Seria No._08406___

AMENDED
THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR
STOCK WATERING PURPOSES

(1) Name of Claimant: UNITED STATES OF AMERICA - Forest Service
2035 Last Chance Road
Elko, Nevada 89801
(702) 738-5171

(2) Source of water: DAVE CREEK TRIBUTARY #3

(3) The water is diverted by: NATURAL CHANNEL

(4) The water is diverted at the following point(s):

| Township | Range | Section | Subdivision | Meridian |
|---|---|---|---|---|
| 46 N | 58 E | 01 | NENE | MOUNT DIABLO |

(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 the TREATY OF GUADELUPE HIDALGO OF 1848.

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

(9) The approximate number of animals watered by the claimant during the first year 1879 was 580 cattle. The watering was conducted during each of the following months: Jun. 1 thru Nov. 30

(10) The approximate number of animals watered by the claimant in subsequent years was as follows: 580 cattle

(11) The amount of water which has been necessary to be diverted for this purpose has been 0.02 cubic feet per second.

(12) The works are located at:

| Township | Range | Section | Subdivision | Meridian |
|---|---|---|---|---|
| 46 N | 58 E | 01 | NENE | MOUNT DIABLO |

Remarks: The Forest Service has claims for stockwater based on use after creation of the National Forest. However, those claims are for the same amounts and quantities as will be decreed as vested rights, and thus do not need to be asserted herein.

DAVE CREEK

Reference Information:

Forest Service ID No.: 17050102 44 9130

Map Sheet Number: 1-2

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by UNITED STATES OF AMERICA - USDA FOREST SERVICE are full and correct to the best of his or her knowledge and belief.

United States of America (USDA - Forest Service), Claimant

By Mary Wagner
for JACK A. BLACKWELL, Regional Forester
324 25th Street, Ogden, UT 84401

Subscribed and sworn to before me this 4 day of Sept 1998

CECE STEWART
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 98-2160-2 - Expires May 1, 2002

Cece Stewart
Notary Public in and for the County of ~~WEBER~~ Washoe

RECEIVED
98 SEP 29 AM 11:54
STATE ENGINEERS OFFICE

Serial No. 08406

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR
STOCK WATERING PURPOSES

(1) Name of Claimant: UNITED STATES OF AMERICA - Forest Service
324 25th Street
Ogden, Utah 84401
(801) 625-5360

(2) Source of water: DAVE CR TRIB #3

(3) The water is diverted by: NO DEVELOPMENT

(4) The water is diverted at the following point(s):

| Township | Range | Section | Subdivision | Meridian |
|---|---|---|---|---|
| 46 N | 58 E | 1 | NENE | MOUNT DIABLO |

(5) The water is impounded in:

(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 the TREATY OF GUADELUPE HIDALGO OF 1848.

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

(9) The approximate number of animals watered by the claimant during the first year 1879 was 580 CATTLE . The watering was conducted during each of the following months: Jun.1 thru Nov.30

(10) The approximate number of animals watered by the claimant in subsequent years was as follows: 580 CATTLE

(11) The amount of water which has been necessary to be diverted for this purpose has been 0.02 cubic feet per second.

(12) The works are located at:

| Township | Range | Section | Subdivision | Meridian |
|---|---|---|---|---|
| 46 N | 58 E | 1 | NENE | MOUNT DIABLO |

Remarks: The Forest Service has claims for stockwater based on use after creation of the National Forest. However, those claims are for the same amounts and quantities as will be decreed as vested rights, and thus do not need to be asserted herein.

DAVE CREEK, AND ALL TRIBUTARIES

Reference Information:

Forest Service ID No.: 04 09 17050102 44 9130 0

National Forest: HUMBOLDT

Map Sheet Number: 1-2

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by UNITED STATES OF AMERICA - USDA FOREST SERVICE are full and correct to the best of his or her knowledge and belief.

United States of America (USDA - Forest Service), Claimant

By Robert W Hamm
for DALE N. BOSWORTH, Regional Forester

324 25th Street, Ogden, UT 84401

Subscribed and sworn to before me this 28th day of JUNE, 1994.
Sandra S Carlson
Notary Public in and for the County of WEBER
My commission expires December 11, 1996

RECEIVED
JUN 15 1995
STATE ENGINEER'S OFFICE

SANDRA S. CARLSON
NOTARY PUBLIC - STATE OF UTAH
787 SOUTH MAIN
P.O. BOX 100
WILLARD, UTAH 84340
COMM. EXP. 12-11-96