

1st AMENDED

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR FISH HABITAT AND RECREATION
PURPOSES UNDER THE MULTIPLE-USE SUSTAINED YIELD ACT OF 1960
FEDERAL RESERVED WATER RIGHT

(1) Name of Claimant: United States of America - Forest Service
Address: 324 25th Street
Ogden, UT 84401
(801) 625-5360

(2) Source: SNOW CANYON CREEK

(3) The water is quantified at the following point:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
41 N	53 E	31	SWNW		ELKO	MOUNT DIABLO

(4) The means of diversion employed: WATER IS NOT DIVERTED FROM THE STREAM CHANNEL.

(5) The claimant is an owner in the above described stream channel.

(6) The nature of the title to the land for which the water right is claimed is the TREATY OF GUADALUPE HIDALGO OF 1848.

(7) The water had been used for fish habitat and recreation uses from JANUARY 1 TO DECEMBER 31 of each year.

(8) The water claimed has been used for fish habitat and recreation uses each and every year since June 12, 1960.

(9) The claimant's water right was not recorded in the office of the County Recorder of Elko County.

(10) Total Quantity Claimed: The parameters describing the reserved water right are described as follows:

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Time Period	Discharge
Jan 1 Jan 31	1.26
Feb 2 Feb 31	1.86
Mar 3 Mar 31	2.13
Apr 4 Apr 30	8.78
May 5 May 31	17.16
Jun 6 Jun 30	17.50
Jul 7 Jul 31	4.89
Aug 8 Aug 31	1.08
Sep 9 Sep 30	0.66
Oct 10 Oct 31	0.75
Nov 11 Nov 30	1.09
Dec 12 Dec 31	1.31

The United States claims the above instream flow components, quantified proportionally, for the entire reach of each stream and all its named and unnamed tributaries lying upstream and downstream of the quantification point, excluding intervening private and state lands.

(11) Total consumptive use claimed For Present and Future Use is: NONE, USE IS NON-CONSUMPTIVE.

(12) Present and future uses to which the water is or will be used: the water is needed and reserved to provide fish habitat and recreation use opportunities for the public pursuant to the Multiple-Use Sustained-Yield Act, 16 U.S.C. 528-531, 74 Stat. 215, P.L. 86-517 (June 12, 1960).

(13) REFERENCE INFORMATION:

National Forest: Humboldt

Forest Service Record ID: 040917050105 48 0044 C

(14) Remarks:

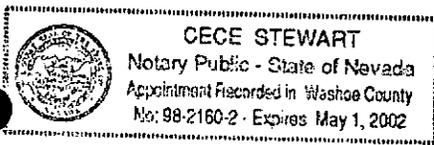
PL 517 06/12/1960 74 215

MAP #9-1, MAP UNIT ID 48-44

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by the United States of America, USDA - Forest Service, are full and correct to my best knowledge and belief.

By Mary Wagner
For JACK A/BLACKWELL
Regional Forester

Subscribed and sworn to before me this 9 day of March 1999



Cece Stewart
Notary Public in and for the County of Washoe
My commission expires May 1, 2002



United States
Department of
Agriculture

Forest
Service

Humboldt - Toiyabe
National Forests

2035 Last Chance Road
Elko, NV 89801

File Code: 2540

Date: February 9, 1999

Water Resources Division
Steve Brown
123 West Nye Lane - Suite 246
Carson City, Nevada 89710-0818

Dear Mr. Brown:

Per our conversation of February 3, 1999, we are enclosing the following two amended claims:

R-07921 Fish Habitat and Recreation - Snow Canyon Creek: the tract or 40 acre sub-division has been changed to SWNW

R-07941 Channel Maintenance - Snow Canyon Creek: the track or 40 acre subdivision has been changed to SWNW

If you have any questions regarding the above please contact Chris Butler at (775) 738-5171.

Sincerely,


BEN G. SIMINOE
Assistant Forest Supervisor

encl



THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR FISH HABITAT AND RECREATION
PURPOSES UNDER THE MULTIPLE-USE SUSTAINED-YIELD ACT OF 1960
FEDERAL RESERVED WATER RIGHT

(1) Name of Claimant: UNITED STATES OF AMERICA - Forest Service
Address: 324 25th Street
Ogden, Utah 84401
801-625-5360

(2) Source of water supply: SNOW CANYON CREEK

(3) The water is quantified at the following point:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
041 N	053 E	31	NENW		ELKO	MOUNT DIABLO

(4) The means of diversion employed WATER IS NOT DIVERTED FROM THE STREAM CHANNEL.

(5) The claimant is an owner in the above described stream channel.

(6) The nature of the title to the land for which the water right is claimed is the TREATY OF GUADALUPE HIDALGO OF 1848.

(7) The water had been used for fish habitat and recreation uses from JANUARY 1 TO DECEMBER 31 of each year.

(8) The water claimed has been used for fish habitat and recreation uses each and every year since June 12, 1960.

(9) The claimant's water right was not recorded in the office of the County Recorder of Elko County.

(10) Total Quantity Claimed: The parameters describing the reserved water right are described as follows:

Time Period	Discharge	
Jan 1 Jan 31	1.26	297.24
Feb 2 Feb 31	1.86	438.79
Mar 3 Mar 31	2.13	502.48
Apr 4 Apr 30	8.78	2071.25
May 5 May 31	17.16	4048.15
Jun 6 Jun 30	17.50	4128.35 1149.45 4.87
Jul 7 Jul 31	4.89	1153.58
Aug 8 Aug 31	1.08	254.77
Sep 9 Sep 30	0.66	155.7
Oct 10 Oct 31	0.75	176.93
Nov 11 Nov 30	1.09	257.14
Dec 12 Dec 31	1.31	309.09

The United States claims the above instream flow components, quantified proportionally for the entire reach of each stream and all it's named and unnamed tributaries lying upstream and downstream of the quantification point, excluding intervening private and state lands.

(11) Total consumptive use claimed For Present and Future Use is: NONE, USE IS NONCONSUMPTIVE

(12) Present and Future Uses to Which the Water is or Will be Used: the water is needed and reserved to provide fish habitat and recreation use opportunities for the public pursuant to the Multiple-Use Sustained-Yield Act, 16 U.S.C. 528-531, 74 Stat. 215, P.L. 86-517 (June 12, 1960).

(13) REFERENCE INFORMATION:

National Forest: HUMBOLDT

Forest Service Record ID: 040917050105 48 H085 F 2

(14) Remarks:

PL 517 06/12/1960 74 215

MAP 9-1, MAP UNIT ID 48-44

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by the United States of America, USDA - Forest Service, are full and correct to my best knowledge and belief.

By Peter J. Stender
for DALE N. BOSWORTH
Regional Forester

Subscribed and sworn to before me this 9th day of June, 1994

Sandra S. Carlson
Notary Public in and for the County of WEBER
My commission expires DECEMBER 11, 1996

FS Record ID: 04091705010548 H085 F2

