R-04187

UNITED STATES OF AMERICA - FOREST SERVICE
FEDERAL RESERVED WATER RIGHT

1. National Forest: Toiyabe National Forest

2. Stream: Pine Creek

3. Authority: Organic Administration Act of 1897

4. Priority Date: April 15, 1907

5. Purpose: To secure favorable conditions of water flows.

6. Location of Primary Quantification Point:

   a. General: Approximately 0.7 miles above the Forest boundary at the Forest Service campground and above the existing private diversion.

   b. Legal: SE1/4 NE1/4, Section 13, T.11N., R.45E., MDM (unsurveyed), or at a point from which the 1/4 corner common to Sections 18 and 19 T.11N.,R.46E., bears S40°30'E at a distance of 4,000 feet.

7. Instream Flow Claim - Primary Point: A continuous instream flow equivalent to an average of 1511 acre-feet per year (primary instream flow volume) at the primary point of quantification described in paragraph 6 above, defined and distributed as follows:

   a. During the period of annual snowmelt runoff.
   When the spring runoff hydrograph reaches bankfull disharge, and equals or exceeds that amount for 24 hours, but in no event earlier than May 23, a flow of 37.4 cubic feet per second for a period of 7 days.

   b. At all other times. A baseflow discharge of 1.4 cubic feet per second.

8. Instream Flow Claim - Supplemental Points. A continuous instream flow on Pine Creek and its named and unnamed tributaries calculated as follows:

   a. Supplemental Minimum Instream Flow Volume: Calculate 36.2% of the total annual yield (acre-feet) attributable to the drainage area above the supplemental point.

   b. Supplemental Minimum Instream Flow Rate: Multiply the flow rates in paragraphs 7a and 7b by the supplemental flow volume computed in paragraph 8a above and divide by the primary instream flow volume in paragraph 7.

9. In the event that natural flows do not attain the rates decreed above,the United States shall be entitled to the natural flow actually occurring during the time periods described in paragraphs 7a and 7b.

R.M. "Jim" Nelson

R.M. "JIM" NELSON, Forest Supervisor

9-25-84

Date