

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 Flat 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) _____
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
SW¹/₄SW¹/₄ Sec. 09, T.47N., R.60E., 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.
SW corner of Sec. 17, T.47N., R.60E., MDM, bears S. 48°02' W., 7,979 ft.

POD, Beginning #2
SE¹/₄NE¹/₄ Sec. 08, T.47N., R.60E., MDM, at a point from which the
SW corner of Sec. 17, T.47N., R.60E., MDM, bears S. 33°20' W., 9,571 ft.

POD, Ending #1
NW¹/₄SW¹/₄ Sec. 09, T.47N., R.60E., MDM, at a point from which the
SW corner of Sec. 17, T.47N., R.60E., MDM, bears S. 33°58' W., 9,491 ft.

POD, Ending #2
NE¹/₄NE¹/₄ Sec. 08, T.47N., R.60E., MDM, at a point from which the
SW corner of Sec. 17, T.47N., R.60E., MDM, bears S. 22°45' W., 10,309 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:

848 cattle	01/01 to 12/31	0.0263 cfs
0 sheep	00/00 to 00/00	0.0000 cfs
0 horses	00/00 to 00/00	0.0000 cfs
various amounts, wildlife	01/01 to 12/31	0.0070 cfs
TOTAL		0.0333 cfs

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 0.0333 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 range of public survey. If on unsurveyed land, it should be stated.

1. NE¹NE¹ Sec. 08, T.47 N., R.60 E., MDM;
2. SE¹NE¹ Sec. 08, T.47 N., R.60 E., MDM;
3. NW¹SW¹ Sec. 09, T.47 N., R.60 E., MDM;
4. SW¹SW¹ Sec. 09, T.47 N., R.60 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 and ending 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 and ending points are intended to represent where the stream intersects the property boundary line.

The location of the referencing section corner and 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:

<u>SW Corner:</u>	<u>Sec.17</u>	<u>41° 57' 20.0"</u>	<u>N. lat.</u>	
	<u>T.47N. R.60E.</u>	<u>115° 13' 11.9"</u>	<u>W. long.</u>	<u>(A4-2)</u>
<u>POS 01:</u>		<u>41° 58' 18.700"</u>	<u>N. lat.</u>	<u>Geoid Altitude 6,001.21 feet</u>
		<u>115° 11' 57.806"</u>	<u>W. long.</u>	<u>(17-3)</u>
<u>POS 02:</u>		<u>41° 58' 24.460"</u>	<u>N. lat.</u>	<u>Geoid Altitude 6,011.67 feet</u>
		<u>115° 11' 58.872"</u>	<u>W. long.</u>	<u>(17-2)</u>
<u>POS 03:</u>		<u>41° 58' 40.220"</u>	<u>N. lat.</u>	<u>Geoid Altitude 5,949.22 feet</u>
		<u>115° 12' 02.525"</u>	<u>W. long.</u>	<u>(17-1)</u>

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*
. 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

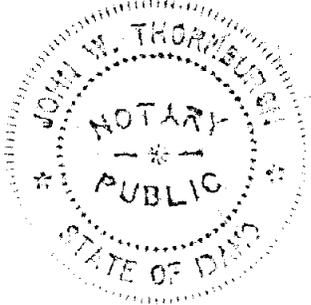
Subscribed and sworn to before me this 15TH day of July, 1999.

John W. Thornburgh
John W. Thornburgh, Notary Public
Ada County, Idaho

Notary Public in and for the county of

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 Flat Creek.

(3) The water is diverted by natural channel.

(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 SW/4 Sec. 09, T.47N., R.60E., MDM, at a point from which the NE corner of Sec. 03, T.47N., R.60E., MDM, bears N. 44°50'00" E., 13.790 ft. POD, Ending #1 NE/4 Sec. 08, T.47N., R.60E., MDM, at a point from which the NE corner of Sec. 03, T.47N., R.60E., MDM, bears N. 64°60'00" E., 13.060 ft.

(5) The water is impounded in natural channel.

(6) The construction of the ditch or other works was begun N/A and completed N/A

(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.

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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>848 cattle</u>	<u>01/01 to 12/31</u>	<u>0.0263 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>0.0333 cfs</u>

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deer, elk and antelope).

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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' 40.220" N lat.
115° 12' 02.525" W long.
- 2: 41° 58' 24.460" N lat.
115° 11' 58.872" W long.
- 1: 41° 58' 18.700" N lat.
115° 11' 57.806" W long.

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) 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 10 1995
STATE ENGINEER'S OFFICE

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

Notary Public in and for the county of Ada County, Idaho
Jacqueline L. Ripley
Jacqueline L. Ripley, Notary Public

My commission expires April 7, 1999