

**BLM-028**

PWR	Legal Location	Location		Water Rights		Flow		Vacant/Unappropriated		Monopoly		Artificial Development		Water Quality		Tributary		Distance to PWR		Discrete Natural Flow		Exhibits	
		EC Report	BLM Response	EC Report	BLM Response	EC Report	BLM Response	EC Report	BLM Response	EC Report	BLM Response	EC Report	BLM Response	EC Report	BLM Response	EC Report	BLM Response	EC Report	BLM Response	EC Report	BLM Response		
R04233	18N 54E S6	BLM Coordinates off, but no distance is specified	Larege area, BLM point is for the general area; still in same qtrqtr	V-04495, filed - 8/1985, not enough for vested right	Vested claim is for stockwatering, which is the same use as PWR. The two don't conflict with each other. PWR on this source, allows for public use when flows are high and meeting vested right claim. Preliminary order states when it is available for the stockwatering of 605 horses and cattle for vested claim.	11.00, BLM measurements taken on 4/12/16. There were a few patches of snow in the area, other snow could have melted recently and filled pond. Could have cause an elevated measurement	18.00	There were ROWs and US 50 runs through it; nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO records shows hwy 50 near spring site, MTP shows a RIPS 4272 trough, possibly where R4234 is located. US Hwy 50 didn't get a ROW until 1933. Nothing precluded settling along the road in 1926	Plenty of stockwater rights in allotment, EC municipal springs nearby	Stockwater rights are privately held which limits general public use. EC has municipal springs, but are those truly available to the public at all times.	Yes, trough	Artificial development is defined as the creation of a water source due to building a structure when no natural surface water existed (i.e. ground water well, stock pond/reservoir collecting snow melt run-off)	Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality, however, BLM collected WQ data							MTP (Exhibit 2), GLO, (Exhibit 1), WR Permits & maps, (Exhibit 14), Hwy 50 ROW (Exhibit 26)	
R04236	19N 54E S2	On Private	Agreed			1.40	18.00																
R04237	19N 54E S14	No meadow or riparian veg	Area where water was expressing approximately 200 feet above meadow. Hummocked meadow area proof of regular water within the drainage.	NA	Confirmed no other water rights on this source	1.75, meadow area downstream of where BLM point was expressing sign not ephemeral		0, According to EC, this is an ephemeral source, no riparian veg	GLO record shows a road at the top of the section, outside of qtr qtr. MTP shows nothing.	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use			Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality			R-04238 less than 500 feet away	PWR does not limit the number of PWRs within a 40 acre subdivision, it merely reserves every 40 acres tract that contains a spring of waterhole. Is 0.09 miles away from R-04238 but in different qtrqtrs	Seep or wet spot	Animals and humans can get water from seeps and wet spots at various times of the year. A seep or wet spot may fulfill future use of a PWR even if it didn't do so in the past	Map with aerial imagery & pics (Exhibit 23), GLO (Exhibit 1), MTP (Exhibit 2)	
R04238	19N 54E S14	No issues		None			1.25	0, According to EC there was some riparian veg but no flow, may be ephemeral	Existing roads and trails; possible RS2339 claims, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use			Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality			R-04237 less than 500 feet away	PWR does not limit the number of PWRs within a 40 acre subdivision, it merely reserves every 40 acres tract that contains a spring of waterhole. Is 0.09 miles away from R-04237 but in different qtrqtrs	Seep or wet spot	Animals and humans can get water from seeps and wet spots at various times of the year. A seep or wet spot may fulfill future use of a PWR even if it didn't do so in the past	Pics (Exhibit 15), GLO (Exhibit 1), MTP (Exhibit 2)	
R04239	19N 54E S15	BLM Coordinates off, spring is 217 feet NW of BLM coordinates. States that the POU is in a different qtr-qtr.	BLM point is up on the bench	V-01089, V-01133	DLE associated with vested claim was purchased in 1948 and claims all appurtenances.	1.26	6, 1st line says there is no spring, then they talk about spring, recently respiced. BLM measured on 4/13/16, pg 24 of EC doc stated NSE measured in 2017 and reported as 15 gpm which was higher than BLMs measurement	Existing roads and trails; possible RS2339 claims, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO record shows Hamilton Road within the qtrqtr. Nothing else on the MTP. Need to go through this one carefully about piping and appurtenances. Nearby DLE was patented in 1889 and 1925	Plenty of stockwater rights in allotment, EC municipal springs nearby	Stockwater rights are privately held which limits general public use	Yes, piping, excavation, reservoir, troughs	Artificial development is defined as the creation of a water source due to building a structure when no natural surface water existed (i.e. ground water well, stock pond/reservoir collecting snow melt run-off)	Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality						Seep or wet spot	Animals and humans can get water from seeps and wet spots at various times of the year. A seep or wet spot may fulfill future use of a PWR even if it didn't do so in the past	Pics (Exhibit 21), GLO (Exhibit 1), MTP (Exhibit 2)
R04243	19N 54E S22	No issues		V-09757	Filed in 2008, Claim states there are pools, no mention of it in my field visit, possibly different sources based on map and description. Letter sent to amend claim in 2016, not available online	0.00	2.50	Existing roads and trails; existing RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO record shows a trail and a road in a different qtrqtr; MTP has transmission lines (post 1926)	Plenty of stockwater rights in allotment, EC municipal springs nearby	Stockwater rights are privately held which limits general public use			Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality						Seep or wet spot	Animals and humans can get water from seeps and wet spots at various times of the year. A seep or wet spot may fulfill future use of a PWR even if it didn't do so in the past	Pics (Exhibit 16), GLO (Exhibit 1), MTP (Exhibit 2), WR permit (Exhibit 16)
R04244	19N 54E S23	EC claims point is off	BLM point off by ~50 ft	V-02326	V-02326 is for 22 gpm, EC only measured 0.25 GPM, Ditch and reservoir claims to be built in 1883 and rebuilt in 1922 (no ditch or reservoir on GLO)	0.25	1.25	Existing roads and trails; existing RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO record shows no roads or trails in the section. Only a transmission line and fence RIP on MTP	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use	Yes, trough, collection gallery, piping, and ditch digging	Artificial development is defined as the creation of a water source due to building a structure when no natural surface water existed (i.e. ground water well, stock pond/reservoir collecting snow melt run-off)	Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality							Map & pics (Exhibit 17), GLO (Exhibit 1), MTP (Exhibit 2)	
R04249	20N 54E S3	Spring source on public, development and reservoir takes it into private	BLM only measured and claim public portion of spring source	1937	Also objected to by Fitzwater, spring is right on edge of private land, certificated water right is for Preston Creek. According to Fitzwaters, its been fenced off from grazing allotment since 1905, Permit 1937, certificate 43. Map shows ditches and ponds throughout Preston Creek, spring source is north of creek channel, but not shown on the map, and POD is upstream of the property. Based on aerial imagery, this spring is separate from Preston Creek, but may flow into it during high flow events. Unsure if fence on BLM land is authorized.	23.50	3, discrepancy due to measurement only on BLM vs BLM and private	Existing roads and trails; existing RS2477, RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO shows homestead fencing in the spring in 1905, land patented in 1914 doesn't include the spring. Hard to distinguish where fence is in imagery, there is a distinction between public and private. Difficult to tell where ditches are located. Looks like the spring flows down to the stream channel in high flow, but the word ditch on the GLO map is near a line that isn't connected to the spring. MTP shows a stockpond but no ditches. No RS2339 or RS2340 claims on MTP	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use	Yes, excavation, spring collection gallery, piping, ditch digging, reservoir building	Artificial development is defined as the creation of a water source due to building a structure when no natural surface water existed (i.e. ground water well, stock pond/reservoir collecting snow melt run-off)	Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality						WR Permit & Map from permit app (Exhibit 3), GLO (Exhibit 1), MTP (Exhibit 2), Aerial map (Exhibit 3), Peterson Report (Exhibit 30)		
R04250	20N 54E S12	No sign of spring, but troughs and tanks, not sure where actual springhead is located.	Topo map shows a spring and stock pond near point, unclear if that is the location of a springbox or just where it is being piped to	2157, 2289	Permit 2157 & 2289 are all downstream in the creek. EC Claims the permits include all tributaries, however spring is not connected to the stream channel, may flow into channel during snowmelt and high precip	1.1, couldn't find source; conveyance of red rock spring	2.00	Existing roads and trails; existing RS2477, RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO record shows a road to the south of spring area. MTP shows within the Diamond Fire Seeding Fence RIP.	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use	Yes - stocktank, pipelines, excavation	Artificial development is defined as the creation of a water source due to building a structure when no natural surface water existed (i.e. ground water well, stock pond/reservoir collecting snow melt run-off)	Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality							Map with aerial Imagery (Exhibit 4), GLO (Exhibit 1), MTP (Exhibit 2), WR Permit & map (Exhibit 4), Peterson Report (Exhibit 30)	

R04251	20N 54E S13			Permit 2289 - Cottonwood creek and all its tributaries	Current owner of permit 2289 (priority date 1911) is Fred and Licia Rogne, Robert Beck is the permittee of the allotment, there are troughs associated with this spring. Water right 8814 is associated with this spring - dated 1929. Spring is on Sawmill Creek which is a tributary to Cottonwood Creek, but no riparian corridor connects the two from spring location.	0.75	12.00	Existing roads and trails; existing RS2477, RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO record shows a road nearby, nothing on MTP, MTP shows PWR 29 in this section, associated with 8813 filed in 1929 on same source with 12 GPM.	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use	Yes - pipe and trough	Artificial development is defined as the creation of a water source due to building a structure when no natural surface water existed (i.e. ground water well, stock pond/reservoir collecting snow melt run-off)	Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality				Map with aerial Imagery (Exhibit 5), GLO (Exhibit 1), MTP (Exhibit 2), WR Permit & map (Exhibit 5), Peterson Report (Exhibit 30)
R04252	20N 54E S13	On Private	Agreed			11.25	47.30												
R04253	20N 54E S23			V-02884 claims Hildebrand creek and all it's tributaries.	Based on imagery, no riparian connection between POU and spring. The POU is far downstream and likely not fed by this spring.	1.01	2.35	Existing roads and trails; existing RS2477, RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO records (1893) shows a road nearby, reservoir downstream from spring site. MTP shows State select lands nearby, different qtrqtr. No sign of homestead in imagery, House on GLO map at POU, but not at springs	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use	Yes - pipe and trough	Artificial development is defined as the creation of a water source due to building a structure when no natural surface water existed (i.e. ground water well, stock pond/reservoir collecting snow melt run-off)	Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality	0.18 miles from R-04254 but in different section and qtrqtr.	PWR does not limit the number of PWRs within a 40 acre subdivision, it merely reserves every 40 acres tract that contains a spring of waterhole.		Map with aerial Imagery (Exhibit 6), MTP (Exhibit 2), GLO (Exhibit 1), WR permit & map (Exhibit 6), Peterson Report (Exhibit 30)
R04254	20N 54E S24	BLM didn't report part of spring complex that was developed with pipes and troughs	BLMs point was at the upstream end of a side spring	V-02884 claims Hildebrand creek and all it's tributaries.	Based on imagery, no riparian connection between POU and spring. The POU is far downstream and likely not fed by this spring.	4.01	2.5	Existing roads and trails; existing RS2477, RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO records (1893) shows a road nearby, reservoir downstream from spring site. MTP shows State select lands nearby, different qtrqtr. No sign of homestead in imagery, House on GLO map at POU, but not at springs	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use	Yes - pipe and trough	Artificial development is defined as the creation of a water source due to building a structure when no natural surface water existed (i.e. ground water well, stock pond/reservoir collecting snow melt run-off)	Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality	0.18 miles from R-04253 but in different section and qtrqtr.	PWR does not limit the number of PWRs within a 40 acre subdivision, it merely reserves every 40 acres tract that contains a spring of waterhole.		Map with aerial Imagery (Exhibit 6), MTP (Exhibit 2), GLO (Exhibit 1), WR permit & map (Exhibit 6), Peterson Report (Exhibit 30)
R04255	20N 54E S26	BLM point off to the side of willow stand	EC is standing on an animal trail not an ephemeral stream channel, BLMs point is 80 feet from willows	V-02888 claims Torre Creek	V-02888 - POU is downstream in section 21. This spring is in Cherry Creek, which may be a tributary to Torre Creek, however claim is for Torre Creek not trib. Based on imagery this spring does not normally feed Torre Creek.	0.00	2.50	Existing roads and trails; existing RS2477, RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO shows a trail along Cherry Creek and road along Torre Creek in a different qtrqtr. There's a corral upstream on Torre Creek. MTP has some state select nearby different qtr-qtr	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use				Nowhere in the statute or regulations require a PWR to be of good water quality				Map with aerial Imagery (Exhibit 7), MTP (Exhibit 2), GLO (Exhibit 1), WR permit & map (Exhibit 7), Peterson Report (Exhibit 30)
R04256	20N 54E S35	Spring is 210 feet to the west from BLM GPS point	BLMs point is right on the spring on the topomap/imagery. Both points are within the spring area. BLM point in a meadow area at spring source. Aerial imagery reflect BLM description of the area, not EC's.		Confirmed no other water rights on this source	0.50	9.40	Existing roads and trails; existing RS2477, RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO shows a road nearby. MTP shows nearby 40 acre plots as GLO field recon open to entry, but not where spring is located	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use	Yes - pipe, trough, excavated, spring collection gallery	Artificial development is defined as the creation of a water source due to building a structure when no natural surface water existed (i.e. ground water well, stock pond/reservoir collecting snow melt run-off)	Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality	Yes	Contrary to earlier rulings prior to 1999 and to the holding by the CO Supreme Court in US v City and County of Denver		Map with aerial Imagery (Exhibit 8) MTP (Exhibit 2), GLO (Exhibit 2)
R04257	21N 54E S12	No EC Field recon		Possibly 2789	Spring on permit application is in a different qtr (SE) than PWR (NE). Larger springs across the watershed that are more likely Nigren Canyon Spring		17	Existing roads and trails; existing RS2477, RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO records states mountainous lands unfit for cultivation. Area is unsurveyed. MTP shows nothing	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use	Yes - substantial development at 2789	Not 2789, no man-made structures at spring.	Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality	Yes	Contrary to earlier rulings prior to 1999 and to the holding by the CO Supreme Court in US v City and County of Denver, based on imagery, not likely to be a tributary		Map with aerial Imagery (Exhibit 9), MTP (Exhibit 2), GLO (Exhibit 1), WR Permit & Map (Exhibit 9), Peterson Report (Exhibit 30)
R04258	21N 54E S13	EC claims this is source spring for 7606 and 7607	According to topo maps and imagery, this is not the spring source it's ephemerally connected to Pedrol Creek	Permit 7606, Certificate 2079, Permit 7607, Certificate 2080	Based on topo maps and imagery, this spring is only ephemerally connected to Pedrol Creek, Permit lists Pedrol through ditch #1 and #2.	0.03	109	Existing roads and trails; existing RS2477, RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO shows a spring, no roads or trails. MTP shows a stockpond and a trough in a different qtr-qtr (RIP 161)	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use			Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality				Map with aerial Imagery (Exhibit 10), MTP (Exhibit 2), GLO (Exhibit 1), WR Permit & maps (Exhibit 10), Peterson Report (Exhibit 30)
R04259	21N 54E S26	No spring, meadow area next to stream channel	Meadow with several expressions forming channel		Checked for other WR in the area, 2885 - appears to be farther south	0.00	3.00	Existing roads and trails; existing RS2477, RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO shows a short road to the area. MTP shows a corral nearby	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use			Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality				MTP (Exhibit 2), GLO (Exhibit 1)
R04260	22N 54E S1	Seasonal spring, evidence that someone was looking to homestead	In the GLO survey notes, it states that homesteading was occurring in sections 11 & 12, which shows up on the map. For section 1, it states there is a water trough and they were in the process of building a road to the spring and the water was to be used for mining; confirmed by cadastral	Permit 3018	Permit 3018 - their map is in a different qtrqtr, see location notes - in wrong section	0.00	>2	Existing roads and trails; existing RS2477, RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO record says water trough near the spring area - survey was done in 1939, but there's nothing on the GLO map about a cabin, which is claimed on the water, or an irrigated area in section 1 or 2	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use			Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality				GLO (Exhibit 1), MTP (Exhibit 2), Cadastral Report (Exhibit 27), WR Permits & Maps (Exhibit 11), Eureka County Assessor Map (Exhibit 11), Peterson Report (Exhibit 30)
R04261	22N 54E S12	Rock house near by, willow stand no spring observed		Permit 7549	Permit 7549 was filed in Oct 1925. The mapping for permit is in a different qtrqtr. Their mapping may be off for the permit. The 1937 GLO survey shows a cabin in the area of the spring, notes say in ruins. Survey notes from 1937 indicate homesteading in the area at the time. Nothing on the HI about a DLE application for the section. Permit map states in Sheep Creek which is in sections 13&14	0.00	>2	Not surveyed until 1938, Existing roads and trails; existing RS2477, RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO record shows a cabin near the spring area - survey was done in 1939; MTP has a short road segment in the section but not same qtrqtr	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use			Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality				GLO (Exhibit 1), MTP (Exhibit 2), Cadastral Report (Exhibit 27), WR Permits & Maps (Exhibit 11), Eureka County Assessor Map (Exhibit 11), Peterson Report (Exhibit 30)

R04262	22N 54E S25		BLM location and V-10860 are right next to each other bt in different qtr qtrs	V-10860 and Permit 2789	V-10860 was filed in May 2016 for the same spring; EC claims this is the same water as Permit 2789, which is in a different township. No other water rights in this section		10.00	Existing roads and trails; existing RS2477, RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO records show no roads or trails in the section, nothing on the MTP	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use	Yes	Artificial development is defined as the creation of a water source due to building a structure when no natural surface water existed (i.e. ground water well, stock pond/reservoir collecting snow melt run-off)	Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality	Yes	Contrary to earlier rulings prior to 1999 and to the holding by the CO Supreme Court in US v City and County of Denver			GLO (Exhibit 1), MTP (Exhibit 2), Cadastral Report (Exhibit 27), WR Permits & Maps (Exhibit 12), Peterson Report (Exhibit 30)
R04263	22N 55E S7	30 acres lot size	30 acre lot size- smallest legal subdivision; another PWR within 1/4 mile (0.24 miles)			0.53	4.70	Not surveyed until 1956, Existing roads and trails; existing RS2477, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO record show survey was complete in 1956, lot is 30 acres, no roads or trails; Nothing on the MTP	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use				Nowhere in the statute or regulations require a PWR to be of good water quality			Lot is 30 acres, another PWR less than 1/4 mile away	PWR does not limit the number of PWRs within a 40 acre subdivision, it merely reserves every 40 acres tract that contains a spring of waterhole. 0.24 miles apart	Pics (Exhibit 22), MTP (Exhibit 2), GLO (Exhibit 1)
R04264	22N 55E S7	30 acres lot size, BLM did not mention aspen stand	This lot is a 80 acre lot, not 30 acre			0.00	2.50	Not surveyed until 1956, Existing roads and trails; existing RS2477, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO record show survey was complete in 1956, lot is 40 acres, no roads or trails, Nothing on the MTP	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use				Nowhere in the statute or regulations require a PWR to be of good water quality			Lot is 30 acres, another PWR less than 1/4 mile away	PWR does not limit the number of PWRs within a 40 acre subdivision, it merely reserves every 40 acres tract that contains a spring of waterhole. 0.24 miles apart	Pics (Exhibit 22), MTP (Exhibit 2), GLO (Exhibit 1)
R04270	23N 54E S25	No spring observed, willow stand, NSE abandoned vested claim, wasn't vacant in 1926 - 1 acre garden - V1900		V-01137, V-1900	V-01137 is downstream, POD at the canyon opening, original vested claim form states that its primarily snowmelt because spring water goes subsurface; V-1900 was cancelled by NSE due to non-use. The HI shows that this section was withdrawn as part of the stockway driveway act until 1984, the vested claim form states it was patented land, can't have patented land in an unsurveyed area	0.00	>2	Existing roads and trails; existing RS2477, RS2339, RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO record shows unsurveyed section; nothing on MTP; HI shows a withdrawal in 1919 - SO 75 3/21/1919 - Stock driveways - revoked in 1984	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use				Nowhere in the statute or regulations require a PWR to be of good water quality					GLO (Exhibit 1), MTP (Exhibit 2), Cadastral Report (Exhibit 27), WR Permits & Maps (Exhibit 13), Eureka County Assessor Map (Exhibit 13), Peterson Report (Exhibit 30)
R04271	24N 54E S2	No EC Field recon		V-10999; Owner states it doesn't flow enough to meet the vested claim	V-10999 was filed in May 2016 and claims the same source. Vested claim is for 11 gpm		240, possible transcription error, need paper records, photos show high flow	Existing roads and trails; existing RS2477, RS2339, RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO records shows as not surveyed; Nothing on the MTP, EC report pg 91 - false statement about survey showing roads and trails extending into section 2	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use	Yes - substantial, rock pond and piping	Artificial development is defined as the creation of a water source due to building a structure when no natural surface water existed (i.e. ground water well, stock pond/reservoir collecting snow melt run-off)	Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality					WR Permit & map (Exhibit 18), MTP (Exhibit 2), GLO (Exhibit 1)
R04277	25N 54E S36	Potentially excavated by wild horses, BLM point off by 180 feet		V-10974; Owner states it doesn't flow enough to meet the vested claim	V-10974 was filed in May 2016 and claims the same source. Vested claim is for 11 gpm	0.01	42	Existing roads and trails; existing RS2477, RS2339, RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO records shows no roads or trails, nothing on MTP	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use				Nowhere in the statute or regulations require a PWR to be of good water quality					WR Permit & map (Exhibit 19), MTP (Exhibit 2), GLO (Exhibit 1)
R04520	27N 54E S18	No EC Field Recon. Legal description is wrong	BLM legal location is switched	V-10892	V-10892 was filed in May 2016 for 5.75 gpm		3.50	Not surveyed until 1944, Existing roads and trails; existing RS2477, RS2339 and RS2340, nothing on Land Status/MTP/RMP, nothing indicating reserved from homestead/DLE	GLO records show no roads or trails in the section, nothing on the MTP	Plenty of stockwater rights in allotment	Stockwater rights are privately held which limits general public use	Yes - trough, pipe	Artificial development is defined as the creation of a water source due to building a structure when no natural surface water existed (i.e. ground water well, stock pond/reservoir collecting snow melt run-off)	Not sufficient	Nowhere in the statute or regulations require a PWR to be of good water quality					WR Permit & map (Exhibit 20), MTP (Exhibit 2), GLO (Exhibit 1)