

## STATE OF NEVADA

# PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

**AMENDED**

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**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 Cherry 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<sup>1</sup>NW<sup>4</sup> 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.  
SE corner of Sec. 03, T.47N., R.60E., MDM, bears N. 76°07' E., 8,842 ft.
- POD, Beginning #2  
SE<sup>4</sup>SE<sup>4</sup> Sec. 09, T.47N., R.60E., MDM, at a point from which the  
SE corner of Sec. 03, T.47N., R.60E., MDM, bears N. 48°44' E., 7,795 ft.
- POD, Beginning #3  
SW<sup>4</sup>SE<sup>4</sup> Sec. 15, T.47N., R.60E., MDM, at a point from which the  
SE corner of Sec. 03, T.47N., R.60E., MDM, bears N. 10°59' E., 10,744 ft.
- POD, Beginning #4  
SE<sup>4</sup>SE<sup>4</sup> Sec. 15, T.47N., R.60E., MDM, at a point from which the  
SE corner of Sec. 03, T.47N., R.60E., MDM, bears N. 00°00' E., 10,301 ft.
- POD, Beginning #5  
NE<sup>4</sup>NE<sup>4</sup> Sec. 15, T.47N., R.60E., MDM, at a point from which the  
SE corner of Sec. 03, T.47N., R.60E., MDM, bears N. 00°03' W., 6,402 ft.
- POD, Beginning #6  
SE<sup>4</sup>SW<sup>4</sup> Sec. 10, T.47N., R.60E., MDM, at a point from which the  
SE corner of Sec. 03, T.47N., R.60E., MDM, bears N. 35°48' E., 4,926 ft.

POD, Beginning #7

NE<sup>1</sup>SE<sup>4</sup> Sec. 09, T.47N., R.60E., MDM, at a point from which the  
SE corner of Sec. 03, T.47N., R.60E., MDM, bears N. 63°53' E., 7,067 ft.

POD, Ending #1

Lot 3, Sec. 04, T.47N., R.60E., MDM, at a point from which the  
SE corner of Sec. 03, T.47N., R.60E., MDM, bears S. 61°38' E., 9,088 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.

200 cattle	06/01 to 10/07	0.0062 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
<b>TOTAL</b>		<b>0.0132 cfs</b>

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 0.0132 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. Lot 3, Sec. 04, T.47 N., R.60 E., MDM;  
and range of public survey. If on unsurveyed land, it should be stated.
2. NE<sup>1</sup>SW<sup>4</sup> Sec. 04, T.47 N., R.60 E., MDM;
3. SE<sup>1</sup>SW<sup>4</sup> Sec. 04, T.47 N., R.60 E., MDM;
4. NW<sup>1</sup>NE<sup>4</sup> Sec. 09, T.47 N., R.60 E., MDM;
5. SW<sup>1</sup>NE<sup>4</sup> Sec. 09, T.47 N., R.60 E., MDM;
6. SE<sup>1</sup>NE<sup>4</sup> Sec. 09, T.47 N., R.60 E., MDM;
7. NE<sup>1</sup>NW<sup>4</sup> Sec. 09, T.47 N., R.60 E., MDM;
8. SE<sup>1</sup>NW<sup>4</sup> Sec. 09, T.47 N., R.60 E., MDM;
9. NE<sup>1</sup>SE<sup>4</sup> Sec. 09, T.47 N., R.60 E., MDM;
10. SE<sup>1</sup>SE<sup>4</sup> Sec. 09, T.47 N., R.60 E., MDM;
11. NW<sup>1</sup>SW<sup>4</sup> Sec. 10, T.47 N., R.60 E., MDM;
12. SW<sup>1</sup>SW<sup>4</sup> Sec. 10, T.47 N., R.60 E., MDM;
13. SE<sup>1</sup>SW<sup>4</sup> Sec. 10, T.47 N., R.60 E., MDM;
14. SW<sup>1</sup>SE<sup>4</sup> Sec. 10, T.47 N., R.60 E., MDM;
15. NE<sup>1</sup>NE<sup>4</sup> Sec. 15, T.47 N., R.60 E., MDM;
16. NW<sup>1</sup>NE<sup>4</sup> Sec. 15, T.47 N., R.60 E., MDM;
17. SW<sup>1</sup>NE<sup>4</sup> Sec. 15, T.47 N., R.60 E., MDM;
18. NE<sup>1</sup>NW<sup>4</sup> Sec. 15, T.47 N., R.60 E., MDM;
19. NW<sup>1</sup>NW<sup>4</sup> Sec. 15, T.47 N., R.60 E., MDM;
20. SE<sup>1</sup>NW<sup>4</sup> Sec. 15, T.47 N., R.60 E., MDM;
21. NW<sup>1</sup>SE<sup>4</sup> Sec. 15, T.47 N., R.60 E., MDM;

22. SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Sec. 15, T.47 N., R.60 E., MDM;

23. SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Sec. 15, 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.

Some beginning and the ending point 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 some 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:

POD 1B:	41° 58' 43.450" N. lat.	Geoid Altitude 6,349.33 feet
	115° 11' 35.419" W. long.	(6-12)
POD 2B:	41° 58' 13.623" N. lat.	Geoid Altitude 6,440.65 feet
	115° 10' 59.349" W. long.	(6-5)
POD 3B:	41° 57' 20.233" N. lat.	Geoid Altitude 6,459.81 feet
	115° 10' 08.888" W. long.	(17-4)
POD 6B:	41° 58' 24.942" N. lat.	Geoid Altitude 6,421.58 feet
	115° 10' 19.938" W. long.	(14-11)
POD 7B:	41° 58' 33.675" N. lat.	Geoid Altitude 6,332.13 feet
	115° 11' 05.780" W. long.	(6-10)
SE Corner: Sec.03	41° 59' 04.4" N. lat.	
T.47N. R.60E.	115° 09' 41.8" W. long.	(A4-3)
POS 01:	41° 58' 43.305" N. lat.	Geoid Altitude 6,346.65 feet
	115° 11' 35.414" W. long.	(6-11)
POS 02:	41° 58' 16.356" N. lat.	Geoid Altitude 6,437.38 feet
	115° 11' 01.215" W. long.	(6-6)
POS 03:	41° 57' 22.260" N. lat.	Geoid Altitude 6,485.75 feet
	115° 10' 09.387" W. long.	(17-5)
POS 04:	41° 57' 27.112" N. lat.	Geoid Altitude 6,457.79 feet
	115° 09' 59.420" W. long.	(17-7)

POS 05:	41° 57' 42.705" N. lat.	Geoid Altitude 6,341.45 feet
	115° 10' 12.335" W. long.	(17-6)
POS 06:	41° 58' 07.096" N. lat.	Geoid Altitude 6,261.58 feet
	115° 10' 31.487" W. long.	(14-16)
POS 07:	41° 58' 06.745" N. lat.	Geoid Altitude 6,569.91 feet
	115° 09' 53.595" W. long.	(14-17)
POS 08:	41° 58' 12.025" N. lat.	Geoid Altitude 6,506.09 feet
	115° 10' 06.075" W. long.	(14-18)
POS 09:	41° 58' 22.073" N. lat.	Geoid Altitude 6,336.13 feet
	115° 10' 27.125" W. long.	(14-14)
POS 10:	41° 58' 21.421" N. lat.	Geoid Altitude 6,211.80 feet
	115° 10' 39.667" W. long.	(14-15)
POS 11:	41° 58' 28.499" N. lat.	Geoid Altitude 6,190.71 feet
	115° 10' 51.959" W. long.	(6-8)
POS 12:	41° 58' 28.579" N. lat.	Geoid Altitude 6,184.22 feet
	115° 10' 51.904" W. long.	(6-9)
POS 13:	41° 59' 05.242" N. lat.	Geoid Altitude 6,051.40 feet
	115° 11' 31.915" W. long.	(6-3)
POS 14:	41° 59' 43.849" N. lat.	Geoid Altitude 6,033.67 feet
	115° 11' 30.360" W. long.	(6-2)

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

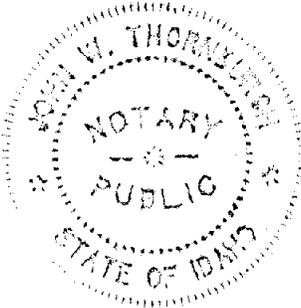
If proof is not made by claimant, deponent should state on this line by virtue of what authority he

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 *John W. Thornburgh*  
John W. Thornburgh, 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 15<sup>TH</sup> 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

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

City or town

Idaho 83706-2500

State and Zip Code No.

(2) Source of water Cherry 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

NE $\frac{1}{4}$ SW $\frac{1}{4}$  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.  
NE corner of Sec. 03, T.47N., R.60E., MDM, bears N. 47°60'00" E., 10.860 ft.

POD, Beginning #2

SE $\frac{1}{4}$ SE $\frac{1}{4}$  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. 32°27'00" E., 11.128 ft.

POD, Beginning #3

SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 10, T.47N., R.60E., MDM, at a point from which the  
NE corner of Sec. 03, T.47N., R.60E., MDM, bears N. 14°90'00" E., 8.725 ft.

POD, Beginning #4

NW $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 15, T.47N., R.60E., MDM, at a point from which the  
NE corner of Sec. 03, T.47N., R.60E., MDM, bears N. 08°90'00" E., 10.250 ft.

POD, Beginning #5

NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 15, T.47N., R.60E., MDM, at a point from which the  
NE corner of Sec. 03, T.47N., R.60E., MDM, bears N. 89°59'25" E., 10.710 ft.

POD. Beginning #6

SW/SE¼ Sec. 15, T.47N., R.60E., MDM. at a point from which the  
SE corner of Sec. 18, T.47N., R.60E., MDM. bears N. 89°18'49" W., 13.770 ft.

POD. Beginning #7

SE/SE¼ Sec. 15, T.47N., R.60E., MDM. at a point from which the  
SE corner of Sec. 18, T.47N., R.60E., MDM. bears N. 89°59'25" E., 14.540 ft.

POD. Ending #1

Lot 3, Sec. 04, T.47N., R.60E., MDM. at a point from which the  
NE corner of Sec. 03, T.47N., R.60E., MDM. bears N. 89°56'40" E., 8.010 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.

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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>200 cattle</u>	<u>01/01 to 12/31</u>	<u>0.0062 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>0.0132 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 0.0132 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

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

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3. SE/4SW/4 Sec. 04, T.47 N., R.60 E., MDM:

4. NE/4NW/4 Sec. 09, T.47 N., R.60 E., MDM:

5. NW/4NE/4 Sec. 09, T.47 N., R.60 E., MDM:

6. SE/4NW/4 Sec. 09, T.47 N., R.60 E., MDM:

7. SW/4NE/4 Sec. 09, T.47 N., R.60 E., MDM:

8. SE/4NE/4 Sec. 09, T.47 N., R.60 E., MDM:

9. NE/4SW/4 Sec. 09, T.47 N., R.60 E., MDM:

10. NE/4SE/4 Sec. 09, T.47 N., R.60 E., MDM:

11. SE/4SE/4 Sec. 09, T.47 N., R.60 E., MDM:

12. NW/4SW/4 Sec. 10, T.47 N., R.60 E., MDM:

13. SW/4SW/4 Sec. 10, T.47 N., R.60 E., MDM:

14. SE/4SW/4 Sec. 10, T.47 N., R.60 E., MDM:

15. SW/4SE/4 Sec. 10, T.47 N., R.60 E., MDM:

16. NE/4NW/4 Sec. 15, T.47 N., R.60 E., MDM:

17. NW/4NE/4 Sec. 15, T.47 N., R.60 E., MDM:

18. NE/4NE/4 Sec. 15, T.47 N., R.60 E., MDM:

19. SE/4NW/4 Sec. 15, T.47 N., R.60 E., MDM:

20. SW/4NE/4 Sec. 15, T.47 N., R.60 E., MDM:

21. NW/4SE/4 Sec. 15, T.47 N., R.60 E., MDM:

22. SW/4SE/4 Sec. 15, T.47 N., R.60 E., MDM:

23. SE/4SE/4 Sec. 15, 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.

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° 59' 43.849" N lat.  
115° 11' 30.360" W long.

2: 41° 59' 05.242" N lat.  
115° 11' 31.915" W long.

1: 41° 58' 28.579" N lat.  
115° 10' 51.904" 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, 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.

Jacqueline L. Ripley  
Jacqueline L. Ripley, Notary Public

Notary Public in and for the county of

Ada County, Idaho

May commission expires

April 7, 1999