AMENDED 6/8/84

Serial No. 02942

EXHIBIT 1

FOR:
☐ STATE OF NEVADA
☒ PROTESTANT FORESTRY SERV
☐ APPLICANT
☐ _____ OTHER

DATE December 8-84

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

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

524 25th Street (Street and No. or P.O. Box No.) of Ogden (City or town)

Utah 84401 (State and Zip Code No.)

(2) Source of water Echave Spring (Falls Cr) (Name of natural water source.)

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

(4) The water is diverted at the following point(s) SW'ly NW'ly Sec 22, T42N R38E (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.)

(Unsurveyed) Or At A Point Bearing N17°18'W A Distance of 13460 Feet From The SE Section Corner of Sec 34, T42N R38E, MDB&M

(5) The water is impounded in Natural Channel And Small Hand Dug Basin (Troughs, tanks, pools, reservoir, natural channel, etc.)

(6) The construction of the ditch or other works was begun Prior To 1900 (Date)

and completed Prior To 1900 (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 Land Acquired By The United States of America In 1848 And Subsequently Reserved From The Public Domain For National Forest Purposes Since 1 April 1911 (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).

(9) The approximate number of animals watered by the claimant during the first year 1873 (Date), was 300 cattle 50 horses 2000 sheep or ..... (Other) The watering was conducted during each of the following months MARCH THRU OCTOBER

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

WHILE NUMBERS AND SEASON OF USE HAVE VARIED, USE HAS BEEN CONTINUOUS.

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.

1874 - 1911 300 CATTLE, 50 HORSES, 2000 SHEEP

1912 - 1920 300 CATTLE, 50 HORSES, 1000 SHEEP

1921 - 1960 300 CATTLE, 10 HORSES, 1000 SHEEP

1961 - 1975 300 CATTLE

1976 - PRESENT 150 CATTLE

(11) The amount of water which has been necessary to be diverted for this purpose has been 0.015 cubic feet per second. OR SUFFICIENT TO WATER THE PERMITTED LIVESTOCK

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

(12) The works are located at SW¼ NW¼ SEC. 22, T42N R38E (UNSURVEYED)

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

Remarks

Remarks .....

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by .....

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
Claimant

By [signature]
(for) J. S. TIXIER, Regional Forester
324 25th Street
Street and No., or P.O. Box No.

Ogden, UT 84401
City, State, Zip Code No.

Subscribed and sworn to before me this 4th day of June, 19 84

Sandra S. Carlson

Notary Public in and for the County of Weber

My commission expires 2-20-85

$50 FILING FEE MUST ACCOMPANY PROOF

AMENDED 6/8/84

#2

Serial No. 02942

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

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

524 25th Street (Street and No. or P.O. Box No.) of Ogden (City or town)

Utah 84401 (State and Zip Code No.)

(2) Source of water Rattlesnake Spring (Falls Cr) (Name of natural water source)

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

(4) The water is diverted at the following point(s) SW¼ SW¼ Sec 23, T42N R38E (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.) (Unsurveyed) Or At A Point Bearing N03°57'E A Distance Of 10880 Feet From The SE Section Corner Of Sec 34, T42N R38E, MDB&M

(5) The water is impounded in Natural Channel And Small Hand Dug Basin (Troughs, tanks, pools, reservoir, natural channel, etc.)

(6) The construction of the ditch or other works was begun Prior To 1900 (Date) and completed Prior To 1900 (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 Land Acquired By The United States of America In 1848 And Subsequently Reserved From The Public Domain For National Forest Purposes Since 1 April 1911 (Patented, deeded, public domain with grazing permit, etc.)

(8) The claimant's water right ~~XXX~~ (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).

(9) The approximate number of animals watered by the claimant during the first year 1873 (Date) was 300 cattle 50 horses 2000 sheep or ..... (Other) The watering was conducted during each of the following months MARCH THRU OCTOBER

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

WHILE NUMBERS AND SEASON OF USE HAVE VARIED, USE HAS BEEN CONTINUOUS.

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.

1874 - 1911 300 CATTLE, 50 HORSES, 2000 SHEEP

1912 - 1920 300 CATTLE, 50 HORSES, 1000 SHEEP

1921 - 1960 300 CATTLE, 10 HORSES, 1000 SHEEP

1960 - 1975 300 CATTLE

1976 - PRESENT 150 CATTLE

(11) The amount of water which has been necessary to be diverted for this purpose has been 0.015 cubic feet per second. OR SUFFICIENT TO WATER THE PERMITTED LIVESTOCK

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

(12) The works are located at SW¼ SW¼ SEC 23, T42N R38E (UNSURVEYED)

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

Remarks

Remarks

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by

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
Claimant

By [signature]
(for) J. S. TIXIER, Regional Forester
324 25th Street
Street and No., or P.O. Box No.
Ogden, UT 84401
City, State, Zip Code No.

Subscribed and sworn to before me this 4th day of June, 19 84

Sandra S. Carlson

Notary Public in and for the County of Weber

My commission expires 2-20-85

$50 FILING FEE MUST ACCOMPANY PROOF

Serial No. 02942

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

FILED
July 22, 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 Falls Creek and Tributaries
Name of natural water source.

(3) The water is diverted by pipeline & troughs at head water areas, majority of use is
Dam, ditch, pipe line, natural channel, spring area, etc.
from natural stream channel.

(4) The water is diverted at the following point(s): lying on the west line of protracted
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.
NW¼SW¼ of unsurveyed Section 20, T42N, R38E, MDM., or at a point which bears
N 70° 30'E, 5800 ft. more or less, from the NE corner of Section 25, T42N, R37E,
MDM.

(5) The water is impounded in natural stream channel and troughs.
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
Patented, deeded, public domain with grazing permit, etc.
Forest purposes on April 1, 1911.

(8) The claimant's water right was (was not) recorded in the office of the County Recorder of
County, at Page of Book of

(9) The approximate number of animals watered by the claimant during the first year 1876 (Date), was 1000 cattle 100 horses ..... sheep or ..... (Other) The watering was conducted during each of the following months April 15 to October 31

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

livestock numbers have varied from the approximate 1000 cattle and 100 horses in 1876 to 1567 permitted cattle in 1977.

(11) The amount of water which has been necessary to be diverted for this purpose has been .03 cubic feet per second.
448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located NK in protracted Sections 20, 21, 22, 23, 26, 27, 28, & 29 of unsurveyed T42N, R38E, MDM., or further defined as all portions of Falls Creek from the point of diversion, up the natural stream channel to the headwaters.
(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 also asserts a right to the water for the purposes described herein by reason of the President's Proclamation of April 1, 1911, setting aside the land described herein for National Forest purposes.

Remarks:

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by UNTIED 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.

Claimant

UNITED STATES OF AMERICA, FOREST SERVICE
VERN HAMRE, REGIONAL FORESTER
INTERMOUNTAIN REGION

By [signature]
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 16th day of June, 1977

[signature]

Notary Public in and for the County of Weber

My commission expires 1-[illegible]