Serial No. 03436

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

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

111 N. Virginia St., Room 601 (Street and No. or P.O. Box No.) of Reno (City or town)

Nevada 89501 (State and Zip Code No.)

(2) Source of water Waterfall Creek (Name of natural water source.)

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

(4) The water is diverted at the following point(s) entire reach beginning in the (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.)

SW¼ SE¼, Sec. 17, T.14N., R.40E., MDB&M, (unsurveyed), or at a point from which the south ¼ corner of Sec. 8, T.13N., R.40E., MDB&M bears S 2° 15' W at 27,650 feet; and ending in the SW¼ SW¼, Sec. 16, T.14N., R.40E., MDB&M (unsurveyed), or at a point from which the said south ¼ corner of Sec. 8, T.13N., R.40E., MDB&M bears S 7° 30' W at 27,510 feet.

(5) The water is impounded in a trough (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 reserved from public domain land for National Forest purposes (Patented, deeded, public domain with grazing permit, etc.) on 3-1-1907, and remains so today.

FILED July 11, 1980 STATE ENGINEER'S OFFICE

(8) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of

Nye 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~~ original user during the first year 1863 (Date), was 500 cattle ..... horses ..... sheep or 50 deer (Other) ..... The watering was conducted during each of the following months yearlong

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

438 cattle currently use the water from Waterfall Creek from June through September. About 100 deer also use this creek.

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 .015* cubic feet per second.

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

(12) The works are located at S½ SE¼, Sec. 17 and SW¼ SW¼, Sec. 16, T.14N., R.40E., MDB&M (unsurveyed) ~~adjacent to and including~~ within the natural channel of Waterfall Creek, between points of diversion described in article (4).

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

Remarks There were probably more cattle grazed, but at least 500 head were grazed by settlers who moved into the area from 1863 on. The use of this creek by livestock and deer has been continuous since that time.

Remarks * This includes water used for consumption by and propagation of wildlife.

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
Frank J. Ferrarelli, Forest Supervisor
Claimant

By F. J. Ferrarelli

111 N. Virginia St., Room 601
Street and No., or P.O. Box No.

Reno, Nevada 89501
City, State, Zip Code No.

Subscribed and sworn to before me this 24 day of June, 19 80

L. L. Hall

Notary Public in and for the County of

My commission expires

L. L. HALL
Notary Public — State of Nevada
Washoe County
My Commission expires Oct. 23, 1982

$10 FILING FEE MUST ACCOMPANY PROOF