Filing Serial No. R 08683

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR ADMINISTRATIVE PURPOSES

UNDER THE ORGANIC ADMINISTRATION ACT OF 1897

FEDERAL RESERVED WATER RIGHT

Source: Old Pole Creek Spring

The water is quantified at the following point:

SWNE, section 13, T. 46 N., R. 59 E., MDBM

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

(2) The means of diversion employed: headbox and pipe.

(3) The claimant is the owner of the above described diversion.

(4) The nature of the title to the land for which the water right is claimed is the Treaty of Guadelupe Hidalgo of 1848.

(5) The water has been used for administrative purposes from January 1 to December 31 of each year.

(6) The priority date claimed is the date of reservation of the National Forest, November 5, 1906.

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

(8) Total Quantity Claimed: The quantity diverted is 0.017 cubic feet per second.

(9) Total consumptive use claimed For Present and Future Use is: de minimus.

(10) Present and Future Uses to Which the Water is or Will Be Used Include, But Are Not Limited To: domestic, irrigation, watering horses and pack stock, fire management, revegetation, erosion control, road construction and maintenance, and other needs directly related to the purposes of the National Forests pursuant to the Organic Administration Act, 16 U.S.C. 475, 30 Stat. 34 (June 4, 1897), namely, securing favorable conditions of water flow and providing a continuous supply of timber.



39

(11) REFERENCE INFORMATION:

National Forest: Humboldt

Forest Service Record ID: 040917050102 47 0201

(12) Remarks: Spring development for Pole Creek Guard Station.

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

for Joel G. Blackwell
DALE N. BOSWORTH
Regional Forester

Subscribed and sworn to before me this 6th day of December, 1994.

Sandra S Carlson

Notary Public in and for the County of Weber
My commission expires December 11, 1996.

JUN 15

SANDRA S. CARLSON
NOTARY PUBLIC - STATE of UTAH
735 SOUTH MAIN
P.O. BOX 306
WILLARD, UTAH 84340
COMM. EXP. 12-11-96