

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

AMENDED

AMENDED

- (1) Name of claimant United States of America, Department of the Interior,
Bureau of Land Management, Idaho State Office
1387 S. Vinnell Way of Boise
Street and No. or P.O. Box No. City or town
Idaho 83709-1657
State and Zip Code No.
- (2) Source of water Dave Creek and 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) _____
Describe as being within a 40-acre subdivision of public survey, and by course and distance
POD, Beginning #1
to a section corner. If on unsurveyed land it should be stated. Diversion over a channel reach
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, T.47N., R.58E., MDM, at a point from which the
must be described by course and distance to a section corner for both the beginning and end of such reach.
NE corner of Sec. 13, T.47N., R.58E., MDM, bears N. 10° 41' E., 5,370 ft.;
POD, Beginning #2
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, T.47N., R.59E., MDM, at a point from which the
NE corner of Sec. 13, T.47N., R.58E., MDM, bears N. 01° 30' W., 5,278 ft.;
POD, Beginning #3
SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, T.47N., R.58E., MDM, at a point from which the
NW corner of Sec. 01, T.47N., R.58E., MDM, bears N. 12° 29' W., 10,079 ft.;
POD, Ending #1
Lot 3, Sec. 06, T.47N., R.59E., MDM, at a point from which the
NW corner of Sec. 01, T.47N., R.58E., MDM, bears N. 86° 36' W., 6,687 ft.

(5) The water is impounded in 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 N/A 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 acquisition by the United States of America
Patented, deeded, public domain with grazing permit, etc.
from Mexico through the treaty of Guadalupe-Hidalgo in 1848.
The land is surveyed public domain owned by the United States of America
and managed by the U.S.D.I., Bureau of Land Management.

(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 1879, was _____ cattle, _____ horses, _____ sheep, or Date
wildlife (describe) various amounts, wildlife Other

The watering was conducted during each of the following months _____
Yearlong grazing was conducted by various amounts of livestock and wildlife.
Number of animals was typically in excess of that claimed herein.

(10) The approximate number of animals watered by the claimant in subsequent years was as follows: Use over the years has varied, but the amount claimed is
If water was not used, or used in reduced quantity at any time, full information
based upon current usage. The current uses are:
as to causes and duration of non-use should be given.

<u>530 cattle</u>	<u>01/01 to 12/31</u>	<u>0.0164 cfs</u>
<u>0 sheep</u>	<u>00/00 to 00/00</u>	<u>0.0000 cfs</u>
<u>0 horses</u>	<u>00/00 to 00/00</u>	<u>0.0000 cfs</u>
<u>various amounts, wildlife</u>	<u>01/01 to 12/31</u>	<u>0.0070 cfs</u>
<u>TOTAL</u>		<u>0.0234 cfs</u>

Wildlife includes game and non-game species (some of which are deer, elk and antelope).

(11) The amount of water which has been necessary to be diverted for this purpose has been 0.0234 cubic feet per second. (Represents current usage)
448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at _____
Describe as being within a 40-acre subdivision, section, township and

- 1. SW¹NE¹ Sec. 01, T.47 N., R.58 E., MDM;
and range of public survey. If on unsurveyed land, it should be stated.
- 2. SE¹NE¹ Sec. 01, T.47 N., R.58 E., MDM;
- 3. NW¹SE¹ Sec. 01, T.47 N., R.58 E., MDM;
- 4. SW¹SE¹ Sec. 01, T.47 N., R.58 E., MDM;
- 5. NW¹NE¹ Sec. 12, T.47 N., R.58 E., MDM;
- 6. NE¹NW¹ Sec. 12, T.47 N., R.58 E., MDM;
- 7. SE¹NW¹ Sec. 12, T.47 N., R.58 E., MDM;
- 8. NE¹SW¹ Sec. 12, T.47 N., R.58 E., MDM;
- 9. SE¹SW¹ Sec. 12, T.47 N., R.58 E., MDM;
- 10. NW¹SE¹ Sec. 12, T.47 N., R.58 E., MDM;
- 11. SW¹SE¹ Sec. 12, T.47 N., R.58 E., MDM;
- 12. NW¹NE¹ Sec. 13, T.47 N., R.58 E., MDM;
- 13. SW¹NE¹ Sec. 13, T.47 N., R.58 E., MDM;
- 14. SE¹NE¹ Sec. 13, T.47 N., R.58 E., MDM;
- 15. NE¹SE¹ Sec. 13, T.47 N., R.58 E., MDM;
- 16. SE¹SE¹ Sec. 13, T.47 N., R.58 E., MDM;
- 17. Lot 3, Sec. 06, T.47 N., R.59 E., MDM;
- 18. Lot 4, Sec. 06, T.47 N., R.59 E., MDM;
- 19. SW¹NW¹ Sec. 06, T.47 N., R.59 E., MDM;
- 20. SW¹SW¹ Sec. 18, T.47 N., R.59 E., MDM;

Remarks This right and other water rights, for livestock grazing and wildlife, common to the same grazing allotment shall be limited to the quantity of water beneficially used within the allotment.

The beginning points of diversion were obtained by intersections of USGS hydrographic data (from 1986 USGS mapping data) with Public Land Survey System (PLSS) data obtained from the Nevada BLM Geographic Coordinate Data Base (GCDB). The accuracy of these points vary from +/- 40 feet to +/- 200 feet in relation to the accuracy of the USGS and PLSS data in each area.

These beginning points are intended to represent where the stream intersects the property boundary line. The ending POD is intended to represent the confluence of Dave Creek and the East Fork of the Jarbidge River.

The location of the beginning Points of Diversion (POD), the referencing section corners as well as several Points along the Stream (POS), were determined in the field with Global Positioning System (GPS) equipment.

Accuracy is within +/- 15 feet. GPS locations are as follows:

- NE Corner: Sec.13 41° 58' 10.194" N. lat. Geoid Altitude 6,482.79 feet
T.47N. R.58E. 115° 21' 24.314" W. long. (7-4)
- NW Corner: Sec.01 41° 59' 47.431" N. lat. Geoid Altitude 6,080.37 feet
T.47N. R.58E. 115° 22' 34.368" W. long. (10-6)
- POS 01: 41° 58' 40.553" N. lat. Geoid Altitude 5,924.58 feet
115° 22' 07.046" W. long. (7-2)
- POS 02: 41° 57' 24.458" N. lat. Geoid Altitude 6,501.77 feet
115° 21' 31.421" W. long. (7-16)
- POS 03: 41° 57' 19.085" N. lat. Geoid Altitude 6,491.50 feet
115° 21' 22.665" W. long. (7-14)

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

Deponent represents claimant by virtue of appointment as the

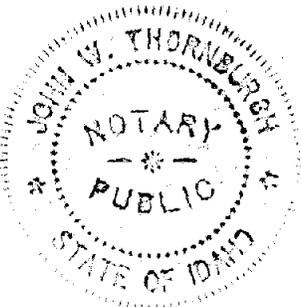
If proof is not made by claimant, deponent should state on this line by virtue of what authority he

Acting State Director of the Bureau of Land Management in Idaho.
represents the claimant.

United States of America

Claimant

Telephone No. (208) 373-4000



BY *David Burnner*
J. David Burnner, Acting State Director
U.S.D.I., Bureau of Land Management

Idaho State Office

1387 S. Vinnell Way

Street and No., or P.O. Box No.

Boise, Idaho 83709-1657

City, State, Zip Code No.

Telephone No. (208) 373-3800

Subscribed and sworn to before me this 15TH day of July, 1999.

John W. Thornburgh
John W. Thornburgh, Notary Public

Notary Public in and for the county of Ada County, Idaho

My commission expires May 16, 2003

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant United States of America, Department of the Interior. Bureau of Land Management, Idaho State Office 3380 Americana Terrace of Boise Idaho 83706-2500

(2) Source of water Dave Creek and 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) Describe as being within a 40-acre subdivision of public survey, and by course and distance POD, Beginning #1 SE 1/4 SW 1/4 Sec. 12, T.47N., R.58E., MDM, at a point from which the SE corner of Sec. 15, T.47N., R.59E., MDM, bears S. 12°40'00" E., 24,740 ft.; POD, Beginning #2 SE 1/4 SE 1/4 Sec. 13, T.47N., R.58E., MDM, at a point from which the SE corner of Sec. 15, T.47N., R.59E., MDM, bears S. 89°18'50" E., 22,060 ft.; POD, Beginning #3 SE 1/4 SW 1/4 Sec. 18, T.47N., R.59E., MDM, at a point from which the SE corner of Sec. 15, T.47N., R.59E., MDM, bears S. 01°10'00" E., 18,910 ft.; POD, Beginning #4 SW 1/4 SW 1/4 Sec. 18, T.47N., R.58E., MDM, at a point from which the SE corner of Sec. 15, T.47N., R.59E., MDM, bears S. 89°18'50" E., 20,920 ft.; POD, Ending #1 Lot 4, Sec. 06, T.47N., R.59E., MDM, at a point from which the NE corner of Sec. 04, T.47N., R.59E., MDM, bears N. 88°50'00" E., 14,410 ft.

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Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun N/A Date
and completed N/A 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 acquisition by the United States of America
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and range of public survey. If on unsurveyed land, it should be stated.

1. ~~SE $\frac{1}{2}$ NE $\frac{1}{2}$~~ Sec. 01, T.47 N., R.58 E., MDM;
2. ~~SW $\frac{1}{2}$ NE $\frac{1}{2}$~~ Sec. 01, T.47 N., R.58 E., MDM;
3. ~~NW $\frac{1}{2}$ SE $\frac{1}{2}$~~ Sec. 01, T.47 N., R.58 E., MDM;
4. ~~SW $\frac{1}{2}$ SE $\frac{1}{2}$~~ Sec. 01, T.47 N., R.58 E., MDM;
5. ~~NE $\frac{1}{2}$ NW $\frac{1}{2}$~~ Sec. 12, T.47 N., R.58 E., MDM;
6. ~~NW $\frac{1}{2}$ NE $\frac{1}{2}$~~ Sec. 12, T.47 N., R.58 E., MDM;
7. ~~SE $\frac{1}{2}$ NW $\frac{1}{2}$~~ Sec. 12, T.47 N., R.58 E., MDM;
8. ~~NE $\frac{1}{2}$ SW $\frac{1}{2}$~~ Sec. 12, T.47 N., R.58 E., MDM;
9. ~~NW $\frac{1}{2}$ SE $\frac{1}{2}$~~ Sec. 12, T.47 N., R.58 E., MDM;
10. ~~SE $\frac{1}{2}$ SW $\frac{1}{2}$~~ Sec. 12, T.47 N., R.58 E., MDM;
11. ~~SW $\frac{1}{2}$ SE $\frac{1}{2}$~~ Sec. 12, T.47 N., R.58 E., MDM;
12. ~~SE $\frac{1}{2}$ SE $\frac{1}{2}$~~ Sec. 12, T.47 N., R.58 E., MDM;
13. ~~NW $\frac{1}{2}$ NE $\frac{1}{2}$~~ Sec. 13, T.47 N., R.58 E., MDM;
14. ~~NE $\frac{1}{2}$ NE $\frac{1}{2}$~~ Sec. 13, T.47 N., R.58 E., MDM;
15. ~~SE $\frac{1}{2}$ NE $\frac{1}{2}$~~ Sec. 13, T.47 N., R.58 E., MDM;
16. ~~NE $\frac{1}{2}$ SE $\frac{1}{2}$~~ Sec. 13, T.47 N., R.58 E., MDM;
17. ~~SE $\frac{1}{2}$ SE $\frac{1}{2}$~~ Sec. 13, T.47 N., R.58 E., MDM;
18. Lot 4, Sec. 06, T.47 N., R.59 E., MDM;
19. ~~SW $\frac{1}{2}$ NW $\frac{1}{2}$~~ Sec. 18, T.47 N., R.59 E., MDM;
20. ~~NW $\frac{1}{2}$ SW $\frac{1}{2}$~~ Sec. 18, T.47 N., R.59 E., MDM;
21. ~~SW $\frac{1}{2}$ SW $\frac{1}{2}$~~ Sec. 18, T.47 N., R.59 E., MDM;
22. ~~SE $\frac{1}{2}$ SW $\frac{1}{2}$~~ Sec. 18, T.47 N., R.59 E., MDM.

Remarks This right and other water rights, for livestock grazing and wildlife,
common to the same grazing allotment shall be limited to the quantity of water
beneficially used within the allotment.

Several points along the stream course were captured in the field
with Global Positioning System (GPS) units. Accuracy is within +/- 15 feet.
GPS locations are as follows:

1: 41° 58' 18.437" N lat.

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Deponent represents claimant by virtue of appointment as the

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

Acting State Director of the Bureau of Land Management in Idaho.
represents the claimant.

United States of America

Claimant

Telephone No. (208) 384-3000

BY

Elena C. Daly
Elena C. Daly, Acting State Director

U.S.D.I., Bureau of Land Management

Idaho State Office

3380 Americana Terrace

Street and No., or P.O. Box No.

Boise, Idaho 83706-2500

City, State, Zip Code No.

Telephone No. (208) 384-3000

RECEIVED
JUN 1 1995

STATE ENGINEER'S OFFICE

Subscribed and sworn to before me this 14th day of June, 1995.

Jacqueline L. Ripley
Jacqueline D. Ripley, Notary Public

Notary Public in and for the county of Ada County, Idaho

My commission expires April 7, 1999