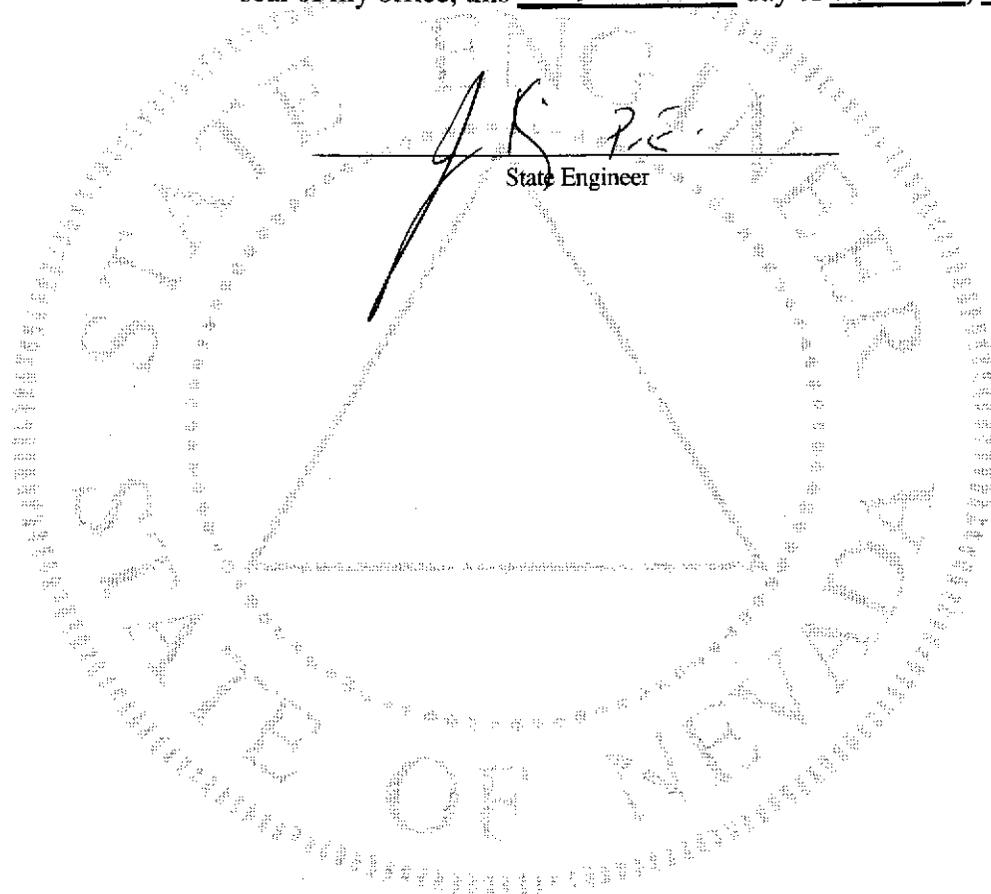
N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 23rd day of December, 2015



State Engineer



ORIGINAL

Application No. 78780

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

THIS SPACE FOR OFFICE USE ONLY	
Date of Filing in State Engineer's Office	<u>AUG 05 2009</u>
Returned to applicant for correction	<u>AUG 12 2009</u>
Corrected Application filed	<u>AUG 26 2009</u>
Map filed	<u>AUG 26 2009</u>

The applicant United States of America, National Park Service
1201 Oakridge Dr., Suite 250 of Fort Collins
Street Address or P.O. Box City or Town
Colorado, 80525 hereby make(s) application for permission to appropriate the
State and ZIP Code

public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of water is Baker Creek
Name of the stream, lake, underground, spring or other sources.
2. The amount of water applied for is See Response in Section 12, Remarks, Section 2
One second foot equals 448.83 gallons per minute.
 - (a) If stored in a reservoir give the number of acre-feet _____
3. The water is to be used for Recreation, including maintenance of aquatic habitat (INSTREAM FLOW)
Irrigation, power, mining, commercial, domestic or other use. Must be limited to one major use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated _____
 - (b) Stockwater, state number and kind of animals _____
 - (c) Other use (describe fully in No. 12) See response in Section 13, Miscellaneous remarks, Section 4.
 - (d) Power:
 - (1) Horsepower developed _____
 - (2) Point of return of water to stream _____

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195-WPT

Baker Creek attributes

The Baker Watershed is located on the east side of Great Basin National Park and contains the largest stream in the South Snake Range. This watershed has the highest annual precipitation in the park with 14 miles of perennial stream, 149 springs, and one lake.

The stream contains populations of rainbow, brown and brook trout. Surveys have found that the total fish population for all three species is 2,527 trout/mile. This watershed also contains Bonneville cutthroat trout. Fishing is a major recreational use and attraction for park visitors.

Recreational infrastructure includes two campgrounds, a picnic area, two trailheads, 21 miles of hiking trails most of which are located adjacent to the stream.

Baker Creek and its tributaries provide approximately 28 miles of riparian vegetation communities covering 501 acres. There are 6.5 acres of Saturated Emergent Wetlands associated with spring systems adjacent to the creek. These riparian vegetation communities have not been subject to livestock grazing and, therefore, are in relatively pristine condition.

Sixty-seven mammal species and 150 bird species have been documented in the watershed. These species depend on the riparian habitats in and along Baker Creek during different stages of their life cycles. Six of the mammal species are classified as riparian obligates. Five bat species have been documented, all of which have been classified by the National Park Service as species of management concern. Neotropical migrant birds are typically riparian obligates or use riparian areas disproportionately greater than other vegetation communities. In total there are 15 wildlife species of management concern partially dependent upon the stream and riparian communities found in the Baker Creek watershed.

Reference for Tennant Method referred to in Section 12:

Tennant, D.L. 1976. Instream flow regimes for fish, wildlife, recreation, and related environmental resources. In: Instream flow needs, VOL II: Boise, ID. Proceedings of the symposium and specialty conference on instream flow needs. May 3-9, American Fisheries Society, p. 359-373.