

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR WILD HORSE/
WILDLIFE/ STOCK WATERING PURPOSES

W. J. Stone

(1) Name of claimant United States of America, U.S. Dept. of Interior, Bureau of
Land Management, PO Box 1090 of Susanville
Street and No. or P.O. Box No. City or town
California, 96130
State and Zip Code No.

(2) Source of water Rye Patch Creek
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) N/A
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.

(5) The water is impounded in Rye Patch Creek, a natural 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 on public lands administered by the Bureau of Land Management
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).

FILED
June 19, 1979
STATE ENGINEER'S OFFICE

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

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

300 head of cattle for 4 months, June through September; 2,000 head of sheep for
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.
1 month; estimated deer use is 70 head year long; estimated antelope use is 35
head in summer and 20 head in winter (28 avg.); estimated wild horse use is 100
head for 9 months.....
.....
.....
.....

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

(12) The works are located ~~at~~ in the natural channel of Rye Patch Creek, a seasonal stream
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed
draining from Burnt Lake in T.35N., R.19E., Sec. 19NENE and flowing through sections
land, it should be stated.
18, 7, 8, 9, 10, 31, T.36N., R.19E., Sections 34, 35, 36 and flowing onto private property.

Remarks... Consumptive use:
.....
Cattle: .278 cfs/month
.....
Sheep: 1.855 cfs/month
.....
Wild Horses: .0928 cfs/month
.....
Deer: .0649 cfs/month
.....
Antelope: .0259 cfs/month
.....
.....

Remarks Application No. 35913 would divert water from Rye Patch Creek, water which would be released from Burnt Lake. Burnt Lake is a natural waterhole which has been reserved to the U.S. Government by Exec. Order #107, Public Water Reserves, dated 4/17/26. The point of diversion is on public land administered by BLM. The applicant must ditch the water across public land to point of use. No right-of-way for ditches connecting the point of diversion to point of use have been applied for by the applicant or granted by the U.S. Government. Therefore, the applicant cannot make beneficial use of the water without being in violation of 43 CFR 2801-1.4 (unauthorized occupancy).

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by the United States of America, U.S. Department of Interior, Bureau of Land Management, 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, U.S. Dept. of Interior, Bureau of Land Management
Claimant

By *C Rex Cleary*

C. Rex Cleary
Street and No., or P.O. Box No.

705 Hall Street
City, State, Zip Code No.

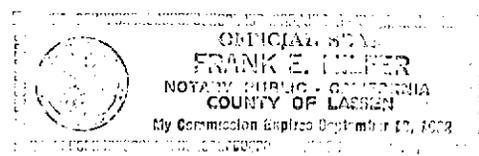
Susanville, Calif. 96130

Subscribed and sworn to before me this 7 day of June, 1979.

Frank E. Helfer

Notary Public in and for the County of Lassen

My commission expires Sept 13, 1982



\$10 FILING FEE MUST ACCOMPANY PROOF

"The United States does not, by the filing of this application, waive its claim to water originating on public lands of the United States, nor its claim that it has a right to use such water without the filing of this application. This filing and the accompanying payment of filing fees is made under protest."