FEDERAL RESERVED WATER RIGHT

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

1. National Forest: Humboldt National Forest

2. Stream: Battle Creek

3. Authority: Organic Administration Act of 1897

4. Reservation Date: May 3, 1906

5. Purpose: Secure favorable conditions of water flow

6. Location of Quantification Point:

   a. General: East side of Ruby Mountains.

   b. Legal: ~~NE~~ NW 1/4NE1/4 sec. 7, T. 30 N., R. 59 E. Mount Diablo Base and Meridian (unsurveyed), or at a point from which the NE corner of section 7, T. 30 N., R. 59 E. bears N 84° 30' E at a distance of 2,600 feet. KE 9/24/99

7. Instream Flow Claim: a continuous instream flow equivalent to an average of 6441 acre-feet per year defined and distributed as follows:

   a. Minimum flow rates: the rate for Day 1 and for each and every succeeding day or period throughtout the entire year as follows:

Duration				Streamflow (cfs)
Days	: 1	thru	24	8.90
Days	: 25	thru	35	24.34
Days	: 36	thru	40	36.51
Days	: 41	thru	43	48.68
Day	: 44			60.85
Day	: 45			73.02
Day	: 46			97.36
Day	: 47			121.70
Day	: 48			85.19
Day	: 49			60.85
Day	: 50			48.68
Day	: 51			36.51
Day	: 52			24.34
Days	: 53	thru	Dec. 31	0.10
Days	: Jan. 1	to	Day 1	0.10

b. Day 1: the day that flow attains a rate of 8.90 cfs and equals or exceeds that rate for 24 hours, but in no event earlier than May 15.

8. In the event that natural flows do not attain the rates decreed above, the United States shall be entitled to the natural flows actually occurring during the time periods described above.

9. Instream flows are necessary at all points along the streams within the boundaries of the national forests and the quantification herein may be extrapolated to other stream reaches in this or nearby similar watersheds based on watershed area, precipitation, watershed characteristics, or combinations thereof.

The undersigned, being duly sworn, deposes and says that he is the agent of the United States of America, that he makes this certification on behalf of the United States of America, that he has read the foregoing statement of claim and knows the contents thereof, and that he has signed on behalf of the United States of America said statement, that the answers set forth therein are true to his best knowledge and belief.

Kendall R. Hale

(for) J.S. TIXIER, Regional Forester

Subscribed and sworn to before me this 25th day of April, 1988.

Sandra S Carlson

Notary Public

NOTARY PUBLIC
SANDRA S. CARLSON
Commission Expires
Dec. 11, 1988
STATE OF UTAH