

THE STATE OF NEVADA
Amended
PROOF OF APPROPRIATION OF WATER FOR CHANNEL MAINTENANCE PURPOSES
UNDER THE ORGANIC ADMINISTRATION ACT OF 1897

(1) Name of Claimant: United States of America - Forest Service
Address: 324 25th Street
Ogden, UT 84401
(801) 625-5279

(2) Source: NF INDIAN CREEK (2)

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

Township	Range	Section	Tract	Gov't Lot	County	Meridian
045 N	052 E	10	SWSW		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 has been used for channel maintenance from JANUARY 1 to DECEMBER 31 of each year.

(8) The water claimed has been used for channel maintenance each and every year since 01/20/1909

(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:

- Qa = average annual flow
- Qb = bankfull flow
- Ql = base flow
- Qs = actual stream flow

When $Q_s = \text{or} < Q_l$, then the United States claims Q_s .

When $Q_s > Q_l$ but $< Q_a$, then the United States claims Q_l .

When $Q_s = \text{or} > Q_a$ but $< Q_b$, then the United States claims water based on the following formula:

$$Q_l + [(Q_s - Q_l) \times [(Q_s - Q_a) / (Q_b - Q_a)]]$$

B07964

When $Q_s =$ or $> Q_b$, then the United States claims Q_b .

Qa = 0.96
Qb = 5.80
Ql = 0.09

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 NONCONSUMPTIVE.

(12) Present and future uses to which the water is or will be used: the water is needed and reserved to fulfill the primary purposes for which the National Forests were created; namely, to secure favorable condition of water flow and to provide a continuous supply of timber as set forth in the Organic Administration Act, 16 U.S.C. 475, 30 Stat. 34 (June 4, 1897).

(13) REFERENCE INFORMATION:

National Forest: HUMBOLDT

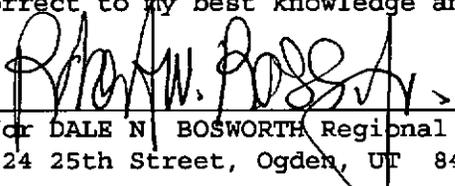
Forest Service Record ID: 04091705010549 0 0060 C

(14) Remarks:

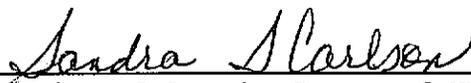
PROC 832 01/20/1909 35 2215

MAP 123-2, MAP UNIT ID 49-06

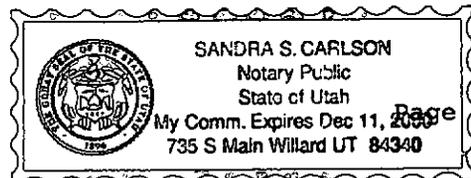
The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by the United States of America, USDA - Forest Service, are full and correct to my best knowledge and belief.


for DALE N. BOSWORTH Regional Forester
324 25th Street, Ogden, UT 84401

Subscribed and sworn to before me this 30 day of October, 1997


Notary Public in and for the County of WEBER
My commission expires DECEMBER 11, 2000

FS Record ID: 04091705010549 00060C



United States
Department of
Agriculture

Forest
Service

Humboldt National Forest
Toiyabe National Forest

2035 Last Chance Road
Elko, Nevada 89801-4808
(702) 738-5171

File Code: 2540

Date: December 2, 1997

Water Resources Division
Michael R. Turnipseed, State Engineer
123 West Nye Lane
Carson City, Nevada 89710

Dear Mr. Turnipseed,

Based upon our in house review of claims submitted for the Owyhee and Bruneau River Adjudication, we have found a number of mistakes which we wish to correct.

Enclosed are Amended Proofs of Appropriation for the following state assigned Serial Numbers:

✓ R-07924	✓ 08529
✓ R-07964	✓ 08113
07402	✓ 08120
08065	✓ 08284
✓ 07476	✓ 08285
✓ 07477	? 08255
08452	✓ 08188: 7/11/97
08334	08187
✓ 08184	08177
08220	

If you have any questions regarding these corrections feel free to contact Chris Butler at (702) 738-5171.

Sincerely,


BEN G. SIMINOE
Assistant Forest Supervisor

encl.
cc: C. Butler
bi

ORIGINAL

THE STATE OF NEVADA

**PROOF OF APPROPRIATION OF WATER FOR CHANNEL MAINTENANCE PURPOSES
UNDER THE ORGANIC ADMINISTRATION ACT OF 1897
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: INDIAN CREEK

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

Township	Range	Section	Tract	Gov't Lot	County	Meridian
-----	-----	-----	-----	-----	-----	-----
045 N	052 E	10	SWNW		ELKO	MOUNT DIABLO

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When $Qs =$ or $> Qa$ but $< Qb$, then the United States claims water based on the following formula:

$$Ql + [(Qs - Ql) \times ((Qs - Qa) / (Qb - Qa))]$$

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(13) REFERENCE INFORMATION:

National Forest: HUMBOLDT

Forest Service Record ID: 04091705010549 0 0060 C

(14) Remarks:

PROC 832 01/20/1909 35 2215

MAP 123-1, MAP UNIT ID 49-06

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 10th day of June, 1994

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

