Serial No. 02930

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR INSTREAM FLOW ~~STOCKWATERING~~ PURPOSES

FILED
June 20, 1977
STATE ENGINEER'S OFFICE

(1) Name of claimant United States of America Forest Service

324-25th Street of Ogden,
Street and No. or P.O. Box No. City or town

Utah 84401
State and Zip Code No.

(2) Source of water Rock Creek and its tributaries
Name of natural water source.

(3) The water is diverted by natural channel.
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) The natural channel of Rock Creek
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.
between a point in Lot 4, Sec. 31, T. 43 N., R. 38 E., or N 0° 24' E., 207 feet from the SW corner, Sec. 31, T. 43 N., R. 38 E., all in Mt. Diablo Meridian and the headwaters of said creek and its tributaries.

(5) The water is impounded in natural stream channel.
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun N/A
Date
and completed
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is These lands were reserved from the public lands for National Forest purposes on April 1, 1911, and so remain as such today.
Patented, deeded, public domain with grazing permit, etc.

(8) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of
County, at Page of Book of
NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

Filing fee received June 20, 1977 - LEP

(9) The approximate number of animals watered by the claimant during the first year 1873..., was.....cattle.....horses.....sheep or..... The watering was conducted during each of the following months Year-long for fish and wildlife propagation and attendant aquatic habitat and riparian vegetation.

Date

Other

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:

Use of the waters of Mattier Creek and tributaries has been and remains as described in item 9 above.

If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given.

(11) The amount of water which has been necessary to be diverted for this purpose has been..... 0.41 cubic feet per second.

448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located at.....

Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Remarks The claimant asserts a right to the waters for the purposes described herein by reason of the President's Proclamation of February 10, 1909, setting aside the land for National Forest purposes and by the fact that the waters have been used since 1873 by settlers in the area.

Remarks This instream flow claim is being made to maintain an aquatic-riparian ecosystem which includes (1) a cold water fishery of introduced brook and rainbow trout and (2) riparian vegetation and wildlife habitat.

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

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

United States of America Forest Service
Vern Hamre, Regional Forester
Intermountain Region
Claimant

By Adrian E. Dalton
Adrian E. Dalton, Acting Regional Forester
324-25th Street
Street and No., or P.O. Box No.
Ogden, Utah 84401
City, State, Zip Code No.

Subscribed and sworn to before me this 2nd day of June, 1977.

Collier Dayton

Notary Public in and for the County of Weber

My commission expires 6/19/79

$10 FILING FEE MUST ACCOMPANY PROOF