

THE STATE OF NEVADA  
PROOF OF APPROPRIATION OF WATER FOR  
INSTREAM FLOW ~~STOCK WATERING~~ 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 Mattier Creek (AKA Wilson Creek or Bennett Creek) & 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 Mattier 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 NENW unsurveyed Sec. 13, T. 21 N., R. 64 E., or N 52° 47' W,  
275 feet from Cor. #4 homestead entry survey #51, 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 land for National  
Patented, deeded, public domain with grazing permit, etc.  
Forest purposes on February 10, 1909, and so remain as such today.

(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,  
Date  
was            cattle            horses            sheep or            Other. The watering  
was conducted during each of the following months Year-long for fish and wildlife  
propagation and attendant aquatic habitat and riparian vegetation.

(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  
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.  
described in item 9 above.

(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 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 2<sup>nd</sup> day of June, 1977.  
*Colleen Dayton*

Notary Public in and for the County of Weber

My commission expires 6/19/79

**\$10 FILING FEE MUST ACCOMPANY PROOF**