

THE STATE OF NEVADA
NOTIFICATION OF FEDERAL RESERVED WATER RIGHT
BY UNITED STATES OF AMERICA

(1) Name and Address of Claimant: United States of America
Department of the Interior
Fish and Wildlife Service
Division of Engineering
911 N.E. 11th Avenue
Portland, Oregon 97232-4181

(2) Source of Water: Corn Creek Springs
Name of natural water source

(3) Location of Water Source: Three springs emanate in the NW¼ NE¼ Sec. 34, T. 17 S., R. 59 E., M.D.M.

Spring No. 1 is located at a point from which the North ¼ Corner of said Section 34 bears North 52° 30' West
Describe as being within a 40 acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land it should be

748 feet.
stated. Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and the end of such reach.

Spring No. 2 is located at a point from which the North ¼ Corner of said Section 34 bears North 54° 24' West

712 feet.

Spring No. 3 is located at a point from which the North ¼ Corner of said Section 34 bears North 37° 39' West

552 feet.

(4) Place of Use: NE ¼ NW ¼ and NW ¼ NE ¼ Sec. 34, T. 17 S., R. 59 E., M.D.M.
Describe as being within a 40 acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be

stated. Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such reach.

(5) Authority for Federal Reserved Water Right: Titles III, V, and VII of Act of June 15, 1935. Public Law
No. 148 (49 Stat. 378 -384) (See attached March 26, 1940 letter from the United States Office of Attorney
General to the Secretary of the Interior and attached Act of June 15, 1935.)

(6) Priority Date of Federal Reserved Water Right: October 12, 1939, the date of land acquisition by fee
simple title. (See attached warranty deed.)

(7) Purposes: The restoration, rehabilitation, and protection of wildlife and the operation and maintenance of the Desert National Wildlife Range headquarters.

(8) Type of Use: Operation and maintenance of the Desert National Wildlife Range headquarters, specifically: irrigation of 14.3 acres and maintenance, protection, and enhancement resources of wildlife and wildlife habitat.

(9) Season of Use: January 1 to December 31

(10) Amount Claimed: The entire spring discharge, estimated to be 0.5 c.f.s.

(11) Remarks: Three springs, known as the "Corn Creek Springs," emanate and are used on land owned by the U.S. Fish and Wildlife Service (Service) and administered as part of the Desert National Wildlife Range. This land was acquired on October 12, 1939, under the authority of the Act of June 15, 1935, Pubic Law No. 148, which enabled the federal government to "acquire by purchase or otherwise such lands which may be necessary...to provide for the restoration, rehabilitation, and protection of migratory waterfowl and other wildlife...(See attached Act of June 15, 1935 and letter, dated March 27, 1940, from the Office of the Attorney General to the Secretary of the Interior.) This particular parcel of land was purchased to further the purposes for which the Desert National Wildlife Range was reserved. Specifically, the site provided a headquarters and water supply for Service personnel administering the Desert National Wildlife Range, a massive expanse of land withdrawn from the public domain in 1936 by Executive Order No. 7373. (See attached United States Department of Agriculture, Bureau of Biological Survey Agreement for purchase of lands and the minutes from the July 31, 1939 meeting of the Migratory Bird Conservation Commission.)

At the time of the 1939 purchase, water was used much in the same manner as it is used today. A 1939 Acquisition Examination Report states that the springs are used for "irrigation and swimming proposes" and approximately 10 acres of irrigated land and 1 acre of orchard are present on the parcel. (See attached 1939 Bureau of Biological Survey Acquisition Examination Report) Currently, discharge from the three springs is conveyed via ditches to a small pond which provides habitat to the Pahrump killifish (a species listed as endangered under the Endangered Species Act of 1973) and water for a sprinkler irrigation system which irrigates 14.3 acres of pasture, lawn, and orchard. The pasture is used by 4 Service horses and the orchard,

consisting of pecan, pomegranate, apple, plum, almond, and apricot trees, supplies food for migratory and
resident birds, Service staff, and visitors to the Desert National Wildlife Range headquarters.

This notification of a federal reserved water right is the filed in addition to the Proof of Appropriation for Corn
Creek Springs.

United States of America
Department of the Interior
Fish and Wildlife Service
Claimant

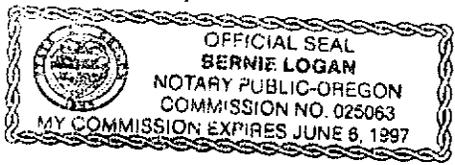
By: Thomas Dwyer
[Handwritten Signature]

for Michael J. Spear, Regional Director

U.S. Fish and Wildlife Service
911 N.E. 11th Avenue
Portland, Oregon 97232-4181
Telephone No: (503) 231-6118

Subscribed and sworn to before me this 22 day of April, 1996
Notary Public in and for the county of Multnomah
My commission expires 6/6/97

Bernie Logan



NO FILING FEE REQUIRED