IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

DCNR/DWR/SNBO RECEIVED NOV 01 2018

IN THE MATTER OF THE
DETERMINATION OF THE RELATIVE
RIGHTS IN AND TO ALL WATERS OF
DIAMOND VALLEY, HYDROGRAPHIC
BASIN NO. 10-153, ELKO AND EUREKA
COUNTIES, NEVADA

CLAIMANT ARC DOME PARTNERS, LLC

OBJECTIONS TO PRELIMINARY ORDER OF DETERMINATION

OBJECTIONS

COMES NOW, Claimant Arc Dome Partners, LLC ("Claimant" or "Arc Dome"), by and through Managing Member Robert F. Beck and hereby files, pursuant to NRS 533.145, the following Objections to the Preliminary Order of Determination, issued in this matter of the Determination of the Relative Rights in and to all Waters of Diamond Valley, Hydrographic Basin No-153, Elko and Eureka Counties, Nevada, by the State Engineer and Nevada Division of Water Resources ("NDWR"). The following Objections are hereby verified by *Affidavit of Robert Beck in Support of Claimant Arc Dome Objections to Preliminary Order of Determination*, under separate cover, and incorporated herewith.

I. PROCEDURE

On August 26, 1976, United Dressed Beef, Inc. filed Proof of Appropriation V-02889 for Stock Watering purposes with NDWR and subsequently assigned to Beck Properties a principle of which is the Managing Member of Arc Dome ("Proof V-02889").

On October 16, 2015, the State Engineer issued Order 1266, Notice of Order for Resumption of Taking Proofs in the Matter of the Determination of the Relative Rights in and to all Waters, Both Surface and Underground, Located within Diamond Valley, Hydrographic Basin No. 10-153 were to file their Proofs of Appropriation with the State Engineer by May 31, 2016.

¹ United Dressed Beef, Inc. Proof V-02889, with Beck Properties assignment letter attached as Exhibit 1.

On May 9, 2016, Arc Dome filed Proof of Appropriation V-10856 for Stock Watering Purposes with NDWR ("Proof V-10856").²

On August 30, 2018, the State Engineer issued a Preliminary Order of Determination to all the waters of Diamond Valley, Hydrographic Basin No. 10-153, Elko and Eureka Counties, Nevada ("Preliminary Order").³

II. OBJECTIONS

A. Arc Dome Objections

Arc Dome makes the following objections to the Preliminary Order appurtenant to Proof V-10856 pursuant to the information contained within the Arc Dome Proof and supplemental evidence contained within the Affidavit of Robert F. Beck, Managing Member of Arc Dome filed in conjunction herewith. The Order of Determination should be amended to increase Arc Dome's authorized animal numbers and priority date pursuant to historic use.

1. Arc Dome objects to the inclusion of proofs V-01316, V-01327, V-01329, V-02889, V-10809, V-10810, V-10811, V-10812, V-10813, V-10814, V-10815, V-10816, V-10817, V-10818, V-10857, V-10858, V-10859, V-10860 and V-10861 filed by Beck Properties and the Beck Family Trust dated 4-19-2005 being included as a part of the Findings of the State Engineer on Non-Reserve Right Claims appurtenant to Arc Dome with the understanding that Arc Dome reserves the right to use any and all information appurtenant to any and all proofs filed by Beck Properties and the Beck Family Trust dated 4-19-2005 which supports the claim to the use of water appurtenant to any and all proofs filed by Arc Dome.

The Order of Determination should be amended to include individual and independent Findings of the State Engineer appurtenant to Beck Properties, the Beck Family Trust dated 4-19-2005 and Arc Dome Partners, LLC.

Arc Dome Proof V-10856 attached as Exhibit 2.

³ Portions of Preliminary Order relevant to Arc Dome attached as Exhibit 3.

2. Proof V-02889 held in the name of Beck Properties claims a right to water from Bank Ranch Stock Water via pools and natural channel and claims a use to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. Exhibit 3 at 18. In the Preliminary Order, the State Engineer determined that Bank Ranch Stock Water is the same spring as Banks Ranch Spring filed under proof V-10816. The State Engineer further determined that proof V-02889 is a duplicate filing of proof V-10816 and was therefore rejected. Exhibit 3 at 28.

Beck Properties a principle of whom is a Managing Members of Arc Dome concurred with proof V-02889 being rejected, with the understanding that Beck Properties on behalf of Arc Dome reserves the right to use any and all information appurtenant to proof V-02889 which supports the claims to the use of water appurtenant to any and all proofs filed by Beck Properties, the Beck Family Trust, dated 4-19-2005 and Arc Dome Partners, LLC.

- 3. Proof V-10856 claims a right to divert water from Cottonwood Creek via a ditch and the natural channel and claims a use to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. Exhibit 3 at 23. In the Preliminary Order, the State Engineer granted Arc Dome's proof for a reduced allocation being 50 cattle and horses, with a priority date of 1886. Exhibit 3 at 26. Arc Dome objects to the number of animals authorized by the State Engineer in the Preliminary Order and the Order of Determination should be amended to increase Arc Dome's authorized animal numbers pursuant to historic use.
- 4. Arc Dome objects to Reserved Claims R-04233, R-04236, R-04237, R-04238, R-04239, R-04243, R-04244, R-04249 through R-04264, R-04270, R-04271, R-04277 and R-04520 filed by the BLM in and to the detrimental effects these claims may have with regards to the rights of Arc Dome.

B. Vested Right Perfected at Time of Use

"Vested Rights" are rights that existed under Nevada's common law before the provisions currently codified in NRS Chapter 533 were enacted in 1913. *Andersen Family Assocs. v. Ricci*, 124 Nev. 182, 188 (2008). As provided under NRS 533.085, the enactment of statutory water law in the State of Nevada did not "impair the vested right of any person to the use of water, nor shall the right of any person to take and use water be impaired or affected by any of the provisions of this

chapter where appropriations have been initiated in accordance with law prior to March 22, 1913." See also In re Manse Spring and Its Tributaries, 60 Nev. 280, 288-289 (1940).

In the context of Nevada water law a "Vested Right" has been defined by the court as "a right to use water has become fixed either by actual diversion and application to beneficial use or by appropriation, according to the manner provided by the water law, and is a right which is regarded and protected as property." *Application of Filippini*, 66 Nev. 17, 22 (1949).

In Waters of Horse Springs v. State Engineer, 99 Nev. 776-778 (1983), the court stated "[i]t is not always essential, however, that the water actually be diverted to constitute an appropriation ... where it could be put to a beneficial use without such diversion, where there was a practice of appropriating the waters of the streams to a beneficial use without such diversion, ..." when citing Steptoe Livestock Co. v. Gulley,53 Nev. 163, 173, 295 P. 772, 775 (1931). The court further stated "The utilization of water by grazing livestock, therefore, constitutes sufficient appropriation to establish a vested water right." Id.

Accordingly, the basis and measure of a vested right does not stem from the date of adjudication, rather, it stems from the point in time the water was put to beneficial use or placed under appropriation. *Application of Filippini*, 66 Nev. 17 at 22. Therefore, the use of water under a claim of vested right was perfected when the State of Nevada Legislature enacted statutory water law during the 1913 legislative session. See NRS 533.085.

As stated in Arc Dome's Proof V-10856 and as confirmed by the State Engineer, the Preliminary Order establishes pre-statutory proof for the Arc Dome proof. See Exhibit 3. As stated in the Preliminary Order the diversion rate and year of priority of the Arc Dome proof must stem from the pre-statutory historic use, not from unreliable tax statements.

C. Presumption of Use in Favor of Claimant

Unlike other States, the State of Nevada does not have a statute or regulation which establishes the level of proof required of a Claimant to establish the validity of their proof or proofs. Historically, the Nevada State Engineer had used an unwritten standard of Presumption in Favor of Claimant. Recently however, without a change in statute, regulation or a written policy the State Engineer has used an unknown, unwritten and unpublished higher standard of proof.

As stated previously Vested Rights are rights that existed under Nevada's common law before the provisions currently codified in NRS Chapter 533 were enacted in 1913. *Andersen*

Family Assocs. v. Ricci, 124 Nev. 182, 188 (2008). The first Federal effort to regulate grazing on public lands occurred in 1934 when the U.S. federal legislation enacted the Taylor Grazing Act, Title 43 USC 315 - 315r. From the time the State of Nevada was created on October 31, 1864 until the Taylor Grazing Act was enacted in 1934, a period of 70 years, there were no official records appurtenant to the number of livestock being grazed upon Nevada lands. Currently, approximately eighty (80) percent of the State of Nevada is public land; therefore it is reasonable to assume that the percentage of public land at the time the Taylor Grazing Act was enacted in 1934 the percentage was even higher. From the time the State of Nevada was created in 1864 and the provisions currently codified in NRS Chapter 533 were enacted in 1913 there is a span of nearly 50 years for which there are no official records appurtenant to the number of livestock being grazed and watered upon Nevada public lands, which at the time was essentially the entire State of Nevada.

Within the State of Nevada, regardless of what point in time a claimant files a claim of vested right, the claimant is describing the vested rights as they existed in the year 1905 or prior. This results in a "Time Gap" and the vested rights as they existed in 1905 may not reflect the way the water is used in present time. In the State of Montana, Vested Rights are rights that existed pre-1973. During a 2015 interview for a Wyoming Law Review article, Bruce Loble, retired Chief Judge Montana Water Court stated "Because Water court decrees focus primarily on uses as they existed in 1973, evidence is becoming increasingly difficult to obtain as witnesses with historical knowledge pass away."

Due to the lack of historical records and the "Time Gap" between the validity date of a claim of vested right and when an adjudication process begins, other states have had the foresight to establish the level of proof required for establishing a claim of vested right. For instance, claims filed in the State of Montana for pre-1973 vested rights are considered prima facie proof of the water right. The claim is thus accepted as true unless other contradictory evidence proves otherwise. Objectors carry the burden of overcoming this proof by a "preponderance of the evidence." Prior to 1979, any party asserting a water right in Montana had the burden of proving every element of their water right claim. See case 40G-2. Recognizing the evidentiary difficulty in

⁴ Michelle Bryan, At the End of the Day: Are the West's General Stream Adjudications Relevant to Modern Water Rights Administration?, 15 Wyo. L. Rev. 462 (2015)

⁵ Mont. Code Ann § 85-2-227 (2013) ⁶ Mont. Code Ann § 85-2-248 (2013)

proving up elements of historical water rights when all witnesses to the original appropriations have long since died, the 1979 Legislature enacted the prima facie proof statute. Similar to Montana, the state of Utah claims of vested rights are deemed competent evidence of the facts stated therein unless the same are put to issue and the state of Arizona has established a standard of proof that if the court finds a water right attribute is clearly erroneous the court shall determine the attribute.

The State Engineer issued Order 802 on November 18, 1982 for the taking of Proofs to Determine Water Rights within Diamond Valley. On January 25, 1985, the State Engineer extended the period of time to submit proofs, to August 12, 1985. After the State Engineer extended the period of time for all claimants to submit proofs in support of their claims, the State Engineer took no action until 30 years later when on August 21, 2015 the State Engineer issued Order 1263, effectively reinitiating previous Order 801.

The initial Time Gap when Order 802 was issued was approximately 80 years and due to the State Engineer's lack of action following the August 12, 1985 deadline the Time Gap has increased to over 110 years. Retired Montana Water Court Chief Judge Bruce Loble was concerned that evidence for pre 1973 vested rights, a time gap of only 45 years, was becoming increasingly difficult to obtain as witnesses with historical knowledge pass away." This Time Gap problem increases exponentially when a claimant is filing a pre 1905 claim of vested right in the year 2016.

While the State of Nevada does not have a statute or regulation which establishes the level of proof required of a claimant, given the evidentiary difficulty in proving up elements of historical water rights and the passing of witnesses it is reasonable that the presumption of accuracy of the claim favors the claimant, as the State Engineer has historically considered claims of vested rights prima facie proof of the water right, a presumption similar to the presumptions given to claimants in other western states such as Montana, Utah and Arizona.

9 ARS § 45 – 261 (5)

⁷ Mont. Code Ann § 85-2-227

⁸ Utah Code Ann. § 73-4-14 (2014)

D. State Engineer Ignores the Documented History of Diamond Valley

In determining the validity of claims of vested rights appurtenant to the Diamond Valley Adjudication, the State Engineer has evaluated each claim through a prism of the present and ignored the vast history of Diamond Valley and the people who settled, built and labored in Diamond Valley during the late 19th century and the very early 20th century, which are the periods of time appurtenant to the adjudication.

The town of Eureka is the largest settlement in Diamond Valley and in 1878 Eureka was the second largest town in Nevada with a population of about 9,000. Like many settlements in the west, the town of Eureka has struggled to survive and in Eureka's early years the mining camp was twice ravaged by floods, suffered through a small pox epidemic and two devastating fires. While the town of Eureka was mainly a mining town along with the nearby mining districts, the vast surrounding areas of public land were extensively used for the grazing of sheep, cattle and horses with the emphasis in numbers mainly on sheep.

Public records indicate that from 1896 to 1905 as many as 17,000 sheep and other livestock were grazing and watering within Diamond Valley. From 1896 to 1905 there were no grazing laws or restrictions on where or when livestock was grazed, which often resulted in Range War's over control of "open range", or range land freely used for grazing of livestock. The lack of grazing laws and open range, resulted in sheep and other livestock for that matter being grazed and watered throughout Diamond Valley wherever suitable range feed and water were available.

While there is substantial evidence that from at least the year 1896 there was at a minimum 17,000 sheep and other livestock grazing and watering within Diamond Valley, the State Engineer is either unaware or has ignored this fact and unjustly reduced most claims of vested rights resulting in the State Engineer recognizing a grand total of only 2,000 sheep from all pre statutory submitted claims of vested rights appurtenant to the Diamond Valley Adjudication. There is clearly a disconnect between what is known to have historically happened in Diamond Valley and what the State Engineer has determined to be valid with regards to the number of livestock known to have historically grazed and watered in Diamond Valley. This disconnect is the very reason that other states recognize claims of vested rights as being prima facie proof of the water right.

¹⁰ Eureka County Tax Assessment records for the years 1896, 1902-1905 attached as Exhibit 4.

E. Use of Private Property Tax Rolls Unreliable in Determination of the Number of Livestock Grazing on Public Property

The Arambel Grazing allotment covers an area of approximately 47,170 acres and encompasses a large portion of the southern portion of Diamond Valley hydrographic basin No. 153. The State Engineer's use of County Tax Records appurtenant to private property, when the vast majority of the land within Diamond Valley was public land prior to the provisions currently codified in NRS Chapter 533 were enacted in 1913, can be misleading, unreliable and result in false negatives.

For instance, on July 18, 1918 Marcos Legarra filed application 5160¹¹ for stock water use and on October 19, 1925 Mr. Legarra also filed applications 7548¹² and 7549¹³ for stock water use. These applications were permitted and the State Engineer subsequently issued certificate 1012 on March 31, 1924 under permit 5160 for the watering of 2,000 head of sheep, certificate 1471 on December 21, 1928 under permit 7548 for the watering of 4,000 head of sheep and certificate 1472 on December 21, 1928 under permit 7549 for the watering of 4,000 head of sheep. These three certificates were and are still located on public land, within the Black Point grazing allotment and are currently held in the name of Beck Properties owned and controlled by the Managing Member of Arc Dome. While there is clear and convincing evidence that there was beneficial use for the watering of up to 4,000 head of sheep under permits 5160, 7548 and 7549 from the described Springs, there is no indication on the County Tax Records for the years 1920 through 1928, the years for which the proof of beneficial use were established under said permits, that Marcos Legarra owned livestock of any kind.¹⁴ Therefore, had the State Engineer solely relied on the use of County Tax Records to determine the Beneficial Use of the springs appurtenant to permits 5160, 7548 and 7549, the applications for Proof of Beneficial Use appurtenant to said permits would have been denied.

The reliability of the County Tax Records is further reduced as the accuracy, standards and reporting requirements used to develop and prepare County Tax Records are unknown. As demonstrated above, County Tax Records are not always accurate with regards to livestock and can be misleading, unreliable and result in false negatives.

¹¹ State Engineer Water Right File 5160 attached as Exhibit 5.

¹² State Engineer Water Right File 7548 attached as Exhibit 6.

¹³ State Engineer Water Right File 7549 attached as Exhibit 7.

¹⁴ Marcos Legarra Tax Records 1920 to 1928, Exhibit 8.

Additionally, in accordance with NRS 533.125 a person is not required to submit a claim. Nevada Revised Statute 533.125 (2) states:

"Upon neglect or refusal of any person to make proof of his or her claim or rights in or to the waters of such stream system, as required by this chapter, prior to the expiration of the period fixed by the State Engineer during which proofs may be filed, the State Engineer shall determine the right of such person from such evidence as the State Engineer may obtain or may have on file in the Office of the State Engineer in the way of maps, plats, surveys and transcripts, and exceptions to such determination may be filed in court, as provided in this chapter."

Nevada Revised Statute 533.125 (2) identifies a number of items being "maps, plats, surveys and transcripts" that the State Engineer can use to determine the rights of a person who neglects or refuses to make a proof of his or her claim or rights, as required by chapter 533. Even though NRS 533.125 was recently amended during the 2017 legislative session, notably missing from NRS 533.125 (2) in the material to be used by the State Engineer in the determination of a person's claim or rights is the inclusion of "County Tax Records". The amendments to NRS 533.125 made during the 2017 legislative session were the first amendments made to NRS 533.125 in almost 100 years. The amendments to NRS 533.125 among other changes to the statutes appurtenant to the Adjudication of Vested Rights were substantially written by the State Engineers office with additional testimony by the State Engineer, or representative, in support of the proposed changes.

With the extensive amendments made to the statutes appurtenant to the Adjudication of Vested Rights neither the State Engineer nor the Legislature saw a reason to add the use of "County Tax Records" to NRS 533.125 (2) to determine the rights of a person who neglects or refuses to make a proof of his or her claim or rights by the State Engineer.

Due to the unknown accuracy, standards and reporting requirements coupled with the known inaccuracies of the County Tax Records, the use of County Tax Records as clear and convincing evidence to determine the validity of a proof does not meet the standard of substantial evidence, which is defined by the Nevada Supreme Court as "that which a reasonable mind might accept as adequate to support a conclusion." *State Employee Sec. Dept. V Hilton Hotels Corp.*, 102 Nev. 606, 608, 729 P.2d 496, 498 (1986) (citing *Richardson v. Perales*, 402 U.S. 389 (1971). The use of County Tax Records to substantially reduce a claimants allocation when these same records

do not meet the standard of substantial evidence and are not even approved for use by the State Engineer to determine the rights of a person who neglects or refuses to make a proof of his or her claim or rights in or to the waters as required by NRS Chapter 533, is unreasonable and without basis.

F. Historic Use of Water and Validity of Claims

In support of Arc Dome's Proof, significant historical research was conducted by Dixon Hydrologic, PLCC ("Dixon Hydrologic") to substantiate Arc Dome's proof. Dixon Hydrologic submitted a report demonstrating the significant use of various water sources for multiple claims of vested rights appurtenant to private land within the Black Point Grazing Allotment located adjacent to the Arambel Grazing Allotment. In addition to the significant historical research conducted by Dixon Hydrologic and initially submitted with the Arc Dome proof, Dixon Hydrologic conducted additional historical research in support of these objections.

In the Preliminary Order, to ascertain the valid number of animals appurtenant to each proof filed by Arc Dome, the State Engineer relied solely on the submittal of County Tax Records filed in support of proofs filed for irrigation purposes on private land. There was no pre statutory requirement that an owner of livestock must own private land or have a possessory interest in land during which the owner of the livestock grazed and watered said livestock. The sole reliance on unreliable County Tax Records as clear and convincing evidence to determine the validity of a proof does not meet the standard of substantial evidence. This action was also improper as it failed to recognize the history of Diamond Valley, the validity of the submitted proof as a sworn affidavit and a presumption of use in favor of the clamant due to the lack of historical records to substantiate use, coupled with the passing of people with historical knowledge of the pre statutory use of water.

1) Proof V-10856 was filed on May 9, 2016 and claims a right to divert water from Cottonwood Creek via a ditch and the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. Exhibit 3 at 23. In the Preliminary Order, the State Engineer granted Arc Dome's proof V-10856 for a reduced allocation being 50 cattle and horses, with a priority date of 1886. Exhibit 3 at 26.

Proof V-02889 was filed on August 26, 1976 and claims to have diverted water from Bank Ranch Stock Water via pool and natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. Exhibit 1 at 6-8. It was determined by the State Engineer that proof V-10816, a sister proof to proof V-10856, is a duplicate of proof V-02889 and proof V-02889 was therefore rejected on this basis. As stated above, Beck Properties on behalf of Arc Dome has reserved the right to use any and all information submitted with rejected proof V-02889 in support of any and all proofs filed by Arc Dome.

Proof V-02889 contains statements which support a use greater than the use granted in the Preliminary Order as proof V-02889 states the following:

"This spring has been used for domestic, irrigation and stockwater for over 90 years. A garden was grown there, and holding areas for sheep were built. An old stone house still stands on the spring site, dating back to the 1880's. It has been an operating ranch since that time." and

"The approximate number of animals watered by the clamant during the first year 1886, was 100 cattle ___ horses 500 sheep" and "100 head of cattle and 500 sheep" 15

Proof V-02889 was filed in 1976, therefore when the claimant makes a reference to "for over 90 years" the claimant is referring to a period dating back to approximately 1886. The claimant further states twice in proof V-02889 that the number of animals watered were "The approximate number of animals watered by the clamant during the first year 1886 was 100 cattle horses 500 sheep" and "100 head of cattle and 500 sheep". Exhibit 1 at 7.

In addition to the affidavit of proof V-02889 being signed by Donald Eldridge, there is also a signed and notarized affidavit included with proof V-02889 dated September 22, 1976 by Raymond Labarry. This affidavit states that the waters have been used "for at least ninety (90) years prior to, and since, my acquisition of the property described in the Proof...". Exhibit 1 at 9. Proof V-02889 was filed in 1976, therefore, the "at least ninety (90) years prior" statement by Mr. Labarry, refers to a priority date of 1886.

Included with the filing of Proof V-10856 as Exhibit 2 are copies of permits 8813, 8814 and 8815 filed on January 17, 1929. Exhibit 2 at 20-25. These applications were filed by the Handley Brothers who were a predecessor to property owned by Arc Dome Partners, LLC, an

¹⁵ Exhibit 1 at 7.

entity owned and controlled by the principles of Beck Properties, Eureka County APN 007-350-02¹⁶ and requested permission to water up to 150 head of cattle and 6,000 sheep. As part of the original application the applicants state:

"Applicants and their predecessors have used water from this source, together with the range territory in the vicinity there of, for many years prior to 1905 and claim a vested right thereby, which right is not waived by virtue of the filing of this application." ¹⁷

Also included with the filing of Proof V-10856 as Exhibit 4 is a copy of permit 8995 filed on July 20, 1929. Exhibit 2 at 31-32. This application was also filed by the Handley Brothers and requested permission to water up to 150 head of cattle and 6,000 sheep. As part of the original application the applicants state:

"Applicants and their predecessors have used water from this spring for many years prior to 1905, and ranged stock in the vicinity thereof, and claim a vested right thereby. Which right is not waived by virtue of the filing of this application." ¹⁸

These applications were filed almost 90 years ago and acknowledge that claims of vested rights existed on the sources and that livestock grazed on the range territory in the vicinity for many years prior to 1905.

In preparing the Preliminary Order appurtenant to the proofs filed by Beck Properties, Beck Family Trust dated 4-19-2005 and Arc Dome Partners, LLC the State Engineer used County Tax Records for private property located in some cases in excess of 10 miles from the appurtenant proof. Using the standards set by the State Engineer, when the applicants of 8813, 8814, 8815 and 8995 state "Applicants and their predecessors have used water from this source, together with the range territory in the vicinity there of, for many years prior to 1905..." and "Applicants and their predecessors have used water from this spring for many years prior to 1905, and ranged stock in the vicinity thereof..." they are affirming the claim that livestock were grazed and watered in the vicinity of V-10856 for many years prior to 1905.

¹⁶ Eureka County Tax records for the years 1913-1921 and 1924-1930 and 2018 parcel detail, attached as Exhibit 9. Note: Research was unable to locate tax records appurtenant to the Handley Brothers for the years 1922 and 1923. ¹⁷ Exhibit 2 at 20-25.

¹⁸ Exhibit 2 at 31-32.

The applicants of permits 8813, 8814, 8815 and 8995 do not specifically state the numbers of livestock watered prior to 1905 and unfortunately the applicants are no longer available to provide clarity with regards to the number of livestock watered. However, it is known historically that in excess of 17,000 sheep and livestock were grazed and watered within Diamond Valley prior to 1905 and as far back as 1896. Exhibit 4 at 1-10.

Proof V-02889 and proof V-10856 are located in proximity to each other. As was done historically and is still done present day, livestock are moved by herders and ranch hands and then left to free range on their own. Therefore, livestock utilized water sources wherever and whenever available throughout the area of the Arc Dome proof. Given the number of livestock known to have historically been in Diamond Valley pre 1905 the claim of 100 head of cattle and 500 sheep being watered under proofs V-02889 and V-10856, most likely understates the number of cattle and/or sheep that actually watered at the sources during any one year period prior to 1905.

As previously demonstrated the County Tax Records are not always accurate with regards to livestock and can be misleading, unreliable and result in false negatives. Due to the unknown accuracy, standards and reporting requirements coupled with the known inaccuracies of the County Tax Records, the use of County Tax Records as clear and convincing evidence to determine the validity of a proof does not meet the standard of substantial evidence, which is defined by the Nevada Supreme Court as "that which a reasonable mind might accept as adequate to support a conclusion." *State Employee Sec. Dept. V Hilton Hotels Corp.*, 102 Nev. 606, 608, 729 P.2d 496, 498 (1986) (citing *Richardson v. Perales*, 402 U.S. 389 (1971).

Therefore, the use of County Tax Records as clear and convincing evidence to discredit the validity of proof V-02889, which is a proof filed more than 40 years ago, in the form of a sworn affidavit is unreasonable and without any basis. Great deference should be given to proof V-02889 as submitted, as the proof is a sworn affidavit of the actual persons who were using the water over 40 years ago and who had knowledge of the pre statutory use of the described waters by their predecessors. Absent the ability to be able to interview the claimant and Mr. Labarry in person, their sworn affidavits are tantamount to their in person sworn testimony.

For the reasons discussed above the presumption of a claim favors the claimant and is prima facie proof of their content. However, in this case the evidence with regards to the validity of proof V-10856 is clear and convincing. Proof V-02889 is a 40 year old sworn affidavit from the claimant who filed said proof and had knowledge of the pre statutory use of the described waters

by his predecessors for the use and watering of 100 head of cattle and 500 sheep within the vicinity of proof V-10856. Permits 8813, 8814 8815 and 8995 were filed by a predecessor of Arc Dome Partners, LLC, an entity owned and controlled by the principles of Beck Properties, and the applicants under said permits made multiple statements regarding the ranging and watering of stock in the area of proof V-10856 for many years prior to 1905.

The substantial evidence that predecessors of Arc Dome grazed and watered livestock in the vicinity of proof V-10856, a 40 year old sworn affidavit from the claimant who filed proof V-02889 and had knowledge of the pre statutory use of the described waters by his predecessors for the use and watering of 100 head of cattle and 500 sheep within the vicinity of proof V-10856 validate said proof. This validation coupled with the premise that proofs are prima facie proof of content meet the standard of proof with regards to the watering of 100 head of cattle and 500 sheep with an 1886 priority date.

G. Current Use of Water and Authorized Grazing and Actual Grazing Use Reports

The Taylor Grazing Act is U.S. federal legislation enacted in 1934 under Title 43 USC 315 - 315r. This Act was the first federal effort to regulate grazing on federal public lands. The Act establishes grazing districts and uses a permitting system to manage livestock grazing in the districts in order to improve rangeland conditions and regulate their use.

Under the Taylor Grazing Act preference is given in the issuance of grazing permits to those within or near a district who are landowners engaged in the livestock business, bona fide occupants or settlers, or owners of water or water rights, as may be necessary to permit the proper use of lands, water or water rights owned, occupied, or leased by them, provisions of § 315(b).

Current grazing permit No. 10031 appurtenant to the Arambel Grazing Allotment authorizes 983 sheep, with a season of use from April 15th to May 15th and 950 sheep, with a season of use from May 1st to October 31st of each year. Additionally, the Arambel Grazing Allotment permit 10031 authorizes a total grazing preference of 1,349 AUMs. As a further example of animal numbers authorized on the Arambel Grazing Allotment the BLM periodically requests Actual Grazing Use Reports to demonstrate animal numbers used in the allotment during a given season. In 2017, 983 sheep and 950 sheep were turned into the various pastures of the Arambel Grazing Allotment.¹⁹

¹⁹ Black Point grazing allotment permit and grazing use report attached as Exhibit 10.

While the present day grazing and watering of cattle does not prove the pre statutory use of water, it does however, as was done by the State Engineer in using post statutory aerial photos and field investigations, give a understanding of what potentially could have pre statutorily occurred. Present day, the BLM has determined that the Arambel Grazing Allotment which is the grazing allotment that the Arc Dome proof is located, has a minimum carrying capacity of 950 sheep. However, during the lawless and unregulated era pre 1905, it is highly likely that the number of livestock grazing and watering within the Arambel Grazing Allotment far exceeded the current number permitted by the BLM.

III. CONCLUSION

The limitation of water use under Proof V-10856 as was done within the Preliminary Order, will severely limit the full extent of Arc Dome's use of the Arambel Grazing Allotment.

The submittal of the initial claims of vested rights by the original Claimants and Arc Dome in the form of sworn affidavits while being prima facie proof of their content, coupled with the known historical watering and grazing of at least 17,000 sheep and livestock prior to 1905 within Diamond Valley and additional evidence submitted through these objections sufficiently establishes a level of "clear and convincing evidence" that the Order of Determination for Proof V-10856 should be amended with the terms as submitted and described below.

1) Proof V-10856 - Approve a vested right to divert water from Cottonwood Creek via a ditch and the natural channel, when it is available, for the stock watering of 100 head of cattle and 500 sheep from January 1 through December 31 with a priority date of 1886.

DATED this 29th day of October, 2018.

ARC DOME PARTNERS, LLC

Robert F. Beck, Managing Member

289 La Costa Avenue Dayton, Nevada 89403

INDEXED UNDER

Name of claimant	×	
Map		Eureka County
Stream	*	BASIN NO. 16-153
Township 20N R 54 E.	×	DIAMOND VALLEY
PROPERTY AND THE PROPER	NO CONTRACTOR	

Name of claimant United Dressed Beaf, Inc. ASSIGNED

Source of water claimed Bank Ranch Stock Water

Date of filing proof August 26, 1976

Date of filing map

Description of point of diversion NW45514 Section 28, T. 20N. R. 545, H. D. S. M.

REMARKS



Owner(s) of Record:

Beck Properties 289 La Costa Avenue Dayton, NV 89403 Last updated: 11/04/2015

Send Correspondence To:

American Agcredit, FLCA/ Fallon (BENEFICIARY) Scott S. McKinley P.O. Box 1708 Fallon, NV 89407 Last updated: 02/25/2016

Hydrotech Consulting Services, LLC (AGENT) 4280 North Tioga Way Las Vegas, NV 89129 Last updated: 03/22/2017

DIVISION OF WATER RESOURCES SIMMARY OF DWNFRSHID	Please retain this sheet on top of file USE: Stk. CFS: DUTY: AFA 600 UNITS ISSUED: CFS: UNITS	SUPPLEMENTAL TO:	RDM DUTY CHANGED BY: REFERENCED CFS AFA UNITS STATUS DOCUMENTS DESCRIPTION	100 Reconveyance	ENCUMBERED	Reconveyance Received Date 13-38-17 Filed Under 2781	
NAIN		BY: HCS					
	PROOF: V02889 CERTIFICATE:	REVIEW DATE: 6/30/1999 LAST	UPDATE: 11/25/2015 OWNER	Beck Properties, a California general partnership, Trustor			

BRIAN SANDOVAL Governor

STATE OF NEVADA



LEO DROZDOFF
Director

JASON KING, P.E. State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002 Carson City, Nevada 89701-5250 (775) 684-2800 • Fax (775) 684-2811 http://water.nv.gov December 24, 2015

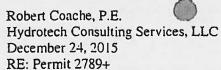
Mr. Robert Coache, P.E. Hydrotech Consulting Services, LLC 4280 North Tioga Way Las Vegas, NV 89129

RE: Permits 2789 (Cert. 307), 2855 (Cert. 308), 5160 (Cert. 1012), 5837 (Cert. 717), 7548 (Cert. 1471), 7605 (Cert. 1640), 8339 (Cert. 1639), 13198 (Cert. 4145), 13200 (Cert. 4146), 13580 (Cert. 4147), Proofs V02888, V02889 and V09333

Dear Mr. Coache:

Please be advised that your Reports of Conveyance received on May 29, 2015, are hereby confirmed to update ownership of all of the Permits 2789 (Cert. 307), 2855 (Cert. 308), 5160 (Cert. 1012), 5837 (Cert. 717), 7548 (Cert. 1471), 7605 (Cert. 1640), 8339 (Cert. 1639), 13198 (Cert. 4145), 13200 (Cert. 4146), 13580 (Cert. 4147) and Proof V02889 in the name of Beck Properties, a California general partnership as listed in the table below. Details of the above permit(s), including the current ownership, can be viewed online. First, click on "Water Rights Database"; then "Permit Search".

Proof/Permit/Certificate	Diversion Rate (cfs)	Duty (AFA/AFS)	Acres/Units
2789/307	0.025		
2855/308	0.025		
5160/1012	0.0125		2000 sheep
5837/717	0.015		2500 sheep
7548/1471	0.025		4000 sheep
7605/1640	0.016		2500 sheep
8339/1639	0.016		2500 sheep
13198/4145	0.036		4500 sheep/250 cattle
13200/4146	0.036		4500 sheep /250 cattle
13580/4147	0.035		4500 sheep/250 cattle
V02889			100 cattle/500 sheep



Page 2 of 2

Please be advised that your *Reports of Conveyance* received on May 29, 2015, are hereby confirmed to update ownership of all of **Proofs V02889 and V09333** in the name of **Beck Family Trust dated April 19, 2005** as listed in the table below.

Proof	Diversion Rate (cfs)	Duty (AFA/AFS)	Acres/Units
V02888	1.16	414.0 AFS	138.0
V09333	5.0	•••	

Also be advised that according to NRS 533.386 (2.), this confirmation of your Report of Conveyance does not guarantee that a) the water right is in good standing with the office of the State Engineer; or b) the amount of water referenced in the notice or in the report of conveyance is the actual amount of water that a person is entitled to use; and c) this is not a determination of ownership and that only a court of competent jurisdiction may adjudicate conflicting claims to ownership of a water right.

This confirmation reflects only the information that has been filed with this office and may be subject to amendment upon receipt of additional documentation. The owner is responsible for notifying the State Engineer's office of any change of address in writing. If you have any questions, please contact me directly at (775) 684-2830.

Sincerely.

Roy Mickle

Engineering Technician III

RDM/sgc

cc: Beck Properties
Beck Family Trust

THE STATE OF NEVADA

PROOF OF APPROPRIATION IF WATER FOR STOCK WATERING PURPOSES

(1)	Name of claimant United essed B f. I c.
	Street and No. or D Box No. City or town Navada State and Zity Code No.
(2)	Source of water Bank Rangh Stock water Nems of manual source.
	The ater is diverted by. PQL div TL d Dam, ditch, pipe line, pattern channel, spring area, one
(4)	The water is diverted at the following point(s) not div ted Describe as being within 40-acre subdivision of public survey, and by course and distance to a section course. If a managed land it should
	be tited. Diversion over a channel much must be described by course and distance to section contex for both the beginning and end of such
77	
	p put a graine to make the put of
(5)	The water is impounded in Pol a d natural channels. Trough, tanks, pools, reservoir, asturate channels of the
	The construction of the dit or other works was begun
VI 50 (6) 1503	The natur of the claimant's title to the lan upon which the source of water and place of
	use are 1 cated is Deaded Land
	AN AN A MARKET A STATE OF A CONTRACTOR AND A STATE OF A CONTRACTOR AND A C
()	The claimant's water right was (was not) recorded in the office of the County Recorder of
	NOTE Fellure to record in the county his way invalidates a water right, by it water right was a coorded, supply full intermedian in the county his way invalidates a water right, by it water right was a coorded, supply full intermedian in the county his way invalidates a water right, by it water right was a coorded, supply full intermedian in the county his way invalidates a water right, by it water right was a coorded, supply full intermedian in the county his way invalidates a water right, by it water right was a coorded, supply full intermedian in the county his way invalidates a water right, by it water right was a coorded, supply full intermedian in the county his way invalidates a water right, by it water right was a coorded, supply full intermedian in the county his water right.
	Aug. 26, 1976 Darkitt en sulta

9/22/96 2. E.F. 1886

(9) The approximate number of animals watered by the claimant during the first year. 127	,
was 100 cattle horses 500 sheep or other. The wateri	ng
was conducted during each of the following m the all year around	
the first transference of the control of the description of the second s	
(10) The approximate number of animals watered by the claiman in subsequent years was follows	as
1 0 ead of cat and 0 heep	
If water was not used in reduced quantity at any time full information as to causes and defation of non-use should be given.	
the state of the s	-
and the speed of the section regard of the short has to be desired as the section of the section	
and the second and the second	
المرازي والمرازية والمحاولات والمحاول والمحاول والمحاولات والمراز والمراز والمحاولات وال	
(11) The amount of water which has been necessary t be diverted for this purpose has been. All the source pro es whi h vari f om summer to wint r bic est per second 48.83 gal per min equit bic foot per exami	
(12) The works are 1 ated at NWA f SEA S tion 28 T. 20N R54E, Describe as eing within a 40-acre belivision, section, township on ran e p e surv if o unsurve	lye
land, it should a stated.	
Remarks I da apr ng has besed for domestic .irrigation.and stockwat fr.	
ever 90 years. A garden was g ow . h r and holding areas for sheep were .ul t.	
An old stone, quae still stan s on a spring site, dating back to the 188 s.	
It ben an p ting ranch si e th t time. The s ring is cleaned out from	
time to time, when necessary, by ranc foremen in rder maint in the flow	
The same of the second	
the state of the s	
	2-11

Remarks	This land has an application for patent ate of 94 by Jo H neo k
recorded	at the division of State Land Office in C . C ty, N da
	namental and the state of the s
	productions of the second contract of the second se
	paroja, quyurunanoyay ayang vang vang vang sanda sa ayan ayan ayan ayan ayan ayan ayan
The unders	igned, being first duly sworn, deposes and says that the acts relative to the appropri-
	ter by United Dressed Beef, Inc.
	correct to the best of his knowledge and belief
	D. Eldridge - Agent
	t proof is not made by claimant, deponent trate on this lin virtue what ambirity he represents the claimant.
Unite	ad Dressed Beef, Inc.
	By Donald 10 Eddydga
	Ecomples Mora
14 + 3	City State, Zap Gode No
Subscribed	and sworn to before me this
	Musarati Parter
	Notary Public in and for the County o Hackey, Olit of Dunede
	My commission expires Muy 3. 980
	M ED SANDERS N ic State of Nevada Washes County Commission Explus May 27, 1980

\$10 FILING FEE MUST ACCOMPANY PROOF

Form As (Rev. 9-72)

405

D e

AFFIDAVIT

I, RAYMOND LABARRY, JR., being first duly sworn, depose and say:

THAT the following statements are full and correct to the

best of my knowledge and belief:

The waters of Torre Creek (Old Ardan Ranch), Hildebrand Creek,
Mau Creek, North Creek, Sadler Creek, Barrel Spring, Beck Spring,
Four Eyed Nicks Springs, Sand Springs, Sulphur Spring, Eldridge
Ranch Stock Ponds, Held Spring - No. 1, Held Spring - No. 2, Held
Spring - No. 3, Held Spring - No. 4, Held Spring - No. 5, Held
Springs - No. 6, Held Spring - No. 7, Held Spring - No. 8, and Held
Springs - No. 9 have been used for irrigation and/or stock watering
purposes for at least ninety (90) years prior to, and since, my
acquisition of the property described in the Proofs of Appropriation
attached hereto.

DATED . 1976.

SUBSCRIBED AND SWORN TO before me,

this 22. day of Sept

1976. by

Notary Public

WILLIS A. DoPAOLI
Notary Public — Stota of Nevada
Eureka County
My Commission Expires Oct. 14, 1977.

BAYMONY LABARRY, JK.

FILED

OGT. 12,1976

STATE ENGINEER'S OFFICE



WESTERN FARM MANAGEMENT COMPANY

P.O. BOX 320 RENO, NEVADA 89501 450 MARSH AVENUE RENO, NEVADA 89501 (702) 329-8483

October 8, 1976

Mr. L. Edward Parmenter Division of Water Resources 201 South Fall Street Carson City, Nevada 89710

Re: Water Rights - LaBarry-Harris - United Dressed Beef Inc.
No. 02884 thru 02903, inclusive

Dear Sir:

Your letter dated September 14 askes about the year of priority of First Benefical Use. I assumed the claimant, in article 9, was United Dressed Beef, Inc., and with this in mind Jused the current year. If this is incorrect, I would appreciate the date being changed to conform with the rest of the information provided.

I am also enclosing an affidavit from Raymond LaBarry stating these waters have been used by the ranch for at least the last 90 years. Please file this original copy with the above list of proofs.

The Quit Claim Deed accompanying this letter should be sufficient to transfer ownership of that list of waters to United Dressed Beef, Inc. The Deed has been recorded and a certified copy is enclosed. Contact us when the transfer has been made.

If I can be of further assistants, do not hesitate to let us know.

Thank you.

Sincerely,

Western Farm Management Company

John B. Parker

jbp/ms encl.

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

DIVISION OF WATER RESOURCES

Capitol Complex

201 South Fall Street, Carson City, Nevada 89710

In reply refer to
No. 02884 thru 02903, inclusive

Address All Communications to the State Engineer, Division of Water Resources Telephone (702) 823-4380

September 14, 1976

Mr. John B. Parker Western Farm Management P. O. Box 320 Reno, Nevada 89501

Dear Mr. Parker:

This office is in receipt of five Proofs of Appropriation of Water for irrigation and stockwatering purposes and fifteen Proofs of Appropriation for Stockwatering purposes - all in the name of United Dressed Beef, Inc. together with the statutory fees. Our serial numbers assigned to the Proofs of Appropriation are as follows:

Proof No. 02884 - Irrigation and Stockwater Hildebrand Canyon Creek

Proof No. 02885 - Irrigation and Stockwater Mau Creek

Proof No. 02886 - Irrigation and Stockwater North Creek

Proof No. 02887 - Irrigation and Stockwater Sadler Canyon Creek

Proof No. 02888 - Irrigation and Stockwater Torre Creek

Proof No. 02889 - Stockwater Bank Ranch Stock Water

Proof No. 02890 - Stockwater Barrel Spring

Proof No. 02891 - Stockwater Beck Spring

Proof No. 02892 - Stockwater Eldridge Ranch Stock Ponds

Proof No. 02893 - Stockwater Four Eyed Nicks Springs

Proof No. 02894 - Stockwater Sand Springs

Proof No. 02895 - Stockwater Sulphur Spring

Proof No. 02896 - Stockwater Held Spring No. 1

Proof No. 02897 - Stockwater Held Spring No. 2

Proof No. 02898 - Stockwater Held Spring No. 3

Proof No. 02899 - Stockwater Held Spring No. 4

Proof No. 02900 - Stockwater Held Spring No. 5

Proof No. 02901 - Stockwater Held Springs No. 6

Proof No. 02902 - Stockwater Held Spring No. 8

Proof No. 02903 - Stockwater Held Springs No. 9

In each of the fifteen Proofs for Stockwater, under Article 9, the year of priority of first beneficial use is 1975. This date should be a specific year sometime before 1905. Under Remarks in each Proof, information indicates that water was beneficially used over 90 years ago.

Please consider this point of information and advise this office be letter to change the date from 1975 to an earlier priority date relevant to each proof of appropriation. All of the above mentioned proofs have been reviewed and indexed on our office records.

Sincerely yours,

L. Edward Parmenter Adjudication Engineer

By: L. Edward Parmenter

LEP:sk

Certified Mail No. 572429



WESTERN FARM MANAGEMENT COMPANY

P.O. BOX 320 RENO, NEVADA 89501 450 MARSH AVENUE RENO, NEVADA 89501 (702) 329-8483

August 25, 1976

State Engineer Division of Water Resources 201 South Fall Street Carson City, Nevada 89710

Dear Sir:

Enclosed is five (5) Proof of Appropriation of water for irrigation and fifteen (15) Proof of Appropriation of water for stock watering purposes. Also, \$200 filing fee, \$10 for each Proof, accompanies the Proof of Appropriation.

Please notify both Don Eldridge in Eureka, and myself, when the process of filing is complete and the serial numbers assigned to the water sources.

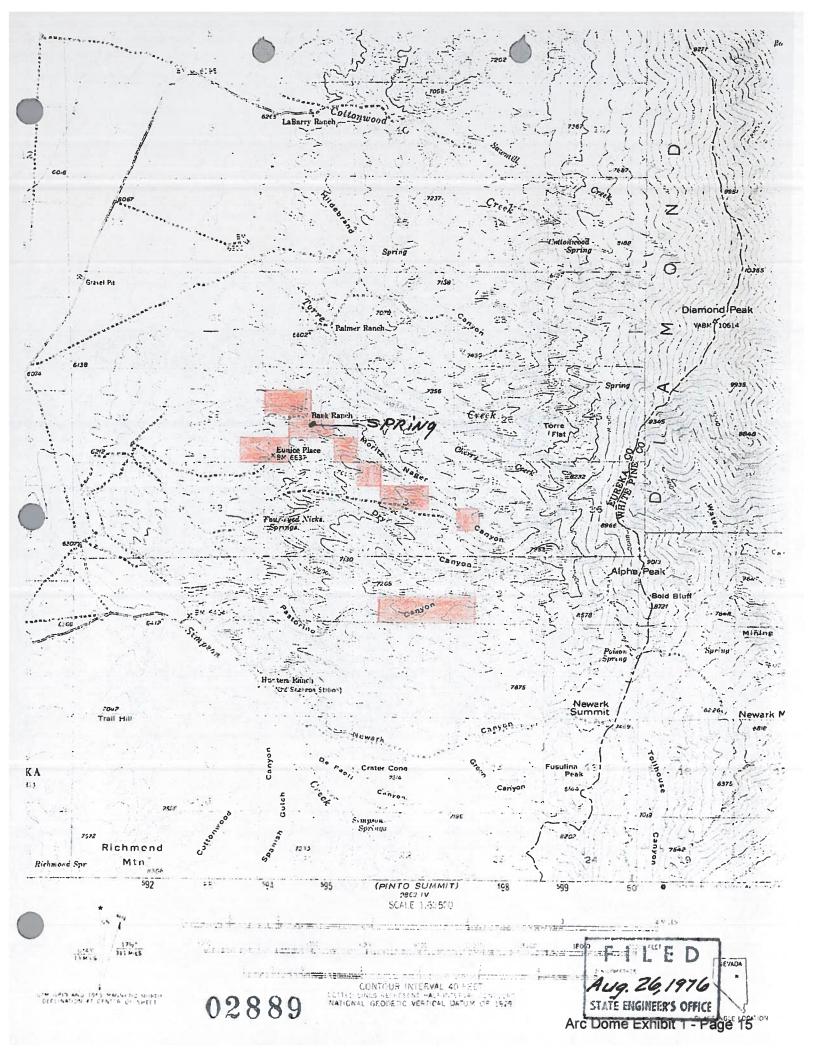
Should any problems arise, please do not hesitate to contact me. Thank you.

Sincerely(

John B. Parker

jbp/ms

enc1.



STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER

(Statutory vested water rights are those with a priority date prior to: March 1, 1905 for All Surface Sources; March 22, 1913 for Underground Artesian Waters; March 25, 1939 for Underground Percolating Water)

USE(S):.				
Primary (Please select only one):				
Irrigation Stock water	Mining and Milling		Domestic	
Municipal Industrial	Quasi-Municipal	Ħ	Commercial	H
Federal Reserved Right Other				ш
Secondary (Select all that may be applicable):				
Stock water Domestic				
NAME OF CLAIMANT Arc Dome Partners, L	LC			
Address 289 La Costa Avenue	City of Dayton	Count	y of Lyon	
State of Nevada Telephone No. 775-34	6-0572 Email Addre	ss rbecknet@		
		4 - 1 - 1 - 1		
		s auch es er shring	, creek, fiver or unuc	aRtomia
Name of natural water source (use so	eparate proofs for each major source	such as a spring	, creek, river or unde	erground
2. The means of diversion is by ditch from the	natural creek channel			
Dam	and ditch, pipeline, flume, natural	channel, undergro	ound, etc.	
3. The water is diverted from the following points	(s):			
Within the NW1/4 SW1/4 of Section 05, Township	20 North, Range 54 East M.	D.M., at a poi	nt from which th	е
Southwest corner of said Section 05 bears South	41° 27' 36" West a distance of	of 1,988 feet.		
(I jet all points of diversion from the course officials absorbing	Manager Providence Laborate	40		
(List all points of diversion from the source, attaching a sheet by course and distance to a section corner for any	other use than stock water. If on un	nn a 40-acre subs surveyed land, it:	division of public sur should be stated.)	rvey, and
4. The date of construction of the ditch or other w	orks was begun Unknown			
and completed				
5. The nature of the claimant's title to the land up	on which the source of water	and place of	nno in locatedo	
Possessory interest prior to land being patented ar				
	public domain with grazing permit.		iiei.	
6. The claimant's water right was was not (circle one)	ecorded in the office of the C	County Record	ler of	
	es De el			
County, at rage	OI BOOK	of		•
7. The amount of water diverted for the claim's pr	irpose has been measured at			
not measured	cubic feet per second.			
County, at Page	of Book	of		
448.83 gallons per minute equals 1 cubic feet per second				
06/15 - POA				Dear
vui to - 1 UR				Page

Arc Dome Exhibit 2 - Page 14.0

8. The place of use location (For <u>Irrigation</u>, skip question #8 and proceed to Question #12): Stock water use occurs within the NW¼ SW¼ and the SW¼ SW¼ of Section 05, Township 20 North, Range 54 East M.D.M.

(List all places of use for the primary and any secondary purposes being claimed, attaching additional sheet(s) as needed. Describe them as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated. If the watering of livestock is accomplished by utilizing the natural stream channel, then describe the 40-acre legal subdivision at the beginning (upstream point) and the legal subdivision at the end of the stream reach.)

QUESTIONS REGARDING WATERING OF LIVESTOCK

9. The approximate number	er of animals watered	by the clain	nant during the fi	rst year of 1886, se	e remarks was
100 cattle	house	500	44		Year
100 carde	horses	500	_ sheep	other (d	escribe in remarks)
The watering was conducted	ed during each of the f	ollowing m	onths: January 1	thru December 31	
10. The approximate numb	er of animals watered	by the clair	mant in subseque	nt years was:	
** cattle	horses	**	sheep	other (de	escribe in remarks)
11. The water is impounded	ed in Ditch and natu	ral creek ch	annel		
		Trough(s),	tank(s)s, pool(s), rese	ervoir, natural channel,	etc.
	QUESTIONS W	TH REG	ARD TO IRRIC	ATION	
	<u>QUADRACINO III.</u>	TH KEG	aw to nade	ATION	
12. The date of survey of c	ditch, canal, or pipe lin	ne was			
13. The dimensions of the	ditch or canal as origi	nally const	ructed were: Wid	lth on bottom	feet,
width on top	feet, depth		feet, for	lineal fe	et of improvement,
on a grade of	feet per thousand fee	et. If condu	it has been since	enlarged, complete	e questions 16 & 17.
14. The dimensions and ty	pe of pipeline as origin	nally constr	ucted were: Dia	meter of	inches with
a type of pipe of				for	feet in length.
	Corrugated Metal Pipe, Riv	eted Iron Pipe	or Wrapped Wooder		100t III TONGUI.
If conduit has been since er	nlarged, complete ques	stions 16 &	17.		
15. The conduit <u>has / has</u> (circle on	s not been enlarged. ne)				
16. The work of enlargem	ent of the ditch, canal	or pipeline	commenced		
and completed					

17. And difficultions of the offic	rged ditch or canal are: W	idth on bottom	feet,
width on topimprovement, on a grade of	feet, depth	feet, for	lineal feet of
improvement, on a grade of _	feet per tho	ousand feet.	
18. The dimensions of the enla	rged pipeline are: Diamete	er of	inches with a type of pip
			lineal feet in lengt
Examples: Corrugated Metal I	Pipe, Riveted Iron Pipe or Wrappe	ed Wooden Pipe	
19. The claimant <u>is / is not</u> the claimant circle one)	ne owner in the above-descr	ribed conduit.	
1	f claimant is an owner in the cond	luit, state interest held on this	s line.
20. Crop(s) of			
	(e.g. alfalfa, native hay, g	rain, orchard, meadow or div	versified pasture)
have been grown upon the land	(s) irrigated.		
21. The season of use for irrige	ation is typically from		to
of each year. The average num	ber of cuttings in a year is	typically	cuttings and the maximum numbe
		typically	cuttings and the maximum numbe
of each year. The average num of cuttings in a year is 22. The water claimed <u>has</u> (ci	cuttings.		cuttings and the maximum numbers
of cuttings in a year is 22. The water claimed has (ci	cuttings. / has not been used for incle one) water was used for irrigati	irrigation each and even	
of cuttings in a year is 22. The water claimed has (ci	cuttings. / has not been used for incle one) water was used for irrigati	irrigation each and even	ry year since the right was initiated
of cuttings in a year is 22. The water claimed has (cited) 23. The years during which not (If water was not used, or used in reduct a sheet if necessary):	cuttings. / has not _ been used for irrigation of the description of the descriptio	irrigation each and ever	ry year since the right was initiated
of cuttings in a year is 22. The water claimed has (cited) 23. The years during which not (If water was not used, or used in reduct a sheet if necessary):	cuttings. / has not been used for ircle one) water was used for irrigation quantity at any time, full information	irrigation each and ever	ry year since the right was initiated
of cuttings in a year is 22. The water claimed has (ci 23. The years during which no (If water was not used, or used in reduce a sheet if necessary): 24. The characteristics of the s 25. The minimum flow needed	cuttings. / has not been used for irrigation water was used for irrigation quantity at any time, full information oil are Sandy, gravely it to push the diverted water	irrigation each and ever on or during which the mation as to causes and dura	ry year since the right was initiated full water right was not used were tion of non-use should be given, appending
of cuttings in a year is 22. The water claimed has (ci 23. The years during which no (If water was not used, or used in reduce a sheet if necessary): 24. The characteristics of the s 25. The minimum flow needed	cuttings. / has not _ been used for irrigation of the content of the conte	on or during which the mation as to causes and dura	full water right was not used were tion of non-use should be given, appending
22. The water claimed has (ci 23. The years during which no (If water was not used, or used in reduct a sheet if necessary): 24. The characteristics of the second cubic during an average irrigation second control of the second cubic during an average irrigation second cubic se	cuttings. / has not been used for irrigation could be described quantity at any time, full information could be seen used for irrigation could be described quantity at any time, full information could be seen used for irrigation could be described as any time, full information could be seen used for irrigation could be seen used for	on or during which the mation as to causes and dura , loam over the claimed place ty of water used to irrigate acre-feet per annu	full water right was not used were tion of non-use should be given, appending .
22. The water claimed has (ci 23. The years during which no (If water was not used, or used in reduce a sheet if necessary): 24. The characteristics of the second cubic cubic	cuttings. / has not been used for irrigation could be described quantity at any time, full information could be seen used for irrigation could be described quantity at any time, full information could be seen used for irrigation could be described as any time, full information could be seen used for irrigation could be seen used for	on or during which the mation as to causes and dura , loam over the claimed place ty of water used to irrigate acre-feet per annu	full water right was not used were tion of non-use should be given, appending .

06/15 - POA

27. List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with their corresponding subdivision. (Attach additional sheets as needed.)

Date	Acres	Q	uarter-Quarter	Section	Township	Range
		acres in the	of Sec.	, T.	(N./S.), R. (circle one)	E.
		acres in the	of Sec.	, T.	(N./S.), R. (circle one)	E.
		acres in the	of Sec.	, T.	(N./S.), R. (circle one)	E.
		acres in the	of Sec.	,T.	(N./S.), R. (circle one)	E.
		acres in the	of Sec.	, T.	(N./S.), R. (circle one)	E.
		acres in the	of Sec.	, T.	(N./S.), R. (circle one)	E.
		_ acres in the	of Sec.	, T.	(N./S.), R. (circle one)	
		acres in the	of Sec.	, T.		
		acres in the	of Sec.	, T.		E.
		acres in the	of Sec.	, T.		E.
		_ acres in the	of Sec.	, T.		E.
		acres in the	of Sec.	, T.	(N./S.), R. (circle one)	E.
		acres in the	of Sec.	, T.	(N./S.), R. (circle one)	E.
		acres in the	of Sec.	, T.	(N./S.), R. (circle one)	E.
		acres in the	of Sec.	,T.	(N./S.), R. (circle one)	E.
		acres in the	of Sec.	, T.	(N./S.), R. (circle one)	E,
		acres in the	of Sec.	, T.	(N./S.), R. (circle one)	E.

ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING

For the 1886 priority claimed under question 9, see attached supporting remarks for exhibit 1 and exhibit 1 which establishes a 1886 priority for the watering of 100 head of cattle and 500 head of sheep.

**Response to Question No. 10

See attached supporting remarks for exhibit 2 through 5. For 1887 through the years prior to 1905 (see exhibits 2 through 5) for the watering of 100 head of cattle and 4,000 head of sheep. For the years 1905 to about 1987 (see exhibits 2 through 5) for the watering of 100 head of cattle and 4,000 head of sheep. For the years 1988 to present the use has been for the watering of approximately 350 head of cattle and 1,900 head of sheep.

Arc Do	me Partners, LLC	are full a	nd correct to the best of their knowledge and belief.
	(Name)		
		I state on this line b	y virtue of what authority they represent the claimant.
Name	Robert Beck, Managing Member	Signature	gellee
	(Please type or print name)		(Please sign in the presence of a Notary Public)
Address	289 La Costa Avenue		State of NV ZIP Code 89403
State of	Nevada	Address rbeckr	net@gmail.com
County	of <u>Carson City</u>		
Subscrit	bed and sworn to before me on	21/16	
by	Robert Beck	Date)	NOTARY PUBLIC STATE OF NEVADA County of Carson GABRIEL ACEBEDO My Appointment Expires APR. 21, 2018
	Signature of Notary Public Required		Notary Stamp or Seal Required

THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM. WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.

06/15 - POA

Page 5

Additional supporting remarks regarding this Proof's filing:

Exhibit No. 1. Copy of claim of vested right V-02889 with affidavit, claiming sufficient water for 100 head of cattle and 500 head of sheep. The spring appurtenant to claim V-02889 is located in proximity to this claim and is appurtenant to the same historical ranching operation currently owned and operated by the party filing this claim.

Exhibit No. 2. Copies of applications 8813, 8814 and 8815 filed on January 17, 1929, requesting sufficient water for 150 head of cattle and 6,000 head of sheep and stating that the predecessors have used the source appurtenant to applications 8813, 8814 and 8815 which are in the vicinity of the source appurtenant to this claim, for many years prior to 1905 and claimed a vested right.

Exhibit No. 3. Copies of certificates 2021, 2022 and 2022 issued under permits 8813, 8814 and 8815 respectfully, for the watering of 100 head of cattle and 4,000 head of sheep. The springs appurtenant to certificates 2021, 2022 and 2022 are located in proximity to the source identified in this claim and are appurtenant to the same historical ranching operation currently owned and operated by the party filing this claim.

Exhibit No. 4. Copy of application 8995, filed on July 20, 1929, requesting sufficient water for 150 head of cattle and 6,000 head of sheep and stating that the predecessors have used the source appurtenant to application 8995, which is in the vicinity of the source appurtenant to this claim, for many years prior to 1905 and claimed a vested right.

Exhibit No. 5. Copy of certificate 2024 issued under permit 8995 for the watering of 100 head of cattle and 4,000 head of sheep. The spring appurtenant to certificate 2024 is located in proximity to the source Identified in this claim and is appurtenant to the same historical ranching operation currently owned and operated by the party filing this claim.



ARC DOME PARTNERS, LLC

Business Entity Informatio	n			
Status:	Active		File Date:	02/07/2013
Тура:	Domestic Limited-Liability Company		Entity Number:	E0065202013-0
Qualifying State:	NV		List of Officers Due:	02/28/2017
Managed By:	Managers		Expiration Date:	English
Foreign Name:			On Admin Hold:	No
NV Business ID:	NV20131079760		Business License Exp:	02/28/2017
dditional information				
			Centra	al Index Key
Registered Agent informat	ion	*		
N	ame: ROBERT F. BECK	Address 1:	610 COUNTRY ROAD	#101
Addre	988 2:	City:	EUREKA	

Registered Agent Information			
Name:	ROBERT F. BECK	Address 1:	610 COUNTRY ROAD, #101
Address 2:		City:	EUREKA
State:	NV	Zip Code:	89316
Phone:		Fax:	
Malling Address 1:	HC62 BOX 62626	Malling Address 2:	
Malling City:	EUREKA	Malling State:	NV
Mailing Zip Code: 89316			
Agent Type:	Noncommercial Registered Agent		
/iew all business entities under t	this registered agent ()		

Offi	icers			└ Include Inactive Officers
Mar	nager - ROBERT F B	BECK		
	Address 1:	289 LA COSTA AVE.	Address 2:	
	City:	DAYTON	State:	NV
	Zip Code:	89403	Country:	USA
	Status:	Active	Email:	

Actions\Amendments

Click here to view 5 actions\amendments associated with this company ()

Supported Internet Browser versions or above: Apple iOS 9, Internet Explorer 11, FireFox 45, Google Chrome 49

Disclaimer

Nevada Division of Water Resources Memorandum

Date: July 26, 2018

To: Diamond Valley Adjudication Files From: Tony Eng, Water Resource Specialist

RE: V-10856/(App 86199 IRR) and V-10857, Cottonwood Creek, Arc Dome & Beck

Properties (respectively) Stock Claims; Eureka County, NV

Inspection Date(s) 4/9/2017; 5/21/2017

Flow Measurement	Method	Quality
~2½ cfs on 4/9/2017; ~1½ cfs on 5/21/2017	· visual	poor

Lat of FM site	Long of FM site
39.62456	115.92021

Remarks/Justification

4/9/2017: all Cottonwood Creek water was flowing below the road crossing and main ditch in an unconfined channel, along the southwest side of a NW-SE oriented fence line; no works of diversion were noted at either location for the claimed stock PODs, just the unconfined channel.

5/21/2017: all Cottonwood Creek water was flowing into a newly backhoe excavated ditch for flood irrigation; the unconfined channel flow along the fence line to the stock PODs observed on 4/9/2017 was blocked off and dry.

The 1894 GLO map shows ~30 acre fenced, irrigated field in this area, along with a structure labeled "House" which substantiates the stock claims.

[TIOB57+56] (stocks from Coffeshed Creek) (Photos "066-078).

(beck Priported) (his Tome Partie)

Creek String (his Tome Partie)

Creek String (his Tome Partie)

Rot be all of flow from CK ar topo map shows main channel crosser

Not be all of flow from CK ar topo map shows main channel crosser

road, ~ 1/8 mile to North. No real developed obversion structures at

Claimed PoPs, just what looks like active channel, but may have

Claimed PoPs, just what looks like active channel, but may have

Started many years ago an a ditch off of main mapped creek

Started many years ago an a ditch off of main mapped creek

channel, to SE 1/4 mile. PoPs plot right along older juniper post

channel, to SE 1/4 mile. PoPs plot right along older juniper post

genceline; ~ 470 ft apart from each other. 210856 is coincident

year of PoPs in ~ 60 ± 80 acree + in heavily graged.

West of PoPs in ~ 60 ± 80 acree + in heavily graged.



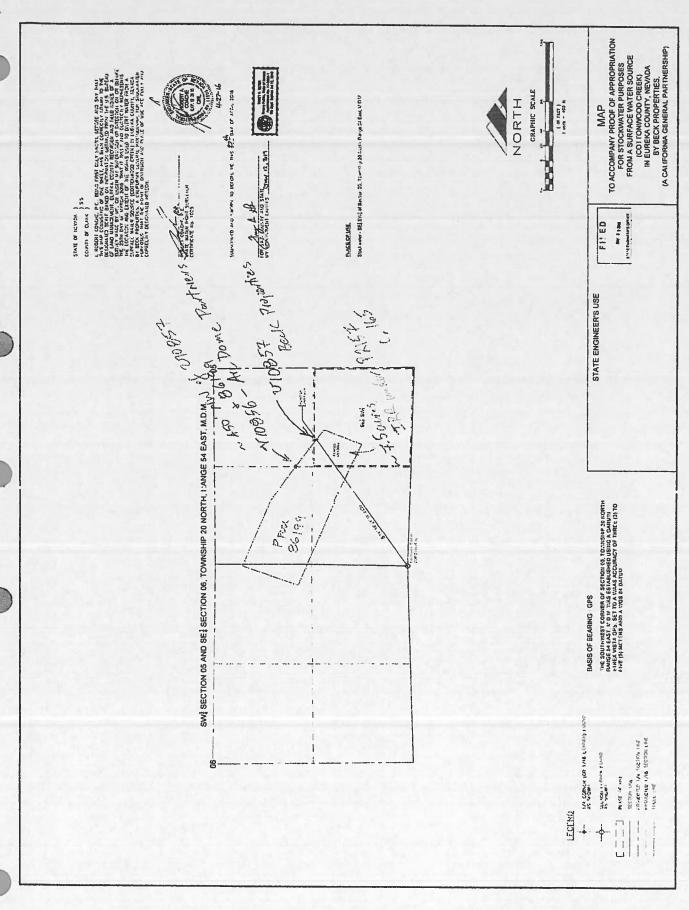


Cottonwood Creek – Full creek discharge from main ditch and pipe under the East Foothill County road; flows were estimated at ~2½ and ~1½ cfs on the respective dates; looking SE with Diamond Peak on skyline; the claimed PODs are located about 100 and 250 yards downstream to NW of photo.

V10856-57, App. 86199(IRR, RFA), Cottonwood Creek, Arc Dome & Beck Properties, Stock

acres, W/2 SW 1/4 Sec 5) for V10856 with POD near left is cleared and heavily grazed; the area on the left side of the cleared land; a portion of this area (~6.5 acres) is the pass to left. The 1894 GLO map shows ~30 acre fenced, and Whistler Mtn. right center distance, taken 4/9/2017. proposed POU of 86199; the ditch here diverted the full Lower Photo: new backhoe excavated ditch just below crossing; the snow-covered land in the middle distance flow of Cottonwood Creek; looking west with Whistler POU of Permit 2157, Certificate 165, and much of the Mtn. right center and Devils Gate/Highway 50 the low Upper Photo: ~120° Panoramic of claimed POU (80 (west) of road crossing, with attempt to flood irrigate Richmond Mtn. & Prospect Peak in left far distance, the fence represents the proposed POU under 86199 side of fence line, looking west with snowcapped The PODs in this area are merely the unconfined irrigated field here along with a structure labeled outflow channel from the main ditch at the road "House" which substantiates the stock claims.

m



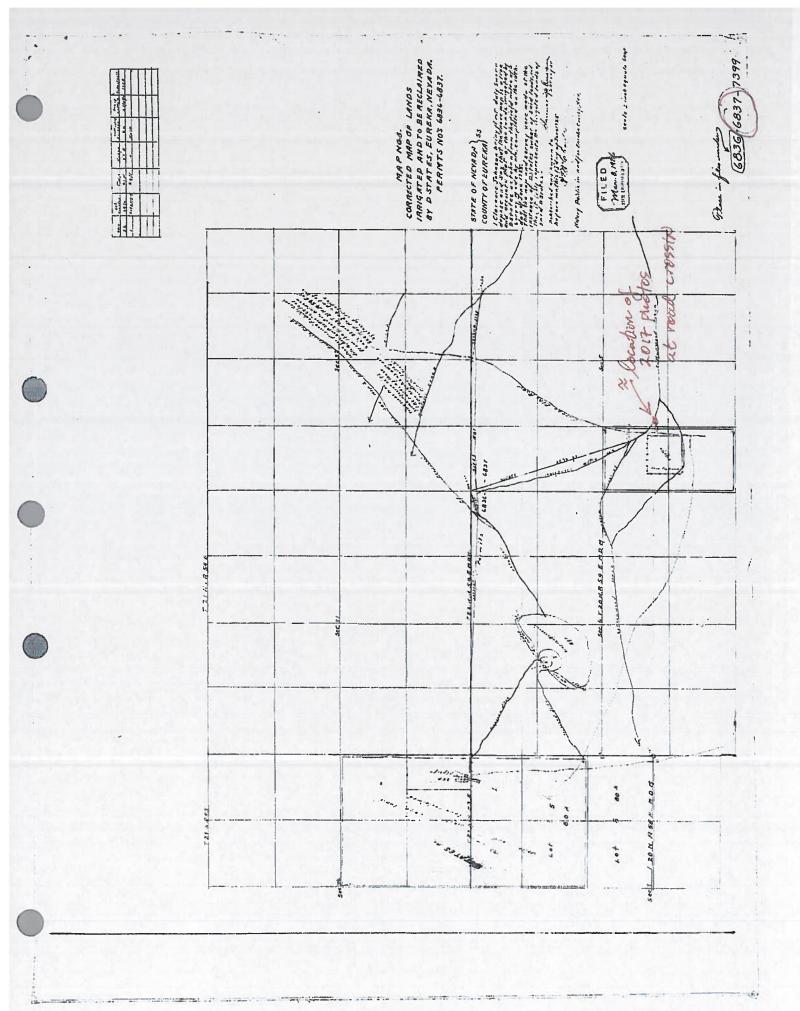


Exhibit – 1

 $_{\text{Serial No.}}\,02889$

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

	Street and No. of B. O. Par Vo.
	City of 2000
	Nevada Sinte and Zip Code No.
(4)	Source of water Bank Ranch Stock water
•	Name of authors replace access
(3)	The water is diverted by not diverted
	The water is diverted by not diverted Dam, ditch, pipe line, natural channel, spring area, etc.
(4)	
(4)	The water is diverted at the following point(s). not diverted Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land it should
	be stated. Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such
	reach.
	40.000000000000000000000000000000000000
	44
(2)	The water is impounded in Pools and natural channels Troughs, tanks, pools, reservoir, natural channel, etc.
(6)	The construction of the ditch or other works was begunnor_diverted
	and completed
(7)	The nature of the claimant's title to the land upon which the source of water and place of
	use are located is Deeded Land
	Patented, deeded, public domain with grazing permit, etc.
	•

	. 4************************************
(8)	
•	County, at Page of Book of NOTE-Fallure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under right.
	Aug. 26, 19 STATE ENGINEER'S OF Arc Dome Exhibit 2 - Pa

	9/22/76 2.E.F.
(9)	The approximate number of animals watered by the claimant during the first year 1975, Date Was 100 cattle horses 500 sheep or The watering
	was conducted during each of the following months. all year around
(10)	The approximate number of animals watered by the claimant in subsequent years was as follows:
	100 head of cattle and 500 sheep If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given.
	4
(11)	The amount of water which has been necessary to be diverted for this purpose has been
(12)	
	land, it should be stated.
	arksThis spring has been used for domestic, irrigation and stockwater for
.An.	old stone house still stands on the spring site, dating back to the 1880's.
It !	has been an operating ranch since that time. The spring is cleaned out from
.time	e.to.time,.when.necessary,.by.ranch.foreman,.in.order.to.maintain.the.flow

Carson City, Nevada.
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/4884444444444444444444444444444444444
that the facts relative to the appropriate
}
ef.
of what authority he represents the claimant.
bi what authority de represents the claimant.
naled 10 E foluliga
Street and No., or P.O. Box No.
City, State, Zip Code No.
aust 1976
ward B. Sander
Vashay Olate of Devod
1980
MILDRED K. SANDERS
Notary Public — State of Nersida Washoe County

\$10 FILING FEE MUST ACCOMPANY PROOF

Porm AA (Rev. 9-72)

AFFIDAVIT

I, RAYMOND LABARRY, JR., being first duly sworn, depose and say: THAT the following statements are full and correct to the bost of my knowledge and belief:

The waters of Torre Creek (Old Ardan Ranch), Hildebrand Creek, Mau Creek, North Creek, Sadler Creek, Barrel Spring, Beck Spring, Four Eyed Nicks Springs, Sand Springs, Sulphur Spring, Eldridge Ranch Stock Ponds, Held Spring - No. 1, Held Spring - No. 2, Held Spring - No. 3, Held Spring - No. 4, Held Spring - No. 5, Held Springs - No. 6, Held Spring - No. 7, Held Spring - No. 8, and Hold Springs - No. 9 have been used for irrigation and/or stock watering purposes for at least ninety (90) years prior to, and since, my acquisition of the property described in the Proofs of Appropriation attached hereto.

BAYHOND LABARRY, JR.

SUBSCRIBED AND SWORN TO before me.

this _____day of _______,

1976, by

Notary Public

WILLIS A. D.PAOLI Hotory Public - State of Navada



Western farm Management Company

P.O. BOX 320 RENO, NEVADA 89501 450 MARSH AVENUE RENO, NEVADA 89501 (702) 329-8483

October 8, 1976

Mr. L. Edward Parmenter Division of Water Resources 201 South Fall Street Carson City, Nevada 89710

Re: Water Rights - LaBarry-Harris - United Dressed Beef Inc.
No. 02884 thru 02903, inclusive

Dear Sir:

Your letter dated September 14 askes about the year of priority of First Benefical Use. I assumed the claimant, in article 9, was United Dressed Beef, Inc., and that with this in mindfused the current year. If this is incorrect, I would appreciate the date being changed to conform with the rest of the information provided.

I am also enclosing an affidavit from Raymond LaBarry stating these waters have been used by the ranch for at least the last 90 years. Please file this original copy with the above list of proofs.

The Quit Claim Deed accompanying this letter should be sufficient to transfer ownership of that list of waters to United Dressed Beef, Inc. The Deed has been recorded and a certified copy is enclosed. Contact us when the transfer has been made.

If I can be of further assistants, do not hesitate to let us know.

Thank you.

Sincerely,

Western Farm-Management Company

John B. Parker

jbp/ms encl.

Exhibit - 2

AMENDED APPLICATION FOR PERMIT

ASSIGNED serial no. 8813

	TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA.
	Date-of first receipt and filing in State Engineer's office. JAN 121103
	Returned to applicant for correction
15 k : :	The undersigned Handley Brothers.
	Name of applicant
	of Eureka , County of Eureka ,
	State of Nevada , hereby make application for
	permission to appropriate the public waters of the State of Nevada, as
100	hereinafter stated. (If applicant is a corporation, give date and place
	of incorporation.)
4	
	1. The source of the proposed appropriation is Cottonwood Canvon Name of stream, lake, or other source
4.0	Springs and Creek (No. 2 or South Branch).
	2. The amount of water applied for is one-fourth second-feet.
	One-second-foot equals 40 miners' tiphes 3. The water to be used for 'Stockwatering and domestic purposes.
* *	Itrifallon, power, mining, manufacturing, domestic, or other use
	4. The water is to be diverted from its source at the following point:
	At a point in the SEA SWA of Sec. 13. T. 20 N: R. 54 E. which bears. Describe as being within a 40-arra subdivision of public survey, or by course and distance to a sculion-course. If on unsurveyed land, it should be so stated.
•	S. 39° 37° E., 2708.31 ft. from the 4. dorner on the W. boundary of
٠. ا	said Sec. 13.
	IF THE WATER IS TO BE USED FOR INRIGATION, SUPPLY THE POLLOWING INFORMATION:
	(a) Number of acres to be irrigated is
	(b) Description of land to be irrigated
	. he so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.
	· Piliper -
	(c) Use will begin about, of each year.
	Mouth Month
	IF WATER IS TO BE USED FOR POWER, MINING, STOOK WATERING, OR OTHER USE, SUPPLY THE
	FOLLOWING INFORMATION:
	(d) Power to be developed is horsepower.
	(e) Works to be located In the SEA SWA of Sec. 13. T. 20 N: R. 54 E. Give 40-nere subdivision on which works will be located, or locate by course and distance to a section-normer.
	(f) Point of return of water to stream
·	Describe in same manner as point of diversion.
1.	(g) State number and kinds of animals to be watered 150 cattle and
	6000 sheep
	(h) Use will begin about April 1 and end about Oct. 1 , of each year.
	(i) Remarks Applicants and their predecessors have used water from .
	this source, together with the range territoky in the vicinity thereof.
	for many years prior to 1905 and claim a vested right thereby, which

棚になり、 これをしていたりです。 こうじゃくご 楽しぬきのかん	
	2813
DESCRIPTION OF PROPOSED WORKS	
Dams and reservoirs	
Blate manner in which water is to be diverted, whether by dam or other works, whether through upon, disches, names, or other conduits. If weiter	
is to be sibred in recorvoirs, it should be so stated and the location of the reservoir abouild be given with reference to the legal subdivisions.	
Total Control	
5. Estimated cost of works \$200.00	
Estimated time required to construct works Works already complete	
For may of applicant	
	_
HANDLEY BROTHERS Applicant.	
By Farvey M. Payne	
Compared M.E-C.T.	
This sheet inspected	
; Engineer.	
APPROVAL OF STATE ENGINEER	
This is to certify that I have examined the foregoing application	
and do hereby grant the same, subject to the following limitations and	
conditions	
This Permit is issued subject to all prior rights on the source. The State reserves the right to regulate the	
	न्स े
use of the water herein granted at any and all times.	
The amount of water to be appropriated shall be limited to the amount	
which can be applied to beneficial use, and not to exceed042	
or sufficient to water 6000 sheep, 150 head of cattle.	
Actual construction work shall begin on or before Oct. 1. 1930	
Froof of commencement of work shall be filed before Nov. 1, 1930	
work must be prosecuted with reasonable diligence and be completed of	or ·
before Oct. 1. 1931	
Proof of completion of work shall be filed before Nov. 1, 1931	
Application of water to beneficial use shall be made on or before	
Oct. 1. 1933 . Proof of the application of water to beneficial	el.
luse must be filed with State Engineer on er before Nev. 1, 1933	
Man Fild 909.22,1929	ay.
Proof of labor filed - 10-30-30	
Proof of completion of mark 182 - 10-4-3	
Mile 1021 Moras Marie Leon malone	
State Engineer.	
County Records 2	ome Exhibit 2 - Page 21

APPLICATION FOR PERMIT Serial No. 881
Date-of first -receipt and filing in State Engineer's office JAN 17 1929 Returned to applicant for correction Corrected application filed AUG-22 1929
The undersigned Handley Brother's
of Fureka
. State of
hereinafter stated. (If applicant is a corporation, give date and place
of incorporation.)
The source of the proposed appropriation is Saw Mill Spring and Cree.
2. The amount of water applied for is one-fourth second-feet.
The water to be used for Stockwatering and domestic purposes Insignification, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point: At a point in the SEZ NEZ of Sec. 13, T. 20 N; R. 54 E., which bears N Describe as being within a 40-mars subdivision of public survey, or by course and distance to a scattlen-corner. If on immurveyed land, it subjuil be so stated.
Describe as being within a 40-more subdivision of public survey, or by course and distance to a section-corner. If you insurveyed land, it should be so stated. 829.12'-42'' E., 4446.90 feet from: indelt corner on the West boundary of said Sec. 13.
IF THE WATER IS TO BE USED FOR LERIGATION, SUPPLY THE POLLOWING INFORMATION:
(a) Number of scres to be irrigated is
(b) Description of land to be irrigated Describe by lean subdivision, of if on unsurveyed land it should
bo so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.
(c) Use will begin about, of each year.
Month Month Month Market and an art and an art and art and art and art art and art
TP WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING; OR OTHER USE, SUPPLY THE POLLOWING EXPORMATION:
(e) Works to be located in the SE; NEW Sec. 13 T. 20 N; R. 54 E.
Office 40-unrasubdivision on which works will be lockind, or locate by course and distance to a section-corner. (f) Point of return of water to stream Describe in same manner as point of diversion.
(g) State number and kinds of animals to be watered 150 cattle and
(h) Use will begin about Apr. 1 and and about Oct. 1 of each year.
(i) Remarks Applicants and their predecessors have used water from this source, together with the range territory in the vicinity thereof.
for many years prior to 1905 and claim a Vested right thereby which

[[13] [[14] [[15]	
	8814
DESCRIPTION OF PROPOSED WORKS	
Respivoirs and would be common in which water is to be diverted whichis by dam or other weight, whether brough pilles, diches, flowing or other codesting. It water	
is to be stored in reservoirs, it should be so stated and this location of the reservoir silvald be given will rediginat to the peril mabel visions.	
5. Estimated cost of works \$400.00	
Additional 6. Estimated time required to construct/works 10ne wear	
7. Remarks	
Por use of applicant	Ten .
HANDLEY BROTHERS . Applicant.	
By Barney M. Payne	
Dompared M.FC.T.	
This sheet inspected	
, Engineer.	
APPROVAL OF STATE ENGINEER	
[The De Config. Config. Config. Section (Section) and the Section of the Config. Con	
This is to certify that I have examined the foregoing application,	
and do hereby grant the same; subject to the following limitations and	
conditions: This Parmit is issued subject to all prior rights on	
the source. The State reserves the right to regulate the	
use of the water herein granted at any and all times.	
The amount of water to be appropriated shall be limited to the amount	
which can be applied to beneficial use, and not to exceed	
or sufficient to water 6000 sheep; 150 head of cattle.:	
Actual construction work shall begin on or before Oct. 1, 1930.	
Harrist and the second control of the second control of the second control of the second control of the second	
Froof of commendement of work shall be filed before Nov. 1, 1930	
Work must be prosecuted with reasonable diligence and be completed on or	
before <u>Got. 1. 1931</u>	
Proof of completion of work shall be filed before Nov. 1, 1931	
Application of water to beneficial use shall be made on or before	
Oct. 1, 1933 . Proof of the application of water to beneficial	. ''3
use must be filed with State Engineer on or before Nov. 1. 1933	
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Proof of labor filed May = 2-1930 WITNESS MY HAND AND SEAL this 30th day	
Proof of beneficial we stee NOV 21 1533	
Conflicted Was 1122 1sings May 27 9828195 = Fele on malone	
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AMENDED
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

· Date of first receipt and filing	in State Engineer's office JAN 17 1929
Returned to applicant for correct Corrected application filed.	10n AUG 22: 1929
Sollesvou application litted	
Time 32 hour Day	
The undersigned Handley Bro	UNSTS Name of applicant
of Eureka	County of Eureka
State of Nevada	, hereby make_application for .
hermission to appropriate the muh	lic waters of the State of Nevada, as
. Thousand of absolution and ben	**
hereinafter stated. (If applican	t is a corporation, give date and place
is of incorporation.)	
" or inorboracions)	
1. The source of the proposed ap	propriation is <u>Cottonwood Springs and</u> Name of stream, lake, or other fource
Creek (No. 1 or main branch).	• • • • • • • • • • • • • • • • • • • •
2. The amount of water applied f	or is one-fourth second-feet
3. The water to be used for Sto	kwatering and domestic purposes
	'Irrigation, power, mining, manufacturing, demostic, or other uso
4. The water is to be diverted f	rom its source at the following point:
At a point in the SEA SEA of Se	2 13, T., 20.N; Rev. 54 E., which bears wire and distance to a script some. If on unsurveyed land, it should be so stated.
•	
	n the corner of the West boundary
of said Sec. 13.	
IF THE WATER IS TO BE USED FOR IER	IGATION, SUPPLY THE POLLOWING INPOBMATION:
(a) Number of acres to be irrige	ted is
(h) Decomination of land to be in	righted
(b) Description of land to be in	rigated
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	righted Describe by legal subdivision, or 16 on unimercyced land it should instruction from the State Enginess when application to returned soy correction.
	Describe by legal subdivision, or if on unsurveyed land it should
	Describe by legal subdivision, or if on unsurveyed land it should
	Describe by legal subdivision, or if on unsurveyed land it should
be so stated and a description provided in accordance with special	Describe by legal subdivision, or if on unimarcored land it should instruction from the State Engineer when supplication is returned for correction.
be so stated and a description provided in accordance with special	Describe by legal subdivision, or if on unimarvoyed land it should instruction from the State Enginees when application is returned for correction. And end about, of each year.
be so stated and a description provided in accordance with special	Describe by legal subdivision, or if on unimarcored land it should instruction from the State Engineer when supplication is returned for correction.
be so stated and a description provided in accordance with special (c) Use will begin about	Describe by legal subdivision, or if on unimarcored land it should instruction from the State Enginees when application to returned for correction. And end about homb
(c) Use will begin about Month	Describe by legal subdivision, or if on unimarvoyed land it should instruction from the State Enginees when application is returned for correction. And end about, of each year.
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(c) Use will begin about	And end about
(c) Use will begin about	Describe by legal dubdivision, or if on unimarcored land it should instruction from the State Engineer when application to returned for correction. And end about Month ING. STOCK WATERING, OR OTHER USE, SUPPLY THE NIG INFORMATION: horsepower.
to be so stated and a description provided in accordance with special to be so stated and a description provided in accordance with special to be water as a possible of the post of the developed is to be located in the give the acres subdivision on which works will be	And end about
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(c) Use will begin about house with special water to be developed is to be located in the give the acceptance with special power to be developed is to be located in the give the acceptabilities on which works will be considered to the constant of water to	Instruction from the State Engineer when application to returned for correction. And end about
(c) Use will begin about house with special water to be developed is to be located in the give the acceptance with special power to be developed is to be located in the give the acceptabilities on which works will be considered to the constant of water to	Instruction from the State Engineer when application to returned for correction. And end about Month Month ING. STOCK WATERING, OR OTHER USE, SUPPLY THE NG INFORMATION: NOT SEC. 13, T., 20 = N; R, 54 E. located, or located by course and distances to a section-corner.
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(c) Use will begin about honds Water is to be developed is (d) Power to be developed is (e) Works to be located in the give the creamble with every will be accessful with morks will be considered to the constant of water to (f) Point of return of water to (g) State number and kinds of an end of the constant will be constant and winds of an end of the constant will be constant.	And end about of each year. And end about North of each year. North North North OF Sach year. North North OF Sach year. North North OF Sach year. North OF Sach year.
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State manner in which water is to be diverted, whether by dain or other works, whether through place, ditches, flames, or other conduits. If water	
is to be stored in reservoirs, it should be so strited and the location of the freetynit should be siven with reference to the legal subdivisions.	
the state of the s	The second second
5. Estimated cost of works : \$150.00	
6. Estimated time required to construct works One year.	
7. Remarks	
For use of applicant	
HANDLEY BROTHERS , Applicant.	
By Harvey M. Payne	: : :
Compared M.FC.T.	
This sheet inspected	
Engineer:	
APPROVAT OF STATE ENGINEER	
This is to certify that I have examined the foregoing application.	
and do hereby grant the same, subject to the following limitations, and	
conditions	
This Permit is issued subject to all prior rights on	
the source. The State reserves the right to regulate the	
use of the water herein granted at any and all times.	
The amount of water to be appropriated shall be limited to the amount	
which can be applied to beneficial use, and not to exceed	
or sufficient to water 6000 sheep, 150 head of cattle.	
Actual construction work shall begin on or before Oct. 1, 1930	
Proof of commencement of work shall be filed before Nov. 1. 1930	20.0
Work must be prosecuted with reasonable diligence and be completed on on	14
before 000.1, 1931	
Proof of completion of work shall be filed before Nov. 1. 1931	
Application of water to beneficial use shall be made on or before	
[#de] *	
Oct. 1, 1933 Proof of the application of water to beneficial	E SEC
use must be filed with State Engineer on or before. Nov. 1. 1933	
Mop Filed Aug. 22, 1929. WITHESS MY HAND AND SEAL this 30th day	7.5
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Product time first NOV 18 1933	
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Exhibit – 3

THE STATE: OF NEVADA CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS H. M. PAYNE FOR HAMPLEY BROTHERS	
the State of Nevada Proof of Application of Water to Beneficial Use, from	
Cottonwood Canyon Springs and Greek (South Branch)	- 5
ough Dam and reservoir	
Stockwatering and domestic	1
poster The point of diversion of water from the source is as follows: Sa 399, 371 Re. 2708.31. from the 3 Cor. on the W. hdy. Sec. 15, T. 20 No. Re. 54 E., M.D., fa K or in the SE SW Sec. 15, T. 20 No. Re. 54 E., M.D. Busha.	Andrew Control Co. No. 10 Andrew Control Co.
inted in EurokaCounty, State of Nevada.	
Now Know YE, That the State Engineer, under the provisions of Section 72, Chapter 140, Stambes of	1
	100
rpice and amount of such appropriation, together with the place to which such water is appurtenent, as follows:	7
Name of appropriator Handley Brothers	1
Post-office address Eureka, Eureka, Gounty; : Nevada,	
Amount of appropriation 0:028: ouble foot per second or sufficient to water 4000 sheep and 100 cattle. Period of use, from APXII lat. to it NOTA late of each year	
Date of priority of appropriation	
scription of works of diversion and use:	
	9
Dem of earth and rock 4 to 5 feet high. 12 feet vide and 26 feet	35:
ng, making reserveir 20 feet in drameter Place of use is in the SE	1
12 Sec. 175 T. 20 Nu. 18. 54 R. M. D. B. 484	100
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. The right to water thereby determined is limited to the annum which can be beneficially used; not to exceed	
istamount above specified, and the use is restricted to the place where acquired and to the purpose for which	
quired. In Testimony Whereof, I, CEO. W. MALONE, State Engineer	
of Nevada, have hereunto set my hand and the seal of my office, this	
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Period of, use, from	-
Description of Works of diversion and Hasting it.	
constructed at the spring and 16 ft. of 14 inch pipe donveys seter : ;	
from said reservoir to about 80 ff. of seni-circular galvanized iron!	現
troughs about 2 ft. wide and 1 foot deep. Place of use is in the	
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iv. The right to water thereby, determined is ilmited to the amount which can be thereficially used not to dicced	
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acquired. DOING TESTIMONY WHEREOF, I, GRO. W. MALONE State Engineer	
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District Control of the Control of t	27.3
Secretary Control of the secretary of th	
The state of the s	ENCIPETE!

Exhibit – 4

AMENDED

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA Date-of first receipt and filing in State Engineer's office Returned to applicant for correction_ Corrected application filed: Handley Brothers . The undersigned. County of State of. hereby make application gor permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation.) _ 1. The source of the proposed appropriation is Dipping Corral The amount of water applied for is one-fourth One-second-foot equals 40 minum inches 3. The water to be used for stockwatering and domestic purposes irrigation, power, mining, manufacturing, domestic, or other use .4. The water is to be diverted from its source at the following point: NWW NET of Sec. 14, T. 20 N; R. 54 E., at a point which bears N . 46.º 24. 34" West; 3247.56 feet from the 2 corner on the E. boundary of said Sec. 14. If the water is to be used for irrigation, supply the following information: (a) Number of acres to be irrigated is. Description of land to be irrigated. Describe by legal subdivision, or If on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when applicable (c) Use will begin about and end about IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE POLLOWING INPORMATION: ___horsepower. (d) Power to be developed is__ Works to be located NW NEZ Sec. Point of return of water to stream (g) State number and kinds of animals to be watered 6000 sheep and 150 and end about Dec. 31 (h) Use will begin about Jan.1 of each year.

i) Remarks Applicants and their predecessors have used water from this spring for many years prior to 1905, and ranged stock in the vicinty thereof, and claim a vested right thereby, which right is not

waived by virtue of the filing of this application,

8995	
DESCRIPTION OF PROPOSED WORKS	
Spring has been cleaned out and water stored in a reservoir. It is state manner in which water is to be directed, whether by dam of other water, whether through other district, the other condulty. If which	.8
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piped from the reservoir to the dipping tanks and used when needed	
to to be abouted in reservoirs, it should be so stated and the location of the reservoir should be siven with reservoir on the reservoir of the reservoir should be siven with reservoir on the reservoir of the reservoir should be siven with reservoir of the reservoir of the reservoir of the reservoir should be siven with reservoir of the reservoir should be siven with reservoir of the re	
For that purpose, as well as scockwatering.	
Professional Control of the Control	
Bitimated cost of works \$20000	Wak.
Estimated time required to construct works. Already completed.	
Remarks	
For use of applicant	
HANDLEY BROTHERS, Applicant.	
By Harvey W. Payne	
ompared M.F.C.T.	
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his sheet inspected	100
Engineer	
A CONTRACTOR OF THE PROPERTY O	1.30
APPROVAT. OF STATE ENGINEER	
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nd do hereby grant the same, subject to the fellowing limitations and	Train.
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onditions: Tut's Parmit is issued subject to all prior rights on	
the source. The State reserves the right to regulate the	
-use of the water herein granted at any and all times.	
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the amount or water to be appropriated shall be limited to the amount	
which can be applied to beneficial use, and not to exceed	
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proof of commencement of work shall be filed before Nov. 1. 1930	
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Exhibit - 5

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THE STATE OF NEVADA CERTHICATE OF APPROPRIATION OF WATER

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hrough	Reservoir and pipes	for i signorth
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IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

PRELIMINARY ORDER OF DETERMINATION

IN THE MATTER OF THE DETERMINATION OF THE RELATIVE RIGHTS IN AND TO ALL WATERS OF DIAMOND VALLEY, HYDROGRAPHIC BASIN NO. 10-153, ELKO AND EUREKA COUNTIES, NEVADA.

JASON KING, P.E.

State Engineer

Dated this 30 Th day of August, 2018.



CERTIFICATION OF STATE ENGINEER

I, Jason King, P.E., State Engineer of the State of Nevada, duly appointed and qualified, having charge of the records and files of the Office of the State Engineer, do hereby certify that the following is a full, complete and true copy of the Preliminary Order of Determination of the relative rights in and to all waters of Diamond Valley, Hydrographic Basin No. 10-153, Elko and Eureka Counties, Nevada. This Preliminary Order of Determination was prepared and filed in the Office of the State Engineer on the 30th day of 40605 T, 2018.

IN WITNESS THEREOF, I have hereunto set my hand and affixed my seal of office at Carson City, Nevada, this _10 th day of _______, 2018.

JASON KING, P.E.

State Engineer

ADJUDICATION

DIAMOND VALLEY

ELKO AND EUREKA COUNTIES, NEVADA

Presented herewith is the Preliminary Order of Determination defining the rights in and to all waters of Diamond Valley, Hydrographic Basin No. 10-153, Elko and Eureka Counties, Nevada. This Preliminary Order is prepared under the provisions of Chapter 533 of the Nevada Revised Statutes.

Jason King, P.E. State Engineer

Made, filed and caused to be entered of record in the Office of the State Engineer this 30th day of August , 2018.

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I. GENERAL

On October 8, 1982, the State Engineer issued Order 800 entitled *Order Initiating Proceedings* pursuant to NRS § 533.090(2). The *Order* commenced this adjudication to determine the relative rights in and to all waters in the Diamond Valley Hydrographic Basin (10-153), located in Elko and Eureka Counties, Nevada pursuant to the procedure set forth in NRS § 533.087, *et seq*. Also on October 8, 1982, the State Engineer issued Order 801, *Notice of Order and Proceedings*, which underwent publication in the Eureka Sentinel located in Eureka, Nevada, and was served by certified mail to persons identified as owning land within the subject area that could be potential claimants as required by NRS § 533.095.

On November 18, 1982, the State Engineer issued Order 802, Notice of Order for Taking Proofs to Determine Water Rights. The Notice set forth the requirement that all those making claims to these waters were required to make proof of their claims on or before February 10, 1984. A copy of the Notice of Order was served by certified mail on November 18, 1982, to persons identified as owning land within the subject area that could be potential claimants. The Notice was published in the Eureka Sentinel located in Eureka, Nevada, pursuant to NRS § 533.110.

On December 23, 1983, the State Engineer extended the period of time for all claimants to submit proofs in support of their claims to February 10, 1985 in response to a request from John Buffham of the Romano Ranch. A copy of the *Notice of Extension of Time* was served by certified mail on December 23, 1983, to persons identified as potential claimants within the adjudication area.

On January 25, 1985, the State Engineer extended the period of time for all claimants to submit proofs in support of their claims, to August 12, 1985 in response to a request from Roy Risi of the Hay Ranch. A copy of the *Notice of Extension of Time* was served by certified mail on January 25, 1985, to persons identified as potential claimants within the adjudication area.

On June 11, 2014, Sadler Ranch, LLC requested that the State Engineer adjudicate the relative rights of Big Shipley Hot Springs and Indian Camp Springs in Eureka County, Nevada. On February 10, 2015, the State Engineer deferred the Sadler Ranch request for adjudication citing a large backlog of prior initiated adjudications and that the Big Shipley Hot Springs and Indian Camp Springs issues had been addressed in State Engineer's Ruling 6290.

On August 21, 2015, the State Engineer issued Order 1263, a Notice of Order and Proceedings to Determine Water Rights, both Surface and Underground in the matter of the determination of relative rights in and to all waters in the Diamond Valley Hydrographic Basin (10-153), Elko and Eureka Counties, Nevada. The Order effectively reinitiated Order 801, which was issued in 1982. A copy of the Notice of Order was served by certified mail on August 21, 2015, to persons identified as owning land within the subject area that could be potential claimants. The Notice was published in the Elko Daily Free Press located in Elko, Nevada pursuant to NRS § 533.095.

On October 16, 2015, the State Engineer issued Order 1266, a Notice of Order for Taking Proofs to Determine Water Rights The Order reestablished the actions initiated by Order 802, issued in 1982. The Notice set forth the requirement that all those making claims to these waters were required to make proof of their claims on or before May 31, 2016. A copy of the Notice of Order was served by certified mail on October 16, 2015, to persons identified as owning land within the adjudication area that could be potential claimants. The Notice was published in the Elko Daily Free Press located in Elko, Nevada pursuant to NRS § 533.110.

On March 8, 2016, the State Engineer denied a request from the United States of America, Department of the Interior, Bureau of Land Management (BLM) dated February 22, 2016, to extend the period of time for submitting proofs, citing the issuance of the State Engineer's Order 1264¹, which designated the basin as a Critical Management Area (CMA). As a CMA, the majority of the water right holders have ten years to develop a Groundwater

¹ State Engineer's Order No. 1264, dated August 25, 2015, official records in the Office of the State Engineer.

Management Plan. One component of such a plan is the determination of the extent of water rights within the basin's pre-statutory water rights, which are determined via adjudication. Based in part on the amount of time that has passed, the CMA designation and that claims had already been filed by the BLM, the request for an extension was denied.

Pursuant to NRS § 533.140, the State Engineer affixed his signature to the Abstract of Claims on August 30, 2018 and hereby issues this Preliminary Order of Determination.

II. WATER SOURCES AND FLOWS

The sources of water that are the subject of this adjudication are located within Elko and Eureka Counties, Nevada, and consist of groundwater and all streams and springs within the Diamond Valley Hydrographic Area (10-153). Diamond Valley is an inter-mountain valley in east central Nevada. The basin is roughly elliptical in shape, oriented in a generally north-south direction. It is approximately 60 miles long and averages twelve miles in width. The total area of the drainage area is approximately 735 square miles (see Figure 1.).

The basin is bounded on the east by the Diamond Mountains and on the west by the Sulphur Spring Range, Whistler Mountain and the Mountain Boy Range. The southern boundary is formed by the Fish Creek Range.

The lowest part of the valley is the playa at the northern end of the valley at an elevation of about 5,750 feet (1,750 meters). Southward from the playa, the valley floor rises at a gradient of about ten feet per mile. The highest point in the valley is Diamond Peak in the Diamond Range with an elevation of 10,631 feet (3,240.3 meters).²

Present day streams are principally confined to a few of the canyons in the mountains, with discharge onto the alluvial fans and valley floors only occurring during the spring freshet or during storm flash-flood events.

The main areas with substantial irrigation along the west side of the valley include the ranches owned by: Ira R. and Montira Renner; Sadler Ranch, LLC; the Bailey Family Trust; and

² Diamond Peak, Nevada, NGS Datasheet, National Oceanic and Atmospheric Administration, Retrieved June 19, 2017

Kobeh Valley Ranch, LLC. Ranches on the east side of the include those owned by: Milton Thompson, Daniel S. Venturacci, Bar D Land and Livestock, LLC, the Beck Family Trust, the Bingham Revocable Living Trust, Mary Bell Fiorenzi and Perniciea Johnson, Nathan and Pernicea Johnson and James E. and Vera L. Baumann. The majority of the streams and springs support stockwatering. The smaller streams are intermittent and only flow during the spring freshet or during storm events during the rest of the year.

Flow measurements of springs, streams and artesian wells recorded during field investigations by staff of the Office of the State Engineer along with historical reported data are publicly available from the website of the Office of the State Engineer³. Field reports generated from the field investigations are on record within the Diamond Valley Adjudication in the Office of the State Engineer.

³ Nevada Division of Water Resources' Spring and Stream Flow Database, official records in the Office of the State Engineer, available at http://water.nv.gov/SpringAndStreamFlow.aspx.

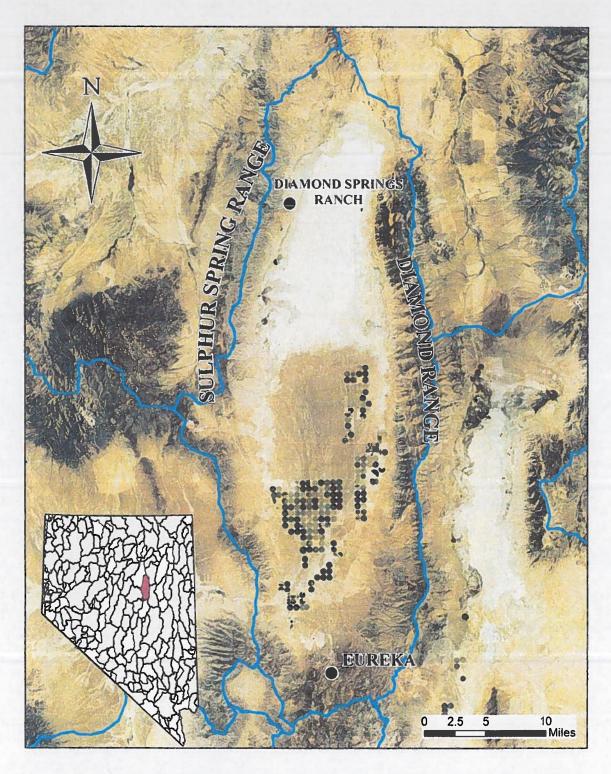


Figure 1. Location map of the Diamond Valley Hydrographic Basin (10-153).

III. DETERMINATION OF RIGHTS TO THE USE OF WATER

Claims to pre-statutory vested water rights on sources of water were established by filing proofs of appropriation in the Office of the State Engineer and submitting evidence to support the claimed date of priority, manner of use, place of use (POU) and the amount of water actually diverted and applied to beneficial use. Evidence is reviewed in conjunction with records such as, but not limited to permits, applications, proofs, maps, reports of conveyance and field investigations conducted by the Office of the State Engineer. Other data available in the public domain such as property records (Government Land Office (GLO) maps/plats/survey notes, land patents, etc.), census data, recent and historical aerial photography and insurance maps to determine the limit and extent of vested water rights claimed in this proceeding are also utilized.

Priority date is established as the year in which a water source was initially diverted and beneficially used. For surface water pre-statutory claims, water must have been diverted and beneficially used prior to March 1, 1905.⁴ For pre-statutory claims to artesian underground sources, prior to March 22, 1913, and prior to March 25, 1939 for percolating underground sources.⁵

The doctrine of relation back may be applicable if the claimant can demonstrate the date at which the diversion of water was commenced and that such work or construction progressed with due and reasonable diligence to completion and beneficial use established (doctrine of "relation back").

As discussed below, the State Engineer describes the reasoning used to determine duty for the use of water for stockwatering. The limit and extent of water rights issued for all manners of use is limited to the quantity of water reasonably necessary for such use, without waste.⁶ The period of use for all manners of use is January 1st to December 31st, unless otherwise specified.

A. Irrigation

Duty for irrigation purposes is determined by the class of culture type, identified as harvest, meadow and diversified pasture, further defined as follows:

Harvest crop areas include all lands devoted to cultivated crops, such as grains,

⁴ 1905 Nev. Stat. ch. 46.

⁵ NRS § 534.080(1). ⁶ NRS § 533.035.

truck farm crops (produce) and orchards, but not limited to them. Also all irrigated native or other grass lands which normally receive sufficient water through a defined irrigation system (ditch and/or sprinkler systems) to produce a crop which will justify utilizing either manual or mechanical methods for cutting hay, although sometimes it may be pastured and not cut.

Meadow/Pasture crop areas are in production with crops of native and/or domesticated grasses with minimal invasion by weeds and brush and may be classified as good pasture but not of sufficient quality or quantity to be cut. Lands are irrigated as long as water is available through a defined irrigation system (ditch and/or sprinkler systems). Volumes of water utilized for irrigation are less than the amount necessary for harvest. Distinction from harvest is that lands in production are precluded from harvesting due to access, topography and/or rocky field conditions preventing the use of manual or mechanical harvesting methods.

Diversified Pasture areas include all grass lands from which brush has not been cleared but which are artificially irrigated by the farmer/rancher to some extent for the production of grasses for pasture. These lands are usually watered only when the stream is in flood stage or when there is excess water above the needs of higher-class culture. In addition, this classification includes those areas in the irrigated fields, which are grown up with willows, and the depression or other areas covered with tule reeds, horsetail rushes and flags (wild iris), if there is grass amongst them. While these latter areas generally receive as much or more water than is required for the higher class of culture, the excess water cannot be considered as being used beneficially, hence the right to divert it should not be recognized.

Water considered drain, waste and/or tail water is defined to be such water that has escaped from the irrigation infrastructure or those waters which have passed from the developed irrigation infrastructure or beneficial use area and is allowed to flow uncontrolled across adjacent ground.

In the Diamond Valley area, the Net Irrigation Water Requirement (NIWR) for alfalfa is 2.5 acre-feet per acre. The State Engineer finds that the duty of water required to be diverted from the source to grow a full season of harvest crop is 3.0 acre-feet per acre, 2.0 acre-feet per acre for meadow/pasture crop and 0.75 acre-feet per acre for diversified pasture. These duties include the waters that would be consumed during transport (ditch loss). Sources of water that are commingled for irrigation at the same POU are limited to a total combined duty dependent on the crop type. Duty is described as acre-feet per annum (afa) if the period of use is year round, or

⁷ Evapotranspiration and Net Irrigation Water Requirements for Nevada, Huntington and Allen, 2010, State of Nevada, Division of Water Resources Publication, pp. 258.

acre-feet per season (afs) if the period of use is less than 365 days per calendar year. In Diamond Valley, the State Engineer has determined that the growing season is established as occurring between April 1 and October 31 of each year unless otherwise noted.

The amount of water herein granted in this adjudication represents the historical usage prior to the statutory water law from the water sources. The State Engineer recognizes that full utilization of the diversion rate and delivery of the associated duty is ultimately limited by water availability at the source, and in many years, water at the source is not sufficient to meet crop water demands. It is understood that no rights in excess of that amount are implied or inferred. Generally, throughout Northern Nevada, early July is the common time for harvesting crops of hay, both native/wild and a mixture of domestic pasture grasses. The reason for this date is two-fold: first, the crop of grass has reached its peak growth for harvest at this time, and second, stream flow has receded to a point where there is no longer a sufficient flow to adequately irrigate the crop for a second harvest. However, water may be available for a second irrigation season of a crop if there is upstream storage in a reservoir or if the water source is a spring that has sufficient flow for a longer period of time during the year. Generally, if it is a good water year, then any bonus flow would be used to grow as much grass as possible to be grazed later in the fall.

The filings by non-federal claimants for irrigation purposes in some instances, have claimed portions of places of use controlled by the federal government. The non-federal claimants in this proceeding are the successors in interest to the original appropriators who diverted and put to beneficial use various streams and springs that existed and crossed the federal public lands. Irrigation occurred on the open public lands even though the claimants had no title to the place of use. The prior appropriation system of acquiring waters rights by those who were early settlers on the public domain is recognized by the State Engineer as a way of establishing vested water rights. These acts of settlement were later codified through legislation by Congress, who recognized appropriations of water on the public range for various purposes including agriculture that had been only tacitly recognized before.⁸ The State Engineer finds that the waters of this adjudication are non-navigable waters and that the Congressional legislation enacted specifically defined irrigation as a right to the use of the water on the public range.

⁸ Mining Act, 14 Stat. 253, § 9 (1866); Homestead Act, 16 Stat. 218 (1870); Desert Land Act, 19 Stat. 377 (1877), 43 U.S.C. § 321 et seq. (1964).

Even though the original settlers were trespassers on the public range, the federal government did not act to evict them. This lack of action allowed for the conveyance of possessory titles to land and water rights acquired transferring from one holder to another. Some of these possessory claims to land eventually came into private ownership through patents that did not necessarily include the entire place of use where historical irrigation was occurring. conveyance of possessory rights on the public range for irrigation or stockwater would transfer in the same manner as water appurtenant to private lands. A settler in good faith might convey his possessory interest in the land and in the water right appurtenant thereto by voluntary surrender to one who takes possession from him. The transferee became vested with all the right his predecessor had in the premises.⁹ The lands where the possessory claimants and initial appropriators originally irrigated were on unsurveyed public lands and the boundaries of those lands did not necessarily have definite metes and bounds. These appropriations already made on the public lands and recognized by Congress were a confirmation of the right to insist on the use of the waters to the extent necessary for beneficial purposes for the entire place of use before any control of the public domain was exerted by the federal government. The State Engineer previously found that the waters claimed for irrigation are not "federal property." The State Engineer finds that the claims for irrigation wherein portions of the places of use claimed are lands controlled by the federal government are viable claims unless otherwise determined in this Order.

B. Stockwatering

Claims filed for stockwater refer to differing quantities for the type of animals from their earliest date of beneficial use to the present. The State Engineer recognizes that livestock are opportunistic and that the number and type of animals that utilize water from the different sources varies, depending on available feed in different parts of the range at different times of year, the amount of water actually available at the source, and on management practices on the public lands. Stockwater duty is quantified based on the number and type of animals that historically used these water sources. Duty is not a measure of water actually available on a perennial basis.

⁹ <u>Hindman v. Rizor</u>, 21 Oreg. 112, 116-118, 27 Pac. 13 (1891).

C. Abandonment

In Nevada, abandonment of a water right is the voluntary "relinquishment of the right by the owner with the intention to forsake and desert it." In re Manse Spring, 108 P.2d 311, 315 (Nev. 1940). Abandonment requires both action and intent, and under Nevada law is "a question of fact to be determined from all the surrounding circumstances." Revert v. Ray, 95 Nev. 782, 786, 603 P.2d 262, 264 (1979). Under Nevada law, a determination of whether there exists an intent to abandon requires a consideration of all the relevant circumstances. See Revert, 603 P.2d at 264; see also In re Manse Spring, 108 P.2d at 316 (stating that courts must determine the intent of the claimant to decide whether abandonment has taken place and in this determination may take non-use and other circumstances into consideration). Non-use for a period of time may inferentially be some evidence of intent to abandon. Although a prolonged period of non-use may raise an inference of intent to abandon, it does not create a rebuttable presumption. At a minimum, proof of continuous use of the water right should be required to support a finding of lack of intent to abandon.

IV. CLAIMS OF VESTED RIGHT

A. Irrigation

There are 14 different Owners of Record for 51 Proofs of Appropriation of the use of surface water for irrigation, including: the Bailey Family Trust; Bar D Land and Livestock, LLC; James E. and Vera L. Baumann; Beck Family Trust; the Bingham Revocable Living Trust, dated April 8, 1999; Mary Bell Fiorenzi and Pernicea Johnson; Gary and Melody Garaventa; Nathan and Pernicea Johnson; Kobeh Valley Ranch, LLC; Clement Maggini, Ira R. and Montira Renner; Sadler Ranch, LLC; Milton and Olive Thompson; and Daniel S. Venturacci. The original filing of these claims along with subsequent amendments is described in this section. A complete

¹⁰ U.S. v. Alpine Land & Reservoir Company, 340 F.3rd 903 (9th Cir. 2003).

¹¹ Franktown Creek Irrigation Co., Inc. v. Marlette Lake Company and the State Engineer of the State of Nevada, 77 Nev. 348, 354 (1961).

¹² U.S. v. Orr Water Ditch Company, 256 F.3d 935,945 (9th Cir. 2001).

Proof of Appropriation V-01316 was filed by Giulio Minoletti on June 20, 1914, claiming to have diverted approximately 0.25 cfs of water from Rock Spring (POD within the NW¼ SE¼ Section 25, T.21N., R.54E., M.D.B.&M.) via the natural channel to water 40 to 50 cattle with an average of 75 cattle for subsequent years, from April 1 through July 31 with a priority date of 1874. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-01319 was filed by Nels Toft on July 16, 1914, claiming to have diverted one miner's inch (0.025 cfs) of water from Peete Springs (POD within the SE¼ NW¼ Section 31, T.24N., R.55E., M.D.B.&M.) via a pipeline to water 20 cattle from May 1 through October 31 with a priority date of 1901. The current owner of record for this claim is Daniel S. Venturacci.

Proof of Appropriation V-01320 was filed by Jorgan P. Jacobsen on July 16, 1914, claiming to have diverted six miner's inches (0.15 cfs) of water from Crofut Spring (POD within the SW¼ NE¼ Section 36, T.25N., R.54E., M.D.B.&M.) via a small dam to water 50 to 100 cattle with 200 to 300 cattle and horses in subsequent years from April 1 through November 30 with a priority date of 1880. The current owner of record for this claim is Daniel S. Venturacci.

Proof of Appropriation V-01327 was filed by Isaac T. Handley on September 3, 1914, claiming to have diverted water from Munroe Spring (POD within the NE¼ SW¼ Section 13, T.22N., R.54E., M.D.B.&M.) via small dams and the natural channel to water 2,000 sheep from April 1 to October 1 with a priority date of 1899. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-01329 was filed by Giulio Minoletti on September 14, 1914, claiming to have diverted water from Little Willows Spring (POD within the SE¼ SW¼ Section 26, T.21N., R.54E., M.D.B.&M.) via the natural channel to water 50 cattle from April 1 through September 30 with a priority date of 1874. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-01423 was filed by A. C. Florio on September 14, 1915, claiming to have diverted water from Spanish Gulsh Springs (POD within the NE½ NE½ Section 29, T.19N., R.54E., M.D.B.&M.) via a pipeline to water 300 head of livestock from April 1 through November 30 with a priority date of 1890. An amended proof was filed by A.C. Florio on July 26, 1937, which further defined the POD as Spanish Gulch, defined the number of

utilize this source as a POD.

Proof of Appropriation V-02281 was filed by Edgar Sadler and Wallace Bailey on September 25, 1934, claiming to have diverted water from Trough Spring (POD within the NW1/4 NE1/4 Section 14, T.27N., R.53E., M.D.B.&M.) via pipeline and troughs to water 900 cattle from April 1 through October 31 with a priority date of 1887. An amended claim was filed by the Bailey Family Trust and Sadler Ranch, LLC on May 26, 2016, which changed the period of use to April 1 through November 30 and the priority date to 1863. The current owner of record for this claim is Bailey Family Trust and Edgar Sadler.

Proof of Appropriation V-02324 was filed by James Hunter on June 7, 1944, claiming to have diverted 0.05 cfs of water from Wood Trough Spring (POD within NE½ NW½ Section 14, T.19N., R.54E., M.D.B.&M.) via pipeline and troughs to water 100 cattle from March 1 through October 31 with a priority date of 1883. The current owner of record for this claim is James E. and Vera L. Baumann.

Proof of Appropriation V-02325 was filed by James Hunter on June 7, 1944, claiming to have diverted 0.05 cfs of water from Green Spring (POD within NE½ SW½ Section 14, T.19N., R.54E., M.D.B.&M.) via an unnamed ditch to a reservoir to water 100 cattle from March 1 through October 31 with a priority date of 1883. The current owner of record for this claim is James E. and Vera L. Baumann.

Proof of Appropriation V-02326 was filed by James Hunter on June 7, 1944, claiming to have diverted 0.05 cfs of water from Simpson Number 1 (POD within NE½ SW¼ Section 23, T.19N., R.54E., M.D.B.&M.) via an unnamed ditch to a reservoir to water 100 cattle from March 1 through October 31 with a priority date of 1883. The current owner of record for this claim is James E. and Vera L. Baumann.

Proof of Appropriation V-02889 was filed by United Dressed Beef, Inc. on August 26, 1976, claiming to have diverted water from Bank Ranch Stock Water (POD within NW¼ SE¼ Section 28, T.20N., R.54E., M.D.B.&M.) via pools and natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. There is not a map filed in the State Engineer's Office in support of this claim. The current owner of record for this claim is Beck Properties. Stockwater Claim V-10816 filed by Beck Properties also utilize this source as a POD.

channel to water 100 cattle from January 1 through December 31 with a priority date of 1866. The proof was amended by James E. and Vera L. Bauman in May 24, 2016, which refined the location of the POD. The current owner of record for this claim is James E. and Vera L. Bauman. Municipal water Claim V-04509 owned by Eureka County also utilize this source as a POD.

Proof of Appropriation V-09779 was filed by James E. and Vera L. Bauman on September 11, 2008, claiming to have diverted 0.05 cfs of water from Richmond Spring (POD within NW¼ SW¼ Section 19, T.19N., R.54E., M.D.B.&M.) via a small pond and the natural channel to water 100 cattle from January 1 through December 31 with a priority date of 1866. The proof was amended by James E. and Vera L. Bauman in May 24, 2016, which refined the location of the POD. The current owner of record for this claim is James E. and Vera L. Bauman. Municipal water Claim V-04510 owned by Eureka County also utilize this source as a POD.

Proof of Appropriation V-10809 was filed by Beck Properties on January 4, 2016, claiming to have diverted 0.03 cfs of water from Pastorino East Spring (POD within SW¼ SW¼ Section 2, T.19N., R.54E., M.D.B.&M.) via collection system, pipelines to troughs and the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by Beck Properties on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is Beck Properties. PWR Claim V-04236 filed by the BLM also utilize this source as a POD.

Proof of Appropriation V-10810 was filed by Beck Properties on January 4, 2016, claiming to have diverted 0.03 cfs of water from Pastorino Middle Spring (POD within SW1/4 SW1/4 Section 2, T.19N., R.54E., M.D.B.&M.) via collection system, pipelines to troughs and the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by Beck Properties on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10811 was filed by the Beck Family Trust dated 4-19-2005, on January 4, 2016, claiming to have diverted 0.03 cfs of water from Lower Torre Spring (POD within SE¼ NW¼ Section 21, T.20N., R.54E., M.D.B.&M.) via the natural channel to water 100

cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by the Beck Family Trust dated 4-19-2005, on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is the Beck Family Trust dated 4-19-2005.

Proof of Appropriation V-10812 was filed by the Beck Family Trust dated 4-19-2005, on January 4, 2016, claiming to have diverted 0.03 cfs of water from Palmer Ranch Spring (POD within NW¼ SE¼ Section 21, T.20N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by the Beck Family Trust dated 4-19-2005, on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is the Beck Family Trust dated 4-19-2005.

Proof of Appropriation V-10813 was filed by the Beck Family Trust dated 4-19-2005, on January 4, 2016, claiming to have diverted 0.03 cfs of water from Middle Torre Spring (POD within NW¼ NW¼ Section 27, T.20N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by the Beck Family Trust dated 4-19-2005, on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is the Beck Family Trust dated 4-19-2005.

Proof of Appropriation V-10814 was filed by the Beck Family Trust dated 4-19-2005, on January 4, 2016, claiming to have diverted 0.03 cfs of water from Upper Torre SW Spring (POD within NE¼ SW¼ Section 25, T.20N., R.54E., M.D.B.&M.) via collection system, pipelines to troughs and the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by the Beck Family Trust dated 4-19-2005, on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is the Beck Family Trust dated 4-19-2005.

Proof of Appropriation V-10815 was filed by the Beck Family Trust dated 4-19-2005, on January 4, 2016, claiming to have diverted 0.03 cfs of water from Upper Torre SE Spring (POD within SE½ SW½ Section 25, T.20N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886.

An amended proof was filed by the Beck Family Trust dated 4-19-2005, on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is the Beck Family Trust dated 4-19-2005.

Proof of Appropriation V-10816 was filed by Beck Properties on January 4, 2016, claiming to have diverted 0.03 cfs of water from Banks Ranch Spring (POD within NE¼ SW¼ Section 28, T.20N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by Beck Properties on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is Beck Properties. Stockwater Claim V-02889 owned by Beck Properties also utilize this source as a POD.

Proof of Appropriation V-10817 was filed by Beck Properties on January 4, 2016, claiming to have diverted 0.03 cfs of water from Eunice Place Spring (POD within SW¼ SW¼ Section 28, T.20N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by Beck Properties on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10818 was filed by Beck Properties on January 4, 2016, claiming to have diverted 0.03 cfs of water from Upper Torre NE Spring (POD within NW½ NE½ Section 25, T.20N., R.54E., M.D.B.&M.) via the natural channel and pipeline to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by Beck Properties on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10828 was filed by the Bailey Family Trust, Merkley Ranches, Inc., and Little Paris Sheep Company, LLC, on February 4, 2016, claiming to have diverted 0.0128 cfs of water from Badger Spring (POD within NE¼ SE¼ Section 18, T.27N., R.54E., M.D.B.&M.) via a pipeline to troughs and the natural channel to water 250 cattle and 1,000 sheep from April 1 through October 31 with a priority date of 1895. The current owner of record for this claim is the Bailey Family Trust, Merkley Ranches, Inc., and the Little Paris Sheep Company, LLC.

Proof of Appropriation V-10845 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.0065 cfs of water from Spring Number 1 (POD within Lot 4 (SE¼ NE¼ Section 31, T.26N., R.53E., M.D.B.&M.) via a pipeline to troughs and the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of 1873. The current owner of record for this claim is Ira R. and Montira Renner.

Proof of Appropriation V-10846 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.0156 cfs of water from Spring Number 2 (POD within Lot 9 Section 31, T.26N., R.53E., M.D.B.&M.) via a pipeline to troughs and the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of 1873. The current owner of record for this claim is Ira R. and Montira Renner.

Proof of Appropriation V-10847 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.0156 cfs of water from Spring Number 3 (POD within NE½ SE½ Section 31, T.26N., R.53E., M.D.B.&M.) via a pipeline into the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of 1873. The current owner of record for this claim is Ira R. and Montira Renner. Irrigation Claim V-10883 filed by Ira R. and Montira Renner also utilize this source as a POD.

Proof of Appropriation V-10848 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.0156 cfs of water from Spring Number 4 (POD within Lot 9 Section 31, T.26N., R.53E., M.D.B.&M.) via a pipeline into the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of 1873. The current owner of record for this claim is Ira R. and Montira Renner.

Proof of Appropriation V-10849 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.013 cfs of water from Spring Number 5 (POD within NE½ SE½ Section 31, T.26N., R.53E., M.D.B.&M.) via a pipeline into the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of 1873. The current owner of record for this claim is Ira R. and Montira Renner.

Proof of Appropriation V-10850 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.0156 cfs of water from Spring Number 6 (POD within SW¼ NE¼ Section 6, T.25N., R.53E., M.D.B.&M.) via a pipeline into troughs and the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of

1873. The current owner of record for this claim is Ira R. and Montira Renner. Irrigation Claim V-10884 filed by Ira R. and Montira Renner also utilize this source as a POD.

Proof of Appropriation V-10851 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.0156 cfs of water from Spring Number 7 (POD within SW¼ NW¼ Section 5, T.25N., R.53E., M.D.B.&M.) via a pond and the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of 1873. The current owner of record for this claim is Ira R. and Montira Renner. Irrigation Claim V-10885 filed by Ira R. and Montira Renner also utilize this source as a POD.

Proof of Appropriation V-10852 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.0156 cfs of water from Spring Number 8 (POD within SE½ SW½ Section 5, T.25N., R.53E., M.D.B.&M.) via a pond and the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of 1873. The current owner of record for this claim is Ira R. and Montira Renner. Irrigation Claim V-02432 owned by Ira R. and Montira Renner and irrigation Claim V-10886 filed by Ira R. and Montira Renner also utilize this source as a POD.

Proof of Appropriation V-10856 was filed by Arc Dome Partners, LLC on May 9, 2016, claiming to have diverted water from Cottonwood Creek (POD within NW¼ SW¼ Section 5, T.20N., R.54E., M.D.B.&M.) via a ditch and the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. The current owner of record for this claim is Arc Dome Partners, LLC.

Proof of Appropriation V-10857 was filed by Beck Properties on May 9, 2016, claiming to have diverted water from Cottonwood Creek (POD within SE¼ SW¼ Section 5, T.20N., R.54E., M.D.B.&M.) via a ditch and the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10858 was filed by Beck Properties on May 9, 2016, claiming to have diverted 0.03 cfs of water from North Pasture Spring (POD within SW¼ SE¼ Section 20 T.23N., R.55E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10859 was filed by Beck Properties on May 9, 2016, claiming to have diverted 0.03 cfs of water from Silver Bell Mine Spring (POD within SE¼ NE¼ Section 36 T.22N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10860 was filed by Beck Properties on May 9, 2016, claiming to have diverted 0.03 cfs of water from Water Canyon Spring (POD within NW¼ SE¼ Section 25 T.22N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10861 was filed by Beck Properties on May 9, 2016, claiming to have diverted 0.03 cfs of water from Monroe Canyon Spring (POD within SW¼ SE¼ Section 24 T.22N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10869 was filed by James and Vera Baumann on May 27, 2016, claiming to have diverted 0.0044 cfs of water from F.G. Spring (POD within SE½ SE½ Section 9, T.19N., R.54E., M.D.B.&M.) via a dam and the natural channel to water 300 cattle from January 1 through December 31 with a priority date of 1866. The current owner of record for this claim is James and Vera Baumann.

Proof of Appropriation V-10870 was filed by James E. and Vera L. Baumann on May 27, 2016, claiming to have diverted 0.0066 cfs of water from Lani Spring (POD within SW1/4 SW1/4 Section 30, T.19N., R.54E., M.D.B.&M.) via a pipeline to a trough to water 300 cattle from January 1 through December 31 with a priority date of 1866. The current owner of record for this claim is James E. and Vera L. Baumann. Municipal water Claim V-04506 owned by Eureka County also utilize this source as a POD.

Proof of Appropriation V-10871 was filed by James E. and Vera L. Baumann on May 27, 2016, claiming to have diverted 0.0044 cfs of water from Hornitos Spring (POD within NW¼ NW¼ Section 29, T.19N., R.54E., M.D.B.&M.) via a dam and the natural channel to water 300 cattle from January 1 through December 31 with a priority date of 1866. The current

documents but probably mirrors the beneficial use of irrigation waters on the main Cox Ranch holdings. The tax records for the Willow Field area are generally incorporated into the other holdings of William Cox. This also lends support for the ranch and surrounding holdings having livestock in the range of approximately 125 - 150 horses and cattle prior to 1905 with fewer numbers in subsequent years thereafter. Other historical data includes those materials outlined in the prior discussion of V-02845.

Based on the field investigations (both historical and recent), historical aerial photography, historical maps and data presented in support of the filing, the State Engineer finds a basis for the diversion of 0.61 cfs of water from Judd Canyon, when it is available, to support the irrigation of 102.35 acres of meadow from April 1 through September 15 (168 days), for a total combined duty of 200 afs from all sources, with a priority date of 1885. The State Engineer also finds a basis for the diversion of water for domestic and stockwater use, when it is available, for the needs of 150 cattle and horses from January 1 through December 31 with a priority date of 1885.

B. Stockwater

There are sixteen different owners of record for the 230 proofs of appropriation claiming the use of surface water for stockwater prior to March 1, 1905. There are two filings for the prestatutory use of underground water for stockwater in the basin. The sixteen claimants are: Arc Dome Partners, Inc; the Bailey Family Trust; James E. and Vera L. Baumann; the Beck Family Trust; Chad D. and Rosie J. Bliss; Bureau of Land Management; the Chloe Held Trust; Peter J. and Gladys P. Goicoechea; Kobeh Valley Ranch, LLC; Little Paris Sheep Company; Clement Maggini; Merkley Ranches Inc; Ira R. and Montira Renner; Sadler Ranch, LLC; United Dressed Beef, Inc; and Daniel S. Venturacci. The total stockwater duty for each ranch is quantified based on the number and type of animals that were present prior to statutory water law and historically used these water sources. It is not a measure of water actually available on a perennial basis at a given source. If more livestock animals were present on the range after 1905, the additional waters necessary for their support would have to have been obtained through the statutory process.

Arc Dome Partners, LLC.

Arc Dome Partners, LLC is an agricultural, domestic limited-liability company in Eureka, Nevada. Chain of title documentation filed in conjunction with the previously mentioned Beck Properties (V-02888 and V-09333) support a pre-statutory use of the surface water by Arc Dome Partners LLC's predecessors with a priority date of 1886. Documentation filed in conjunction with Permit 10824 (Certificate 3012) support a priority date of 1929 for underground waters.

Proof of Appropriation V-02959 was filed claiming to have diverted 0.25 cfs of water from Holly Well, an underground source, (POD within the NW¼ NE¼ Section 8, T.19N., R.53E., M.D.B.&M.) via pipeline and troughs to water 50 cattle and 250 sheep from January 1 through December 31 with a priority date of 1929. The Holly Well was drilled prior to 1929, based on the Proof of Completion (dated November 10, 1944) and filed in support of Permit 10824. This claim is located within the Arambel Grazing Allotment (NV10031). In this Preliminary Order of Determination, a vested right to divert 0.003 cfs of water from the Holly Well, when it is available, for the stockwatering of 50 cattle 250 sheep with a priority date of 1929 is determined to be valid.

Proof of Appropriation V-10856 was filed claiming to have diverted enough water for 100 cattle and 500 sheep or 0.06 cfs of water from Cottonwood Creek (POD within the NW1/4 SW1/4 Section 5, T.20N., R.54E., M.D.B.&M.) via a ditch from the natural creek channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. The number of animals that would have utilized the source prior to 1905 is not supported by the Beck Family Trust and Beck Properties' supporting documentation. Tax records support animal numbers to be 50 cattle and horses prior to 1905. This claim is located on private property owned by the claimant. In this Preliminary Order of Determination, a vested right to divert 0.002 cfs of water from Cottonwood Creek, when it is available, for the stockwatering of 50 cattle and horses with a priority date of 1886 is determined to be valid.

1866. In this Preliminary Order of Determination, a vested right to divert water from Pinto Pass Spring, when it is available, for the stockwatering of 100 cattle with a priority date of 1866 is determined to be valid.

Proof of Appropriation V-10879 was filed claiming to have diverted 0.1114 cfs of water from Pedroli Spring (POD within the NW¼ SW¼ Section 33, T.20N., R.54E., M.D.B.&M.) via a trough, to water 300 cattle from January 1 through December 31 with a priority date of 1866. A field investigation conducted by the Office of the State Engineer personnel on April 6, 2017 confirmed the location and extent of this spring source as noted in the Office of the State Engineer "Spring and Surface Water Inventory Form." In this Preliminary Order of Determination, a vested right to divert water from Pinto Pass Spring, when it is available, for the stockwatering of 100 cattle with a priority date of 1866 is determined to be valid.

Beck Family Trust

The holdings of the Beck Family Trust are located along Torre Creek on the east side of Diamond Valley. The Beck Family Trust have the lease for the Black Point Grazing Allotment (NV10032). The number of animals the Beck Family Trust predecessors possessed based on the supporting tax assessment documentation associated with the irrigation claims suggest that there were up to 50 cattle on the ranch prior to 1905. This would equate to a diversion rate for livestock being 0.002 cfs and total combined duty of 1.13 afa from all sources.

Proof of Appropriation V-01316 was filed claiming to have diverted 0.25 cfs of water from Rock Springs (POD within the NE¼ SE¼ Section 25, T.21N., R.54E., M.D.B.&M.) via natural spring to water 75 cattle from April 1 through July 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Rock Springs, when it is available, for the stockwatering of 50 cattle and horses with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-01327 was filed claiming to have diverted 1.0 cfs of water from Munroe Spring (POD within the NE¼ SW¼ Section 13, T.22N., R.54E., M.D.B.&M.) via 8 small dams to water 2000 sheep from April 1 through October 1 with a priority date of 1899. A field investigation conducted by the Office of the State Engineer personnel on July 26, 2017

confirmed the location and extent of this spring source as noted on the Office of the State Engineer "Spring and Surface Water Inventory Form." In this Preliminary Order of Determination, a vested right to divert water from Munroe Springs, when it is available, for the stockwatering of 50 cattle and horses with a priority date of 1899 is determined to be valid.

Proof of Appropriation V-01329 was filed claiming to have diverted enough water for 50 cattle or 0.002 cfs of water from Little Willows Spring (POD within the SE¼ SW¼ Section 26, T.21N., R.54E., M.D.B.&M.) via a small ditch dam to water 50 cattle from April 1 through September 30 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Water Canyon Spring, when it is available, for the stockwatering of 50 cattle and horses with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-02889 was filed claiming to have diverted enough water for 100 cattle and 500 sheep or 0.006 cfs of water from Bank Ranch Stock Water (POD within the NW¼ SE¼ Section 28, T.20N., R.54E., M.D.B.&M.) via pools and natural channels from April 1 through November 30 with a priority date of 1886. Banks Ranch Stock Water is located close to the 1/16 line that divides the NW¼ SE¼ of this proof and the NE¼ SW¼ of proof V-10816. The State Engineer believes that Banks Ranch Stock Water is the same springs as the Banks Ranch Spring filed under V-10816. The State Engineer determines that this claim is a duplicate filing of V-10816 and is therefore rejected.

Proof of Appropriation V-10809 was filed claiming to have diverted 0.03 cfs of water from Pastorino East Spring (POD within the SW¼ SW¼ Section 02, T.19N., R.54E., M.D.B.&M.) via a collection system, pipeline, and natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. Reserved claim R-04236 is filed on this same source. In this Preliminary Order of Determination, a vested right to divert water from Pastorino East Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10810 was filed claiming to have diverted 0.03 cfs of water from Pastorino Middle Spring (POD within the SW¼ SW¼ Section 02, T.19N., R.54E., M.D.B.&M.) via a collection system, pipeline, and natural channel to water 100 cattle and 500

²⁷⁶ File V-10879, official records in the Office of the State Engineer.

²⁷⁷ File V-01327, official records in the Office of the State Engineer.

sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Pastorino Middle Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10811 was filed claiming to have diverted 0.03 cfs of water from Lower Torre Spring (POD within the SE¼ NW¼ Section 21, T.20N., R.54E., M.D.B.&M.) via natural spring and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Lower Torre Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10812 was filed claiming to have diverted 0.03 cfs of water from Palmer Ranch Spring (POD within the NW¼ SE¼ Section 21, T.20N., R.54E., M.D.B.&M.) via natural spring and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Palmer Ranch Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid

Proof of Appropriation V-10813 was filed claiming to have diverted 0.03 cfs of water from Middle Torre Spring (POD within the NW¼ NW¼ Section 27, T.20N., R.54E., M.D.B.&M.) via natural spring and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Middle Torre Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10814 was filed claiming to have diverted 0.03 cfs of water from Upper Torre SW Spring (POD within the NE¼ SW¼ Section 25, T.20N., R.54E., M.D.B.&M.) via a collection system, pipeline, and natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Upper Torre SW Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10815 was filed claiming to have diverted 0.03 cfs of water from Upper Torre SE Spring (POD within the SE¼ SW¼ Section 25, T.20N., R.54E., M.D.B.&M.) via natural spring and channel to water 100 cattle and 500 sheep from January 1

through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Upper Torre SE Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10816 was filed claiming to have diverted 0.03 cfs of water from Banks Ranch Spring (POD within the NE¼ SW¼ Section 28, T.20N., R.54E., M.D.B.&M.) via natural springs and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. Proof V-02889 is also filed on Banks Ranch Spring. In this Preliminary Order of Determination, a vested right to divert water from Banks Ranch Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10817 was filed claiming to have diverted 0.03 cfs of water from Eunice Place Spring (POD within the SW¼ SW¼ Section 28, T.20N., R.54E., M.D.B.&M.) via natural springs and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Eunice Place Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10818 was filed claiming to have diverted 0.03 cfs of water from Upper Torre NE Spring (POD within the NW¼ NE¼ Section 25, T.20N., R.54E., M.D.B.&M.) via collection system, pipeline and natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Upper Torre NE Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10857 was filed claiming to have diverted enough water for 100 cattle and 500 sheep or 0.06 cfs of water from Cottonwood Creek (POD within the SE¼ - SW¼ Section 5, T.20N., R.54E., M.D.B.&M.) via a ditch from the natural creek channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Cottonwood Creek, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10858 was filed claiming to have diverted 0.03 cfs of water from North Pasture Spring (POD within the SW¼ SE¼ Section 20, T.23N., R.55E., M.D.B.&M.) via ditch from the natural spring and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from North Pasture Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10859 was filed claiming to have diverted 0.03 cfs of water from Silver Bell Mine Spring (POD within the SE¼ NE¼ Section 36, T.22N., R.54E., M.D.B.&M.) via natural spring and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Silver Bell Mine Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10860 was filed claiming to have diverted 0.03 cfs of water from Water Canyon Spring (POD within the NW¼ SE¼ Section 25, T.22N., R.54E., M.D.B.&M.) via natural spring and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. A field investigation conducted by the Office of the State Engineer personnel on July 26, 2017, confirmed the location and extent of this spring source as noted in the Office of the State Engineer "Spring and Surface Water Inventory Form." Reserved claim R-04262 is filed on this same source. In this Preliminary Order of Determination, a vested right to divert water from Water Canyon Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10861 was filed claiming to have diverted 0.03 cfs of water from Monroe Canyon Spring (POD within the SW¼ SE¼ Section 24, T.22N., R.54E., M.D.B.&M.) via natural spring and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Monroe Canyon Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

²⁷⁸ File V-10860, official records in the Office of the State Engineer.

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August 20, 1926 August 12, 1985 a. 5250, 5251, 5159 and 5100 Mr. Edgar Eather Attorney at Law Elko, Hovada Dear Sir: Our records show that application No. 5159 was filed by Clement Maggini on July 18, 1916 for water from Mouroe Canyon Springe. The point of diversion do oribed in the application is in the SEE SEE Sec. 13, T. HE N., R. 54 B. The application was denied on October 20, 1919 on the ground that the water of the source is already covered by prior rights, Mr. I. Handley claiming a vested right from the source under proof of appropriation No. 01327. The records also show application No. 5250 filed by Mr. Magaini on September 20, 1918 for water from Monroe Spring No. 2, the point of diversion of which is described as in the HB\$ 197 8ac. 24. T. 22 H. R. 54 E. A permit was granted under this application, and subsequently it was assigned to Marcos Legerre. Seme was however osnoelled on October 26, 1922 for failure to apaply with the provisions of the permit. In addition to the above, the records of application No. 5851 ande by Clement Maggini for water from Magaini Spring Bo. 2, the point of diversion being in the SET SET Sec. 12, T. 22 N., R. 54 E. This pormit was also assigned to Legarra and has since been cancelled. Certificate Ro. 1012 was issued to Maroos Lagurra on Murch 31, 1924 under permit No. 5160 for 0.0125 o.f.s. of water from Sheep Canyon Spring for stockwatering purposes. The point of diversion described therein is HET SET Hec. 12. T. 22 N., H. 54 K. The application under which this certificate is issued was originally filed by Mr. Maggini. Yours very truly. Robert A. Allen. State Engineer By Office Engineer AL Arc Dome Exhibit 5 - Page 2 Application No..5160.....

Certificate Record No. 1012 Book 5 Page 1012

THE STATE OF NEVADA CERTIFICATE OF APPROPRIATION OF WATER

197	EREAS, Liarcos Logarra has presented to the State Engineer
•	
	ate of Nevada Proof of Application of Water to Beneficial Use, from
	Sheep Canyon Spring
	Sheep Canyon Ditch for
::	Stockwatering
purposes	The point of diversion of water from the source is as follows: NET SET Sec. 12, T.22 N.
R. 5	64 E., H.D.B.2 II.
ituated i	inCounty, State of Nevada.
Now	KNOW YE, That the State Engineer, under the provisions of Section
	and amount of such appropriation, together with the place to which such water is appurtenant, as follows:
	Name of appropriator. Larcos Legarra
	Postoffice address Zurela, Royada.
	Amount of appropriation0125 cubic foot ner second
	Period of use, from April 1 to Hovember 1 of each year
	Date of priority of appropriation
	on of works of diversion, mamer and place of use:-
	reservoir enproximately 10 feet in diameter stores the water
	the spring. Water is transported through 12 feet of 2 inch
pipe	to 9 troughs each 14 feet in length. Ecter is conserved in
this	morner for 2000 head of sheep.

	right to water hereby determined is limited to the amount which can be beneficially used, not to exceed
	nt above specified, and the use is restricted to the place where acquired and to the purpose for which
cquired.	In Testimony Whereof, I Robert A. Allen , State Engineer
إ	of Nevada, have hereunto set my hand and the seal of my office, this
	State Engineer.
Ž.	Tokerraalen.
mpa::. 1.1. 70. 70. 70.4	State Engineer.
-	
pa:	Russied April 1, 1924 Bk. Ac. Page 1720
B	COUNTY Property

FILED
FEB 11 1924
STATE ENGINEER'S OFFICE

Under Permit No......5160

1

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF PERMITTEE

NOTE—Questions 1 to 12 inclusive must be answered regardless of the purpose for which your permit for water has been granted. If this proof is made for irrigation purposes, a cultural map showing actual boundaries of land irrigated, together with classes of culture, etc., must accompany same, unless such map has already been filed. (See Sec. 69, Chapter 140, Statutes 1913.)

Question 1. What is your name, occupation, and postoffice address?
Answer: Marcos Legarra, Eureka, Nevada
Question 2. Are you acting in behalf of a corporation? If so, state its name, place of business, an your authority for acting in its behalf.
Answer:NG.
Question 3. What is the number of the permit under which this proof is made? Answer: 5160 Question 4. From what source do you obtain your water supply?
Answer: Sheep Canyon Spring
Question 5. What is the name of the canal, conduit, or other works by which water is conducted to it place of use?
Answer: Sheep Canyon Ditch.
Question 6. Are you the person to whom the permit was issued? If not, state how you obtained it giving the succession of title.
Answer: Acquired by purchase from Clement Maggini, who was the
(If assignments of title are not on file in the office of the State Engineer, the certificate will issue to the original applicant.) Question 7. For what purpose are you using the water for which you are now making proof? Answer: Stockwatering.
Question 8. How many cubic feet per second of water, or fraction thereof, have you actually diverted and beneficially used for the purpose for which this proof is made? (Actual measurement of water shall be given. 40 miners' inches equals 1 cubic foot per second. 1 miners' inch equals 11.2 gallons per minute. 448.88 gallons per minute equals 1 cubic foot per second.)
Answer: Full flow of spring as shown by application.
Question 9. State the period during the year when water has been beneficially used.
Answer: April to November of each and every years.
Question 10. Do you divert and use more water at periods than granted in the permit for which proof is made? If so, make proper explanation.
Answer: No.
Question 11. Give date when water measurements were taken, the point at which such measurements were taken and the name and address of person who made the measurements.
Answer: No measurements made, volume approximated.

Question 12.	State, if your resion.	ou know, the norm	mal number of c	ubic feet	per second flov	wing in the s	source at
Answer:	Not me	asured.		********	************************************	******************************	
Question 13.	F WATER	IS USED FOR I	RRIGATION A	NSWER 1	THE FOLLOW	'ING:	

		number of acres					
		acres in the					
		acres in the					
		acres in the					
		acres in the					
		acres in the					
	(En	umerate only the lan	d upon which water	has been ac	tually used.)		
Question 15. the terms of yo	. Have you our permit?	installed a head Give approxima	dgate and weir ate dimensions o	at your p	oint of diverse.	sion, as requ	ired by
Answer:		***************************************		***************************************	***************************************	***************************************	***************************************
Question 16.	. Do you us	se the rotation s	ystem for irriga	ting?			
Answer:		•••••••••••••••••••••••••••••••••••••••	•••••	,	***************************************	**************************	
Question 17.	What is t	he character of	the soil irrigated	1?			
Answer:		······································		*****************	***************************************		*************
	•	USED FOR STO		G OR D			
beneficial use, er	mbracing a	ed description of oproximate dimer If troughs are	nsions of dam at	source, si	ze and length	of pipe, and	size and
Answer:	Dam apr	roximately	ten feet in	diame	ter near t	he sprin	g which
		connected w					
	pipe.Tr	ougha ere o	onstructed.	of lum	per, and ar	e nie in	
	number;	fourteen fe	et in lengt	h, each	4		
Question 19.	Give appro	ximate number a	nd kind of anima	als watere	d.		
Answer:	2000 he	ad of sheep	•				***************************************
		USED FOR POV		NG AND			
		the dimensions of water diverted	the diversion he	eadgate an	d carrying cap	acity of the	conduit
Answer:	Not so	used.			***************************************		

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1.

inswer:	•••••
	••••••
Question 22. What is the average grade or difference in elevation between the termini of onduit? Give the grades of the different sections of conduit as shown above.	the
inswer:	
Question 23. Give any information concerning diversion and use of water for power or min	
ot covered above.	
nswer:	•••••
IF WATER IS USED FOR ANY PURPOSE NOT HERETOFORE NAMED	•••••
DESCRIBE FULLY UNDER REMARKS:	
	•••••
	•••••
	· · · · · · ·
	•••••
(Give all information relative to the method of use of water and any other matters you deem important.)	
The map made in substantiation of the claims herein, prepared under my instructions and author hows the actual conditions on the premises.	-
Signed: May cos Legama	
I hereby certify that the foregoing testimony was read to the above subscriber before its signind I believe him to be the person he represents himself to be, and that said testimony was subscri	ng, oed
nd sworn to before me at my office in Eureka , County of Eureka	,
tate of Nevada , on this Sth day of February , A. D. 192 4	
El EM)

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1,

APPLICATION FOR PERMIT Serial No. 5160 TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUL 18 1918 Returned to applicant for correction JUL 29 1918

Corrected application filed SEP 20 1918

	The undersigned Clement Maggini,
of_	Eureka , County of Eureka ,
Ste	te of Nevada , hereby makes application for
per	mission to appropriate the public waters of the State of Nevada,
	hereinafter stated. (If applicant is a corporation give date and ce of incorporation.).
1. (M. olud 2. 3.	The source of the proposed appropriation is Unnamed Spring, Name of stream, lake, or other source. Aggini No.1), unsurveyed ground, which when surveyed will be in- led in No.2 of SE2 of Section IE, Township E2, N.R. 54, E. The amount of water applied for is
4.	The water is to be diverted from its source at the following
poi Descrit	nt: Near the spring in NE% of SF% of Section 12, Township 22, N.R. 54 as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land it should be so stated.
	IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:
(a)	Number of come to be instanted to
(4)	Number of acres to be irrigated is
(b)	Description of land to be irrigated
(b)	Description of land to be irrigated
(b)	Description of land to be irrigated
(b)	Description of land to be irrigated Describe by legal subdivision. or if on unsurveyed land is be so stated and a description provided to accordance with special instruction from the State Engineer when application is returned for correction.
(b)	Description of land to be irrigated Describe by legal subdivision. or if on unsurveyed land is Described by legal subdivision. Or if on unsurveyed land is Described by legal subdivision. Or if on unsurveyed land is Described by legal subdivision. Or if on unsurveyed land is Described by legal subdivision. Or if on unsurveyed land is
(b)	Description of land to be irrigated Describe by legal subdivision. or if on unsurveyed land is be so stated and a description provided to accordance with special instruction from the State Engineer when application is returned for correction. Irrigation will begin about
(b)	Description of land to be irrigated Describe by legal subdivision, or if on unsurveyed land is no so stated and a description provided to accordance with special instruction from the State Engineer when application is returned for correction.
(b)	Description of land to be irrigated
(b) should (c)	Description of land to be irrigated
(b) should (c) (d) 1	Description of land to be irrigated
(b) should (c) (d) 1 (e)	Description of land to be irrigated
(b) should (c) (d) 1 (e) M.D.	Description of land to be irrigated
(c) (d) (e) M.D.	Description of land to be irrigated

DESCRIPTION OF PROPOSED WORKS
State manoer in which water is to be directed, whether by dam or other works, whether through pipes, ditches, finnes, or other condults. If water Excevating so as to develop water, collecting and conducting the same is to be stored to reservoire it should be so stated and the location of the spaer our should be given with reference to the lexal subdivisions. through pipes to a trough or troughs near the spring where it will be used for watering stock.
Avr. oo
5. Estimated cost of works \$75.00
8. Estimated time required to construct works. One year
7. Remarks
Clement Maggini , Applicant.
By William P.Wright, Agent.
Jompared P.P. Jones
Phis sheet inspected.
Engineer.
APPROVAL OF STATE ENGINEER
This is to certify that I have examined the foregoing appli-
ation, and do hereby grant the same, subject to the following lim-
tations and conditions:This permit is issued subject to all prior rights on the course.
The State reserves the right to regulate the use of the water horein-
granted at any and all times. It is distinctly understood that
applicant agrees to the terms herein contained.
the amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed
0.025cubic feet per second. (One fortieth)
ctual construction work shall begin on or before kpy 28, 1920.
roof of commencement of work shall be filed before June 28, 1920.
ork must be prosecuted with reasonable diligence and be completed
n or before Lay 28, 1981.
roof of completion of work shall be filed before June 28, 1921.
pplication of water to beneficial use shall be made on or before
October 28, 1921. Proof of the application of water to beneficial
se must be filed with State Engineer on or before Hovember 28,1993.
WITNESS MY HAND AND SEAL this 20th day
Mar 12 1/20 of October, 1919.
not of completion of work filed, 1907 12 12 12
of of heneficial use filed FEE 11 1924
of of heneficial use filed FEE 11 1924 Historic No. 1917 Inned March 31 11 1924 State Bagineer. State Bagineer. Arc Dome Exhibit 5 - Page 1920 Arc Dome Exhibit 5 - Page 1920
Arc Dome Exhibit 5 - Pag

No. 5 4 % Indexed under	
Name of applicant Repo	rt No
Map	10-153
Stream	DIAMOND VALLEY
Field Book	
Township 7. 22 n (7548)	
	See affedort in Explanations of Error in Point of Almercon Till I
Application filed Oct. 19	9 2 5 Tev. 17, 19127.
Aimliant Do a	Pero ana
Source of Water mourse S	
	pring no.a
Returned for correction Corrected application received	
	20 + Six 1 - C
Proof of publication filed Jef. 27 19	925 to the Eurepa Sentinel
From of publication input get. 27, 19	26-
Investigated on ground by	
Protested	
Frotested	
Ready for action December 28.19	705
Approved Our action December 28, 19	
Denied June / 9 26	for 0.025 c. 15 - sloet
Withdrawn by applicant	
Canceled	2
Proof of labor filed 0 . 0 14 16 4	Nua Nua
Map filed October 15,1927	Suprice 1926
Proof of completion of work filed	84/16,1927
Proof of beneficial use filed	1926 list 16 1928
Certificate No. 147/ issued Klesen	iber 21, 1928 - 0.005 - Ref.
airded 1-4-29- 13-1 18"1	Page 6. Europe Co. Rpd (2720 autoin letter)
	applanation of Error in.
Proch 10	Poll of line 1927
- Some of American	unterect 7 2108
	CHUCKLES COLLING

Application No. 7548

Certificate Record No. 1471 Book 6 Page 1471

THE STATE OF NEVADA CERTIFICATE OF APPROPRIATION OF WATER

	OF APPROPRIATION OF WATER	
WHEREAS MATCOS L	AGRATIShas presented to the State Engineer	
	of Water to Reneficial Use, from	
	Monroe Spring No. 2.	
	and trough for	
	Stockwatering	
purposes. The point of diversion of water f	from the source is as follows: NEISEL Sec. 13. T. 22 N. 35 48 E., 17744 feet from SE corner Sec. 34,	
situated in Eureka	County, State of Nevada.	
Now Know Ys, That the State Engineer,	, under the provisions of SectionZZ, Chapter	
	1913has determined the date, source,	Total Control
	together with the place to which such water is appurtenent, as follows:	
	. Sureke County, Nevede	
	25.C.F.Sor. mufficientto.water4000 head of she	eb .
	1.1 to Kovember 30 of each-year	
	on Optober 19, 1985	
	n, manner and place of use:	
	ing.located.in.the.NEISE Beat184.22.22.N.,	
R. 54 R. M.D.B.& M from to 40 feet of galvanized in	ung.located in the NEISE Sed. 13; Fg. 22 No., where 15 feet of 2 inch pape conveys water ron stock watering troughs 22 inches wide; atering of 4000 head of sheep.	
R. 54 R. M.D.B.& M. from to 40 feet of galvanized in where 11 is used for the wa	where 15 feet.of.2 inch pape conveys water ron: stock watering troughs 22: inches wide;	
R. 54 R. M.D.B.& M. from to 40 feet of galvanized in where 11 is used for the wa	where 15 feet of 2 inch pape conveys water ron stock watering troughs 22 inches wide; attring of 4000 head of sheeps	
R. 54 K., M.D.B.& M., from to 40 feet of galyanized in where 11 is used for the wa	where is feat. of 2 inch pape conveys water ron: stock watering troughs 22. inches wide; attering of 4000 head of sheeps	
R. 54 K., M.D.B.& M., from to 40 feet of galyanized in where 1t is used for the wa	where 15 feet of 2 inch pape conveys water ron stock watering troughs 22 inches wide;	
R. 54 K., M.D.B.& M., from to 40 feet of galyanized in where 11 is used for the wa The right to water hereby determined is the amount above specified, and the use is	where 15 feet. of 2 inch pape conveys water ron stock watering troughs 22 inches wide; attring of 4000 head of sheeps limited to the amount which can be beneficially used, not to exceed prestricted to the place where acquired and to the purpose for which	
The right to water hareby determined is a mount above specified, and the use is equired.	where 15 feet of 2 inch pape conveys water ron steek watering troughs 22 inches wide: atering of 4000 head of sheep. limited to the amount which can be beneficially used, not to exceed a restricted to the place where acquired and to the purpose for which Wester, I,	
The right to water hereby determined is amount above specified, and the use is equired.	where 15 feat of 2 inch pape conveys water ron steek watering troughs 22 inches wide: atering of 4000 head of sheep. limited to the amount which can be beneficially used, not to exceed restricted to the place where acquired and to the purpose for which Wigner, I, Geore W. Malone State Engineer 21st day of December A. D. 192.	
The right to water hareby determined is a mount above specified, and the use is equired.	where 15 feet of 2 inch pape conveys water ron stock watering troughs 22 inches wide. atering of 4000 head of sheeps. limited to the amount which can be beneficially used, not to exceed restricted to the place where acquired and to the purpose for which Wester, I	
The right to water hareby determined is a mount above specified, and the use is equired.	where 15 feet of 2 inch pape conveys water ron stock watering troughs 22 inches wide. atering of 4000 head of sheeps. limited to the amount which can be beneficially used, not to exceed restricted to the place where acquired and to the purpose for which Washer, I. George W. Malone , State Engineer Torrevada, have hereunto set my hand and the seal of my office, this 21st day of December , A. D. 192.	

Under Permit No. 7548



PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF PERMITTEE

Note—Questions 1 to 12 inclusive must be answered regardless of the purpose for which your permit for water has been granted. If this proof is made for irrigation purposes, a cultural map showing actual boundaries of land irrigated, tagether with classes of culture, etc., must accompany same, unless such map has already been filed. (See Sec. 69, Chapter 140, Statutes 1918.)

Control of the Contro	What is your name, occupation, and postoffice address?
Answer:	Marcos Legarra, Eureka, ^M evada.
Question 2.	Are you acting in behalf, of a corporation? If so, state its name, place of business, and racting in its behalf.
Answer:	No.
Question 8.	What is the number of the permit under which this proof is made? Answer: 7548
Question 4.	From what source do you obtain your water supply?
Answer:	Monroe Spring No.2
place of use?	What is the name of the canal, conduit, or other works by which water is conducted to its
Answer:	Monroe Spring No.2
Question 6. giving the succes	Are you the person to whom the permit was issued? If not, state how you obtained it, sion of title.
Answer:	Yes
	THE PERSON OF THE PARTY OF A PARTY OF THE PA
Question 7.	tile are not on file in the office of the State Engineer, the certificate will issue to the original applicant.) For what purpose are you using the water for which you are now making proof?
Answer: Stoc	kwetering*
and beneficially u	How many cubic feet per second of water, or fraction thereof, have you actually diverted sed for the purpose for which this proof is made? ment of water shall be given. 40 miners' luches equals 1 cubic foot per second. 1 miners' luch equals ute. 448.88 gallons per minute equals 1 cubic foot per second.)
Answer: One	-tenth second feet
	State the period during the year when water has been beneficially used.
Answer:	April 1st to November 30th of each year.
Question 10.	Do you divert and use more water at periods than granted in the permit for which proof make proper explanation.
Answer:	N6.
Question 11.	Give date when water ineasurements were taken, the point at which such measurements he name and address of person who made the measurements.
Answer: N	o measurement made.

at your point of diversion. Do not know. IF WATER IS USED FOR IRRIGATION ANSWER THE FOLLOWING: Question 13. Upon how many acres have you beneficially used water? Question 14. Give the number of acres in each legal subdivision. Answer: acres in the of Sec., T. R. E. acrès in the _____of Sec.____, T.____, R.____E. acres in the _____ of Sec.____, T.___, R.___E. acres in the of Sec., T., R. E. acres in the of Sec. , T. , R. E. acres in the _____of Sec.____, T.____, R.___E. (Ebumerate only the land upon which water has been actually used.) Question 15. Have you installed a headgate and welr at your point of diversion, as required by the terms of your permit? Give approximate dimensions of headgate. Answer: Question 16. Do you use the rotation system for irrigating? Question 17. What is the character of the soil irrigated? IF WATER IS USED FOR STOCK-WATERING OR DOMESTIC PURPOSES ANSWER THE FOLLOWING Question 18. Give detailed description of works of diversion and manner by which water is stored for beneficial use, embracing approximate dimensions of dam at source, size and length of pipe, and size and number of tanks or troughs. If troughs are not used state exactly how water is stored for beneficial use. Answer: One Trough 40 feet in length and 22 inches wide; One Reservoir 20 feet long and 8 feet wide and 20 feet of pipe line. (two inch pipe) Question 19. Give approximate number and kind of animals watered. Answer: 4000 head of sheep and lambs. IF WATER IS USED FOR POWER OR MINING AND MILLING PURPOSES ANSWER THE FOLLOWING: Question 20. What are the dimensions of the diversion headgate and carrying capacity of the conduit in cubic feet per second? Is water diverted by ditch, pipe or flume?

Question 12. State, if you know, the normal number of cubic feet per second flowing in the source

nswer:		
Question 22. What is the average gronduit? Give the grades of the differen	rade or difference in elevation betwe t sections of conduit as shown above.	
answer:		All replay to the two two to the second
ot covered above.	oncerning diversion and use of water	r for power or mining
Answer:	And American and The Principles	3.4 3.359 424
IF WATER IS USED FOR A	ANY PURPOSE NOT HERETOFORE	
Remarks:		
200		
		A 1 - 1 2 2 1 1 2 2
(Give all information relative to the met	thad as an as a mater and are allow matters are	dann inneadant \
(Give an information relative to the men	thou of use of water and any other matters jou	deem important.)
	ne claims herein, prepared under my ins	tructions and authority
shows the actual conditions on the premise	11	0
The state of the s	Signed: March	n Laman
	Signed:	1 3 3 9 0 0 1 - a
I hereby certify that the foregoing te and I believe him to be the person he rep	estimony was read to the above subscr presents himself to be, and that said to	
and sworn to before me at my office in	Eureka , County of	Eureka
State of Nevada , on	this 14 day of July	, A. D. 192.6.
		2 Flan
r formal and a supplement of the	C D	O DO
	Zam	

DATETHAN TA SEE	LICOURT TAY MATERIAL	State Engineer's office OCT 19 1925
The unders	ignedMarc	ON Logarze Name of applicant
of En	raka,	County of Euroka ,
State of	Nevada :	, hereby makes application for
or the state of the state of		ic waters of the State of Nevada,
as hereinafter	stated. (If applica	nt is a corporation give date and
place of incorpo	oration.).	
		oropriation is Monroe Spring No. 2.
**************************************	references	
2. The amount o	f water applied fo	r is <u>one-tenth</u> second-feet. One second-foot equals 40 miners' inches.
		Octivatoring. Haston, power, ministe, manufacturing, doments, or other the.
		om its source at the following
point: NE2 of the	he NW of Section 24	Twp. 22 N.R. 54 E. distance to a section corner. If on unsurveyed land it should be so stated.
a. in fall a	2	en sond since the region is the stage of the stage of the stage of the stage of
(a) Number of ac	cres to be irrigate	d is
	of land to be irri	
(b) Description		gated
(b) Description	provided in accordance with special lostrate	
(b) Description	provided in accordance with special lostrate	gated
(b) Description	provided in accordance with special lostrate	gated
(b) Description should be so stated and a description	provided in accordance with special (astruc	Describe by legal subdivision, or if an unsurveyed land it down from the state Kogineer when application is returned for currection. April 1st and end about
(b) Description should be so stated and a description Use of Water (c) Water w	provided in accordance with special instruc	Describe by legal subdivision, or if an unsurveyed land is thou from the state Engineer when supplication is returned for currection. April 1st and end about are.
(b) Description should be so stated and a description Use of Water (c) Transgavior w November 30t	rill begin about	Describe by legal subdivision, or if an unsurveyed land it How from the state Engineer when application is returned for correction. April 1st and end about Month.
(b) Description should be so stated and a description Use of Water (c) Transgavior w November 30t	rill begin about	Describe by legal subdivision, or if an unsurveyed land it How from the state Engineer when application is returned for correction. April 1st and end about
(b) Description should be so stated and a description Use of Water (c) Transgavior w November 30t	provided in accordance with special instruc-	Describe by legal subdivision, or if an unsurveyed land it thou from the state Engineer when application is returned for currection. April 1st and end about Nomin. BANSPORTATION, OR OTHER USE, SUPPLY THE ORMATION:
(b) Description should be so stated and a description Use of Water (c) Wave at water November 30t Routh IF WATER IS TO BE I	rill begin about	Describe by legal subdivision. or if an unsurveyed land it Hou from the state Engineer when application is returned for correction. April 1st and end about are. BANSPORTATION, OR OTHER USE, SUPPLY THE ORMATION:
(b) Description should be so stated and a description Use of Water (c) Water November 30th Mouth. IF WATER IS TO BE I	provided in accordance with special instruc-	Describe by legal subdivision, or if an unsurveyed land it down from the state Engineer when application is returned for correction. April 1st and end about Nonth. BANSPORTATION, OR OTHER USE, SUPPLY THE ORMATION: horsepower. NW1 of Sag. 22 Twp. 227N. R. 54 E.
(b) Description should be so stated and a description Use of Water (c) Water November 30th Mouth. IF WATER IS TO BE I	provided in accordance with special instruc-	Describe by legal subdivision, or if an unsurveyed land it down from the state Engineer when application is returned for correction. April 1st and end about Nonth. BANSPORTATION, OR OTHER USE, SUPPLY THE ORMATION: horsepower. NW1 of Sag. 22 Twp. 227N. R. 54 E.
(b) Description should be so stated and a description Use of Water (c) Water November 30t Mouth. IF WATER IS TO BE I d) Power to be description e) Works to be	provided in accordance with special instruc- rill begin about h, of each year DEED FOR POWER, MINING, T. FOLLOWING INF eveloped is located NET of the	Describe by legal subdivision, or it on unsurveyed land it tion from the state Engineer when supplication is returned for currection. April 1st and end about Nonth. BANSPORTATION, OR OTHER USE, SUPPLY THE ORMATION: horsepower. Not of Sec. 24 Two 22 N. R. 54 E. busse by course said distance to a scotled corner.
(b) Description should be so stated and a description Use of Water (c) Wave stated and a description (d) Power to be description Works to be directorises f) Point of retu	provided in accordance with special instruc- rill begin about h, of each year DEED FOR POWER, MINING, T. FOLLOWING INF eveloped is located NET of the	Describe by legal subdivision, or if an unsurveyed land it How from the state Engineer when application is returned for correction. April 1st and end about Month. BANSPORTATION, OR OTHER USE, SUPPLY THE ORMATION: horsepower. horsepower. Provide it same manner as pout of divironal. Describe it same manner as pout of divironal.

DESCRIPTION OF PROPOSED WORKS One trough 40 feet long, 22 inches wide has already been installed, State manner in which water is to be divorted, whether by dam or other works, whether through pipes, ditches, finmes, or other conduits. If water and one reservoir 20 feet long and 8 feet wide will be built, is to be stored in reservoirs it should be so stated and the location of the reservoir should be strain with reference to the legal subdivisions.

a pipe line 20 feet in lenght will be laid. 5. Estimated cost of works \$500.00 6. Estimated time required to construct works Two years. 7. Remarks___ For use of applicant. Marcos Lagrana, Applicant. Compared____ This sheet inspected_____ ____, Engineer. APPROVAL OF STATE ENGINEER This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed _____cubic feet per second. Actual construction work shall begin on or before Proof of commencement of work shall be filed before Work must be presecuted with reasonable diligence and be completed on or before____ Proof of completion of work shall be filed before Application of water to beneficial use shall be made on or before Proof of the application of water to beneficial use must be filed with State Engineer on or before_____ WITNESS MY HAND AND SEAL this ____ day of_____

State Engineer.

No. 15 47	
Indexed under	
Name of applicant Report No.	A THE PARTY OF THE
Map	10-153
Stream	DIAMOND VALLEY
Field Book	lis affidavit " Feled 11-17-27
Township 22 ng 546 X 48	See affidavit, Sulla Pret of
56/4 SW/4 Sec. 15 19	increase "
Application filed Oct. 19, 1925	O ALL MANNESSE, AND MANNESSE,
Applicant marcos Lego	ma aller
Source of Water Magginio	Spring no. 2 5
Returned for correction	The state of the s
Corrected application received	
Sent for publication Oct. 23, 1925	
Proof of publication filed Feb. 27, 1926	
Investigated on ground by	
Protested	
and of Wiversion"	A 0 2 5 5. 1 5. 2 stone Aug. Sept. 16, 192 (Sept. 16, 1927 16
	Send copy of all correspondence & notices to: Roy E, Hubbard P.O. Box 241 Eureka, Nevada 89316 Letter filed in # 7549 6/17/68

Annlication	No7549
1 chartering	4 7 V 11 - (1-4-) (4-48-111

A	m 61 . 1 .		400		1 .	 _
Certificate	· Merord -	No	472	Rook	A	 р.

THE STATE OF NEVADA CERTIFICATE OF APPROPRIATION OF WATER

	WHEREAS Marcos Legarra
	of the State of Nevada Proof of Application of Water to Beneficial Use, from
	Maggini Spring No. 2
	through reservoir, pipeline and troughs for
	Stookwatering
	purposes. The point of diversion of water from the source is as follows: NV/4SW4 Sec. 12. T. R: 54 E., M.D.B.& M., 62 S.39 % E., 10265 feet from the SE core Sec. 34, T. 23 N. R. 54 E., M.D.B.& M.
	situated inEurekaCounty, State of Nevada.
	Now Know YE, That the State Engineer, under the provisions of Section
	1913 has determined the de
	purpose and amount of such appropriation, together with the place to which such water is appurtenant, a
	Name of appropriatorMarcos Legarra
	Post-office address Eureka, Eureka County, Neveda
	Amount of appropriation.02025C.F.S.or.sufficientto.water4000
	Period of use, from April 1 to November 30 of each vest
	Date of priority of appropriation
	Description of works: of diversion, manner and place of use:
	An earthen reservoir 15 feet square, and 3 feet deep was
	structed at the spring located in the NW15W1 Sec. 12, T. 22 N., I
	E., M.D.B.& M., from where water is conveyed by20 feat of 2 inch.
	to 40 feet of 12 inch iron troughs where it is used for the water
	of 4000 head of sheep.
	THE RESERVE OF THE PROPERTY OF
	The right to water hereby determined is limited to the amount which can be beneficially used, not to
t	the amount above specified, and the use is restricted to the place where acquired and to the purpose for
-	in Testimony Wherior, I, Geo. W. Malone State
and	of Nevada, have hereunto set my hand and the seal of my, of
	Learning Records of Newada, nave nereunto set my hand and the seal of my, off control unity of the control unity o
	day of December ' A b 100
-	Heavinglone
	Healinglane State Engi
•	Hestinalone

FILED JUL 16 1926

Under Permit No. 7549

STATE ENGINEER'S OFFICE

PROOF OF APPLICATION OF WATER TO BENEFICIAL

DEPOSITION OF PERMITTEE

Note-Questions 1 to 12 inclusive must be answered regardless of the purpose for which your permit for water has been granted. If this proof is made for irrigation purposes, a cultural map showing actual boundaries of land irrigated, together with classes of culture, etc., must accompany same, unless such map has already been filed. (See Sec. 69, Chapter 140, Statutes 1913.)

Question 1.	What is your name, occupation, and postoffice address?
Answer:	Marcos Legarra, Eureka, Nevada.
	Are you acting in behalf of a corporation? If so, state its name, place of business, and or acting in its behalf.
Answer:	No.
Question 3.	What is the number of the permit under which this proof is made? Answer: 7549
Question 4.	From what source do you obtain your water supply?
Answer:	Maggini Spring No.2
place of use?	What is the name of the canal, conduit, or other works by which water is conducted to its
Answer:	Maggini Spring No.2
	Are you the person to whom the permit was issued? If not, state how you obtained it,
Answer:	Yes.
	For what purpose are you using the water for which you are now making proof? Stockwatering
Question 8. and beneficially u (Actual measure	Stockwatering How many cubic feet per second of water, or fraction thereof, have you actually diverted used for the purpose for which this proof is made? ement of water shall be given. 40 miners' inches equals 1 cubic foot per second. 1 miners' inch equals
	nute. 448.88 gallons per minute equals 1 cubic foot per second.)
Answer:Or	ne-tenth second feet.
Question 9.	State the period during the year when water has been beneficially used.
Answer:	April 1st to November 30th of each year.
Question 10. is made? If so,	. Do you divert and use more water at periods than granted in the permit for which proof make proper explanation.
Answer:	No.
Question 11. were taken and	Give date when water measurements were taken, the point at which such measurements the name and address of person who made the measurements.
Answer:	No measurement taken.

Question 12. State, if you know, the normal number of cubic feet per second flowing in the source at your point of diversion. Answer: IF WATER IS USED FOR IRRIGATION ANSWER THE FOLLOWING: Question 13. Upon how many acres have you beneficially used water? Question 14. Give the number of acres in each legal subdivision. Answer: _____acres in the _____of Sec.____, T.____, R.___E. acres in the of Sec. T. R. E. acres in the of Sec., T., R. E. acres in the _____ of Sec. ____, T. ____, R. ____E. acres in the ______, T.____, R.____E. acres in the ______of Sec.____, T_____, R.___E. (Enumerate only the land upon which water has been actually used.) Question 15. Have you installed a headgate and weir at your point of diversion, as required by the terms of your permit? Give approximate dimensions of headgate. Question 16. Do you use the rotation system for irrigating? Question 17. What is the character of the soil irrigated? IF WATER IS USED FOR STOCK-WATERING OR DOMESTIC PURPOSES ANSWER THE FOLLOWING Question 18. Give detailed description of works of diversion and manner by which water is stored for beneficial use, embracing approximate dimensions of dam at source, size and length of pipe, and size and number of tanks or troughs. If troughs are not used state exactly how water is stored for beneficial use. Answer: Twenty feet of two inch pipe 20 feet in length; Two Iron troughs 40 feet long and One reservoir 15 feet square. See map for This description Question 19. Give approximate number and kind of animals watered. Answer: 4000head of Sheep and Lambs. 1F WATER IS USED FOR POWER OR MINING AND MILLING PURPOSES ANSWER THE FOLLOWING: Question 20. What are the dimensions of the diversion headgate and carrying capacity of the conduit in cubic feet per second? Is water diverted by ditch, pipe or flume? Answer:

nswer:/			***************************************
1			
Y /			
Question 22. What is onduit? Give the grades	the average grade or of the different section	r difference in elevation between ons of conduit as shown above.	en the termini of the
at the first the same of the same		ing divinion and use of water	
Question 28. Give any oot covered above.	information concern	ing diversion and use of water	i for power or infilling
inswer:			
		centification become document	
IF WATER IS	USED FOR ANY F	PURPOSE NOT HERETOFORE LY UNDER REMARKS:	NAMED
Remarks:			
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		in esteb évitable el es	
(Give all Information	relative to the method of	use of water and any other matters you	a deem important.)
		ns herein, prepared under my ins	structions and authority,
shows the actual conditions	s on the premises.		0
	A A CONTRACTOR OF THE PARTY OF	011	1 1 sman
		Signed: Marco	· ocyuny
I hereby certify that t	he foregoing testimor e person he represent	ny was read to the above subsc ts himself to be, and that said to	riber before its signing,
and sworn to before me at	my office in Fur	eka County of	Eureka
State of Nevada	, on this 1	4 day of July	, A. D. 192 6.
for Large with the second		5 S	Al
		Colombia Colombia	elder no.
			() ///

C (

Date of first receipt and filing in State Engineer's office UCT 19 925
Returned to applicant for correction_______
Corrected application filed______

	The undersign	ned1	Marces Legar			
οf	Eurak	3.	, County	of	Eureka	
Sta	te of	yada	, here	by make 8	_applicatio	n for
per	mission to appr	opriate the	public wate	rs of the	State of Ne	vada,
as :	hereinafter sta	ted. (If app	licant is a	corporat	ion give dat	e and
pla	ce of incorpora	tion.).		er - John Christ		
1.	The source of	the proposed	appropriat	ion is Man	ggini Spring of stream, take, or other	No 2
		ear a a la luig		0		
2.	The amount of w		One seco	nd-foot equals 40 min	ers' inches.	-feet
	The water to be		Irrigation, power,	mining, manufacturis	ok. domestic, or other use.	
4.	The water is to	be diverte	d from its	source at	the follow	ing
Poi:	nt: SE4 of the S	SW1 ef Section on of public survey, or by co	n 12 TWP.22	N.R.54 E.	M. D. B. & M.	so stated.
	11 11 100		1440		- a many term	
		-				
	IF THE WATER IS TO	BE USED FOR IRR	IGATION, SUPPLY	THE POLLOW	ng information	
(a)	Number of acre	s to be irri	gated is			
b)	Description of	land to be	irrigated			The Name of
				escribe by legal subd	irision, or if on unsurveyed	iadd it
hould b	e so stated and a description provid	ied in accordance with speci	al histraction from the dis	ite Engineer when ap	plication is returned for cor	rection.
			2 204			
ditt.	n was the second		1994			
	Use of Water			- 1.4		
0)	KKKKKKANION Will	begin about	April	1st	and end a	bout
	Nevember 30th		Mont			
	Month.		u year.		A CONTRACT	
Ü	WATER IS TO BE USED	FOR POWER, MIN	ING, TRANSPORTA	TION, OR OTH	er use, supply i	TER
d) .P	ower to be deve	1000	1000	horsepov	ver	
	Works to be loc			STOREST MARKET WHILE	ALL THE CONTRACTOR STREET	Total Sec.
٠,	Gire 10-acre subdivis	on on apich sours will be i	ocalud, or locate by cours	e hud distance to a se	iogicus couries.	
	······································					
f) P	oint of return			Describe in same m	annue us point of diversion.	
	2 25.25	2 (4. NO.)				
g)	Remarks Map wi	ll be filed !	later on.			
. A.I	proximately 4000					
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RATE \$.1.9995....

MANS	STAYR. MARCY Numerical	Description of Property	Size Statement	Sheet Sheet Street	Range	Aquus	VALUE OF REAL ESTATE OR PROMESS- ONY CLAIM	VALUE OF IMPROVEMENTS COM REAL ESTATS	VALUE OF PROPERTY	TOYAL. VALUATION	PALL	
d, Prank		Patented mines, Eagle Pass Auto, Dodge 1917							500 543			
			1									
J. O.		Frame bounce at Berward, Bureka County	-		-		-			1413	1	
		Some notice to necessary, butter county						150				
AIRD		Patented mines, Rombler							500	- 150		
MINING GO.		Buildings	-	-				1000		500	-	
		Patental mines, Champion 500 Curtin & Keller 500						1000				
		Will Site 50							1050	2050		
o six ano. co.		Personal Property, Wagon 50								211314		
		Horness 30 4 Work horses 320										
		4 Work horses 320 Hachinery 800 Hoist 200										
		Care 50									1	
		Tools 50										
		Auta, Ford (ald) 150 Furniture 50							1700	1700		
ULTRY TRAVELT CO.	,	Public Utility, Eureka County's portion							79			
JOHN		Land on Kelly Creek			_					79	4	
		Land on Willow Grock			1	160					1	
		320 Aurea Gras.4th @ 5				200	1600					
LIR? JOHN		Frame house on Ruby Hill			-			75.		1600	+	*
				*				13.				
a, Marcon & Co.		Ponsessury interest in and to a tract of			+					75	+	
Marco Legarra	1	and in Dismond Valley about 1 mile south For Haggini Ranch consisting of 80 acres 10 A cres Gram. 4th m .5. 4 400					. 400					
	+	,		-	+	-				400	-	
	_			-	_					597-		

RATE, \$1.86__

BMAK	STATE .	description of property	East of	litated des Tyma- titur	HANGE	Acutes	VALUE OF BEAL ESTATE OF POSSION OF CLASS	VALUE OF INFERVENCE OF OF REAL MAYAYE	LEDLESLA LESSENT LESSE	VALOATION .	TAX	
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		Patented mine, Big Six No 3							500			
~ -		Tagen 30										
		Marness 30								4		
		3 Work Horses 240.										
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		Vidowa Exemption 5 1000.								(500	1	
THANK		Potented mine, Eogle Pacs 500							500			
		Auto. Dodge 1917 417							417			
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r. a.		Frame houses at Beoways						1,50				
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ioer, V.P.		House and fenoing	00		51	80	4,111					
		What not not	28	34	7	80	400					
a de de		80 Gras 6 5					740					
										500		•
AUR, JOHN		Frame house on Ruby Mill						75		4.5		
					17.00							
						123						
		Poll Tax, receipt issued .								75	3	
legarra & co.		Pessessory interest in and to a tract of						411				
		land situated in Diemond Valley, about one										
		mile south from Maggini Ranch.										
		Ventaining				80		1 1 1				
		80 Acres Grave 4.5					400			400		
		300 3120				-111				. 400		
			1							961		

ASSESSMENT ROI	LL OF GEORGIA	DISTRICT, EUREKA	COUNTY, NEVADA

NAME	STATE .	'OESCRIPTION OF PROPERTY	. Lore sel Section	Discourse Themas many	HAMSS	ACRES	VALUE OF REAL ESTATE ON POSSESS- GRY CLAIM	Value op Introducing CON LIGHT BELLTE	VALOV OF PROSCYAL PROPERTY	TOTAL	Polit TAX	
, xarcos _{k do} Marco Legarra		Passessory interest in and, to a tract of land eituated in Diamond Valley, about one mile 8. from, the Clement Maggini Ranch do Acres Gras. End, 2 5 400				80	400	:	5	400		
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PAGE	No	

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NAME	Appropriate Section 1988	DESCRIPTION OF PROPERTY	Lay and . Specifical	State Sin Theore.	RANGS	Ames	VALUE OF PRINCE OF PRINCE OF PRINCESS	Value of Lephones CM Real, Departs	VALUE OF PERSONAL PROPERTY	VALUATION	Post TAR	
.00 .prii mindenii.		Rutidings, & Machinery. Patented niness. Champion 500 Gurtie. & Eplicy 500 Mill site 50						. 1000	. 1059			
LAYED, MRS ABRAM		Estanted mine, Rambler Auto, Ford old							.500 175	· 1.50		
ZZZJARRA, MARGOS		Former present a 525. Former principal in Alband Valley And situated in Richard Valley 80 Lores Gran, 2nd.6:5 . 400				. OB.	490			400		·
 _ LEVX, 198, M.S.	•	- Patented-mine,—Red Bird 500			•				500 <u>-</u> -	• • • • • • • • • • • • • • • • • • • •		
LATTA, J. C.		Housen at.Becware						. 150		\$00		
LINE BIG-SIX USO, CO,		Hill Suilabs 800 Bunk House 200 Bearding house 200 Patymest mine, Big Six # 3 500 Furniture 200						1200	500	150		
		Yagons 90 2 Work horses 180 Kachinery 2000. Tools 200						•	2570.	4270		
_Libererger, v, Fe	:·	House and fencing	. 28	34	51	. 89	400	122 .				
LITTIMAIR, JOHN		Frame house on Ruby H122						75	••			Ċ
LECHARD, FRANK									500 300	15		
		Poll tax remeant (maund					100	2525	6095	9720 1773	3	

PAGE No.:						•						
ASSESSIV		T ROLL OF - 6500000	DIS	IRI	CT,		EKA C	OUNTY R 1924	, NEV	ADA		
MAMB	State-	description of property	3F].	ng right	Range	Asses	Value of Real Edisia or Palesta try (Salas	Value of Improvements Beat Belate	Valor of Personsi Preparty	Total Valentiles	Pell Yes	
Lynn Rig Six Mag. Co.		M11 Building 800 Built Bolke 200 Boarding Bouse 200 Patented Mins					s - 40	1200	500	<u>.</u> .	3	
 		Puraiture 50 Vagons 75 3 Serk horses 225 Machinery 2300						** ** ***** * *			Ŀ	
	-	Machinery 2006 Line Care 150					· ·		2525			
-				••••						4225		* * * *
Leonard, Frank		Patented Mine, Eagle Pass 500 Auta, Old Dodge 200							200			
		Pall tax, rescipt issued			:	1 -1 -1				700	3	**********
Liueborger, V.F.		Lapprovements % of Hvt. 80.Agree Graz. 2nd,0 5400	28	34	51_	80	400	200,				
				·		·.	·			500		
Atthefair, John .		Frame house.on Ruby Hill						. 75.				
Jatta, 7,0		prayon at Deprayon						. 250		75		
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		Patental Upp, Assipira	. :	•				•	500 .			
120.861 lefter 1			••••					» no 1 1000		500		
Legara, Mroas		Possession interest in and to a tract of lond bituated in Pissond Valley about one mile South from the Clement Maggini Rench 80 April Gram. 2006.8.1	-			60	 . 80 .	·	:			
. Idnosln, ibg. Go.		Ruildings A. The Y. Patented Mines, Champion 500				-		5pa.		400 -		<u> </u>
		Gurtis & Ecller 500	- 10				7.		1050	. 1550		
Zaird, Mrs. Abran.		Patented Mine, Eambles	·	4,5%			· · · ·	a tracelor o	500-			. /
		argone exembitin 16200						?»		560p		·
)		1.4-								.8100 -		

NAME DESCRIPTION OF PROPERTY Name Assemble Name	ROLL OF DISTRICT, EUREKA COUNTY, NEVADA web \$2.226	
Note		Her Gra
EMBRAD, FRARE Presency interest in end to a treat of lund situated in Manual Valley about case mide 5, from the Observed Regimi Ranch. 80 Acres Gras. 2nd, 8 5	Equate and fencing Fr of Ewg	500
LEGRARD, FRANK Described Mines, Hig Sin Sin Sin Sin Sin Sin Sin Sin Sin Sin	Possessory interest in and to a tract land cituated in Diament Valley about suits 8, from the Clament Maggini Ranch. 80 . 80 Acres Gras. 2nd, 6 5 .400	
Adolinary & Tools 2000 LECTRARD, FRANK Patented Mine, Exgle Pass Cld Dedge Roll tax, receipt issued Roll tax, receipt	Kill Building 800 Funk House 26 200 Boarding bouse 200 1200	
LENGRARD, FRANK Patented Mine, Engle Pass Gld Dedge Foll tax, receipt issued Foll tax, receip	Wagon 75/. Work horses 150/. Machinery & Tools 2000 2255	
LATTA, J.O. Rousen at Beauty 150 150 150 150	Patented Mine, Ragle Pann 500 100 100	
LINCOLN MRO. CO. Buildings & machinery Patented Mines, Champion 500 Curtie & Mallor 500 Lill site 50 LATTA, J.O. Rousen at Beowawe 150 1550	eqtanted Hins, Rambler 500	
EATTA, J.G. Housen at Bacward 150	Exildings & machinery Satented Mines, Champion 500 urtis & Keller 500 lill site 50 1050	
	House at Ruby Hill 75	
### Patented Mines, Central HiX1 500	Satented Mines, Central Hill 500 4/5 Celden Rule 500 4/5 Chipper 440 4/5 Chipper 440	

\$1	ASSESS	MEN	T ROLL OF OPPERAT	DIS	STR	ICI	. EUI	REKA	COUNT	Y. NEV	ADA		
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NA.		運	DESCRIPTION OF PROPERTY :	Lar Salina	社	B.Chical	Amm	VALUE OF SEAL STREET OF POSSESS- OFF CLASS	Talus or Incappage	Value or Pensonal Patriots	VALUATION VALUATION	feat. The	
LEORARD? PR	ANSK _		.Patented Hing.						1	1	\$	•	
•			Englan Heat							599.			
-			Dedge_7our_ 1917				•		•	. 100			
			Poll tax requipt issued "								600	1	
IBOARRA, 10	E008.		Possessory interest in and to a track of land situated in Dissent Valley about 1										
			from the Olement Maggini Ranoh 80 Gras. 2nd, 0 5	_			80					1	
			Buick Baden 1926		-	•		400		X995			
- LYNN BIG SI	Z 1000 . 00-		.Hill.Building	•							1895		
•1			Bunk House 200						900.				
•		• ••	-Vagon 50 2000	-						2030		-	• •
			Patented Lines,						***************************************				
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		-				-					\$950		
LITTLETAIR,	. JOHN .	***	Ford Boad, 1922						75				
			Ford Manage Lights - and on a street							25			
JEVY, MRS J	AVIER		Patented Mines								150		
-								- :					
			A/S Blue Bird 400										
			Red Bird 100	-		-	-				-		
120		-	Golden Rule M.S. 50			_				3250			
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		of land situated in Diamond Valley about	T								1	
		one mile 8. from the Clement Maggini ran	<u> </u>			90						
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PAGE No				
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RATE, SEIEB

OF GOINGTON DISTRICT, EUREKA COUNTY, NEVADA

FOR THE YEAR 1928

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	1	of land situated in Diamond Valley, about			-				7 0 000		-	
		i bile St 1968 the Ulement Maggini Markin in Durals County, Novada.	-		_							
	-				_	80						
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	ľ	"The Windmill" Approximately in	3	21	53.	160					
		49 Apres Alfulfs .			1		1200				
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ANE	Number	DESCRIPTION OF PROPERTY	SECTION	BLOCK TEWN- UKD	HANGE	Actus	RPAG FATATO	ON CASE OF THE PARTY OF THE PAR	PERSONAL.	TOTAL VALUATION	Peu.
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		4 Work horses 145.									
		1 Saddle horse 25.									
		2 Rango horoca 15							185		
	1	32 Stock cattle 960.									
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	1	1 Hull 30.									
		5 Kilch cows 150.			- 1				1350		
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		64 Pastura 10					640				
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		Nouses, stables, corrals						400			
		Pur, wagons & Tools 150. Ford '14 Auto					-	400			
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A COST, SOCIATION CONTRACTOR CONTRACTOR		1_1.6935						E YEAR 1	-	::
NAME	State mest Number	DESCRIPTION OF PROPERTY	Los os Secto	OLOC ON TOWN	RAN	er Acare	VALUE OF REAL ENTERS DE FOSSESSORY CLASS	VALUE OF IMPROVEMENT ON NEAL ENTAY	PERSONAL PAGEST	Authorna Set Left Land
lumboldt Land &	: /03.	All	19.	3	49	.632.5		·		•
lattle Co., . Beorage		.A11	20.			640			· ··	
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			28_	-	-		:	-		
		11 . NET	28	: "		640		***************		
		All	30	İ	; -	632,70				
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of angle a games a games,		4 Ac. Altalfa let. @ 50 . 0 . 205	-	···	-			<u></u>		
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		6839.33 Gras. lot. 0.5						2	****	
	,	Purniture300	-	<u>-</u> -		-			•	
A	1	Piano							:	
		4 Work Horses		• • •				<u> </u>		
		Houses, Stables, Correls			,-	j		1	1720	
Fan 43 av. Mar.								8500		
Eandley Brothers	10.4	t i of sti	5_	_ 20	54	80		i	<u>.</u>	143135
		B III-	9_	20	_54_	8o			į	
		And a set	9-		_54_	40				
	19.0	B-1 B Wet	9	20		40			-	-
		findill.	10_	20 21	54					
		Handley Spring Diamond Range about 5 miles		41	53_	_160_				
		E. of Yaggiol Ranch						-	1	
	1	Nog-Back_Spring_Black_Point]	-		300=			
		House, Stables, Corrals (Home Ranch)								
	1	House, Stables, Operals (Vinceil)						50a		
		The state of the s	100		12.0		G. Jahan J.	- JOUGH		- beigin

		RATE	<u> </u>			`,			YEAR 1917	YALUE	
Gentianed		State- ment Number	DESCRIPTION OF PROPERTY	LOV GR. GESTIGN	BLACK CA TOWNL BRID	Range) And	PALDE OF REAL ESPATE OR POSITIONS CALLES	PALOZ OF INFROVENCE OR CAR REAL ESTATS	OF PERSONAL PROFESTY	Partiality Jet
100 Ac. Oral. 1st. 0 5 2500 Alto Alt	Hendley Brothers	104.									
Asto. Dedge 1937 Active Addition Addition Addition	Continued			·							
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2 Burres 20			2 Saddle Kornes Bo								
Minckley, Grayson W. Wh of Whit Whit										2218	
Minchley, Grayeon W. 1984 of 1884 12 11 49 40 12 11 49 40 1884 1884 1884 1884 1884 1884 1884 1			Poll Tax, Receipt issued (2)					• • • • • •			6
		:	2650 They					}			. 7038
Sult Number Sult	Minckley, Grayson W.	105									
	Beowawa	•									
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15 Stock Horace 199		·	144.Cattle . 5040	, .	•		1		- "		
Hildebrand, Chris.		•	3 Saddle Horses 120 s1	2.			i		:		
Hildebrand, Chris.		7	1) Stock norses				Ì			5584	0102
Net Net	Mildebrand, Chris.	. 106	. af ot saf	15	20	54	. 80	j			
SET WE			足士	16	20	54	60		4		
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194 184 24 20 54 40 4 Ac. Vogotable	•••		swid wel	1	6		;	 -	ļ		
4 Ac. Vegetable @ 50 \$ 288 26 Ac. Alfalfa. 3rd.@ 30 ~ 780. 70 Ac. Past. 2nd.@ 10			ADDIA CONT		110	1	1				
26 Ac. Alfalfa. 3rd.@ 30 - 780. 70 Ac. Past. 2nd.@ 10			310			1					
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Vehicles 150. 10 Cattle 359 3 Work Horaus 240 710 2 Saddle Horses 86.		1	House, Stables, Correle						. 120		
10_Cattle					1				·		•
3 Work Horans			940				·				
2. Saddle Horses				-	-	-	-			-	1
Pell Tax, Beggipt, issued		3	17 Warb Canana								
			3 Work Horons		-	-,				-	į

RATE, \$ 1.6905;...

NAME ST.	ATE- DET ORSGREPTION OF PROPERTY USCA	IAY OR SRO- TION	BLOCA OR TOWNS- SHIP	BANGE	ACKM	VALUE OF REAL ENTATE ON FUNDERS ON GLAIM	Valen of Introductive On Heal Estath	PALUE OF PROSENAL PROPERTY	Total Valuation	Pour	
attls Oo.	8 Saddle Horses \$ 320					•		1	1	'	
	16 Stock Hornes 480			İ							
	725 Stock Cattle 27500									1	
	50 Bhyje 7000									1	
	A Hoge 48	-	-	_							
	Auton. Reo 1917 542	1	-								
	Yord 75							31245			
racker)	Improvements frame House						50		336B8		
	Poll Tax, Receipt Leaund								50		
M. "Retate of"	Patented Nines									1	
	# Bunset # 250										
	/ + Dead Broke 250										
	, Hew Year 250										
	+ Valk & Ptantone 250		ļ						3,000		
Pine	Patented Mines										
	Herisontel \$ 500-	1									
	Herculean 500- p									1	
	Minerve 500- W										
	Protection 500	+-	-								
	Silver bick & Bobby Burns 500										
	Fore Crue-& Collfornia 500. W. F.					3000					
F111	Prate House								3000		
	Auta, Ford 1915 \$ 98						150	98			
								1			
							• • • • • • • • • • • • • • • • • • • •		845		
rothers	House, Stables, Corrols at Home Ranch										
Handley Bros.	House, Stables, Corral: at Vindmill						500				
	Houses, Stables, Corrals at Minoletti										
	Place						1500				
	Af of BAf	- 5	20	54	800						
	8 · MB	9			80						
	623 " NW	9			40						
The state of the	RE 4 SW	9			40		144	H1417			
	el . naf	10			84,15						
	Eindeill .	-3	21	53:	160				September 1	1	
	Eandley Spring									1	
	Haf ot Maf	1.	1 00		48.00						
	84 4 NB4	3 4	20	54	47:54 Bo						
	At a gat	21	23	54:	80	The same					
		1		74-							
				1						1	

RATE, \$ 1.6905.

NAME	STATE- MENT NUMBER	DESCRIPTION OF PROPERTY	1.cr on Shoo- tross	BLACK PAL THEN-	HANGE	Actus	VALUE OF BHAL ESTATE OR POSSERS- ORT CLAIR	Yalun da Intrigvenestyr Die Ilkal Estadr	VASATE OF FRANKSAL. PROFINEY	TOTAL. VALLATION	POIL	
Brothers		81 of SW1	35	21	54	80				3	5	
Handley Bros.		n# . em#	35			80						
Continued		SAT . MAT	36			40						
		HA 8A.	36			40						}
		Furniture \$ 50							Š		1	
		Wagons 100										
		3 Work Horses 240									1	
		3 Saddle Horace 120										
		2 Stock Mules 60									1	
		25 Stock Cattle . 850										
		1 Bull 50										
		2500 Sheep and Lembs 22500										
		6 Hogs 72								1		
		2.Burros 20	1									
		Auto, Dodge 1917 459							24521		1	
		71 Adres W. Hay let @ 30 \$ 2130							ZA521			
		160 * * * 2nd @ 18 2880							•			
		550 * Gras. 3d @ 5 2750										4.5
		150 " " 5th @ 2 300					no/o.					
		1 Poll Taxes, Readints lasued					80600					
nd, Chrie		'House, Stable, Corrals								34581	1	
		The of Sty	1,0	-				120				
		Bi " BBi	15	20	54	80						
		Raf a Raf			-	80						
		824 - Fat	22			40					1	
		Si · NDi		1						 		
		eaf = Mef	22	-		80						
		NAT 4 RAT	23			40						4.7
			24			40						
		4 Acres Cultivated 3d @ 50 \$ 200										
			+								-	
		,, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,										
		300 * Graz, 4th @ 3 900					2636					
		Piano 100					402					
		Vagone 150	1							_	1	
		2 Work Horses 160		-						-	-	
		1 Saddle Horse 40						*				
		12 Stock Cattle 456										
	m	Auto. Ford 1917 180	1						10865			
		Data da miliara ad da			1						-	
		TOLE AND DECEMBE AND ADDRESS	1							3842	3	
Lend & Cattle		Houses, Stables, Corrals						8500				
		Bi of But	8	31	48	80		E 4 10 A		1299	()	
			17			160						
		ni mai	18			80				The same of		
		7t · NSt	1	32	AB.	_A0.11						
	-11	smł •	1			160						
		Bt • 14	12			160						
		14 " 1014	13			80						
		saf Naf	13			40	- / 11					
		AMI .	13	-		160						
		•			1					1	1	

ASSESSMENT ROLL OF DISTRICT, EUREKA COUNTY, NEVADA RATE \$1.9995.

NAME	STATE- MENT NUMBER	DESCRIPTION OF PROPERTY	for on Nacross	Stante SS Towns skep	HARSE	Aostas	VALUE OF REAL ESTATE OR POSSES- '	VALUE OF IMPROVERMENT ON REAL PRIATE	YALUE OF PERMONAL PROPERTY	TOTAL VALUATION	Poca. TAX	
erothers		House, Stables, Corrals (Nome ranch)									2	
Handley Bros.		" " (Windmill)	16 6									
		N W (Minolatti)					2000	2000				
		at or eat	5.	20	54	80		2000				
		81 KS1	١٠			80						
		abl . naf	9			40						***
		naf saf	9			40						
		el "nef	10			. 80						
		Vindmill	3	21	53	160						
		ust - ust		20	54	47. TA						
		eř = neř			-	80						
		81 821	34	21	54	80						
		ef , nuf		44	77	80						
		M ² • 8E ²	35			80						
		uns xuns	36			40						
		nat a nat	36							1303/05-		
		Hendley Spring	30			40						
		Hog back Spring										
											i	
		231. Acres Wild hay 2nd a) 24 5544 700 " Gram. 4th at 4 2800					-		-			
		Furniture 50	_				Азла					7
		Wagons 100										
		4 Work horses 360										
		4 Baddle 220 /										
											-	
		4 Stock mules . 120 V		1 18								
		35 * Oattle 1295										
		3000 Sheep 24000 -										
		3 Pigs 15				-	**					
		3 Burges 30 V	-		-	-						
		Dodge, 1919 873							27123			
		Nachinery 250							250			
						1.1						
		6 Poll texas, receipt issued	+							37722	_18	
,₩ ,		SE OF HE	20	29	52	40						
		40 Acres Gras 4th @ 5 200					200		1 1			
										1,710		
				114								
· · · · · · · · · · · · · · · · · · ·			+						- A	200_		
erederick M.		nf ot unf	22	20	52	80						
		A. 8A.	53			80						
		160 Acres Oras. 4th eg 5					800					
TON & DIAMOND		SMf of SMf	10	27	52	.40	6-12-6-15			800		
LAND CO.		8E4 * 8¥4	10		, -	40					Ì	
			1			40						
		ing and	11 15 15 15			40 40				11		
		120 Acres Oras, Ath o 5	15			40	600					
		120 Acres Oras, 4th 0 5 120 " 5th 0 3					600 360			960		
and the property of a district of			- 4			I i						

ASSESSMENT ROLL OF GENERAL ... DISTRICT, EUREKA COUNTY, NEVADA

RATE, \$.1.86 ..

FOR THE YEAR 1921

R'AMB	page active South Sprinter.	DPACRIPTION OF PROPERTY	Ear of Carriers	Thirte Thirte pair	SOLAS	Actual	HEAL ESTATE ON POSSIME ON POSSIME	PATENTAL OF STATES OF STAT	VALOR OF PROPERTY	TOTAL VACUATION	POLL	
OTHERS		Improvements at the Home Ranch, Windmill,						1		• /	•	
landley Bros.		Minoletti Place, and Pedriola Place						2350			1	
		of ot saf	5	50	54	80		23,70				
		St " NDt	9			Во					1	
		ALSY NAT				40						
		Maf . aaf	9			40						
		sł " nef	10			84.1	Ļ					
	}	Windmill Place	3	21	53	160						
		Raf a Raf	3	20	1	47.5						
		B1 . AE1	4	-		Во						
		8) 89)	34	21	54	80						
		6t 8#t	34		,-	80						
		H	35			80						
		SAF A MAF	36			40			i			
		Mari a Basi	36		3	40						
		ਸੀ " 8ੀ	23			160				-	-	
		Eandley Spring	23			100						
		Bogback •					50					
							50					
			7.5							-	-	-
							9404					
		Vagons 100 4 Verk Herses 320										
		3 Baddle * 165										
	·		-									
	•											
		34 Stook Cattle 1088	197	3								
		1 Bull 100										
		2500 Sheep 15000	-									
		65 Bucks 780 2 Burros 20										
	1.	2 Fige 10 /				1						
		Machinery 250	٠.									
		Dodge 1919 868	8	Poll	texes	receip	tissued		18941	30795	24	
MOTO. CO.		Patented mine, Maud 6 500										
										500		
BERT		Frame Louse on Ruby Hill						75				
										75		
6. AINIE		Frame house on Ruby Kill						75				
										75 21445-		
				-						Shun	-	

and the same of th		T ROLL OF General ATE, S		. 10			HE YEAF		, 14EV#	NUM		
MANG	· State milit Planter	DEMONDY OF PROFESTY	la min	14	Sarje.	A EPOA	Value of Real Estate or Pennin- ory Olaim	Value of Improvements of Boal Briato	Tales of Poweral Property	Total Valvatin	Poli Tes	
Bendley Brothers		House, stables, corrale (Rome ranch) " " " " " " " " " " " " " " " " " " "						500 250 1500 100				
		Fig. 184	5999	20	54	80 80 40 40						
		Windmill 335 185	10 -14 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	21 20 21 21	DATE.	80 80 40 40 160 160 80 80 80 40 40 40						
•	-	Handley Boring Sogback	36 23	21	54	160	50 50	•		·		
		251 Acres V.Hay 2nd. 25 6275 140 0res; 2nd. 5 700 700 3rd. 6 4 2800					9775					-
		Vagons 100 4 Tork-haree 320 3 Saddle 5 150 12 Tustistis 120 4 Sack Males 250 40 Otock cattle 220										
		Vagons 100 4 Work-harees 320 5 Saddle 5 150 12 Fussistis 120 4 Sack Males 320 40 Stock Cattle 320 40 Stock Cattle 320 60 Bucks 480 60 Bucks 480 2 Stogs 220 2 Surros 20 Wachinary 300 Dodgs 1922 704							21424	38449	12	4 Poll tax
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ASSESSMENT ROLL OF DISTRICT, EUREKA COUNTY, NEVADA

Marie IIII, ma		RATE, \$_2,26	_			For		AR.1925				
и4ив	Braye. Water Water	DESCRIPTION OF PROPERTY	Lar Section	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Ruses	4 cours	VALUE OF REAL EFFATE OF POSITION ON CHADE	ATTER SATURE STATES SA STATES ALUE OF PERSONAL PROPERTY	TOTAL VALUATION	Poli. Tax		
euffer. James		House, stables, corral SV of SV SV of SV SV of SV SV of SV V SV SV SV	V-0 00 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	19	.54	40 80 40 80 80 80		400				,
		Aares Cult. 2nd. 6 60 180	136	20	54	75.80	5920					
		65 Stook cettis 1300- 2 Bulls 160- 2 Rogs 20/							2110			
<u>.</u>	-	Poll tax, receipt issued	-		_					8420	1	
EARDLEY BROTEIRS		House, stable, correl (Home reach) Windmill (Mindlett) (Pedriols)	599	20	54	80 80 40		2350				
		Findmill on the state of the st	10 3 3 4 4 4 5 5 6 6	21 20 21	53 54 54	84, 15 160 47, 54 80 80 80 40 40						
		Handley Spring \$50 Hog Rack 550 251 Acros Willay 2nd, 0 25 6275 140 0 0ran 2nd, 0 5 700 700 0 3rd, 0 3 2800 Machinery 100 William 100 3 Saddle 170	23			-166	9775		100		•	
		Yachinery 300 100							21 268	33493	12 4	oll taxes
HOLLAND, JOHN P.		SWI OF SWI SRI - SWI FIL - SWI SWI - SWI SWI - SWI 120 AArea Gras. 244, 8 5 600 120 - 344, 8 3 360	10 10 11 15 15 15	27	52	40 40 40 40 40 40	960			960		•
ночон, м. ј.		House at Mill Campa						100		730		.;
	+									100	-	
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										42473	F	

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	PAGE No.	

ASSESSMENT ROLL OF DISTRICT, EUREKA COUNTY, NEVADA

NO VICTOR AND		RATE, \$2,24	_	_				EAR 1926				
NAME	brus.	DESCRIPTION OF PROPERTY	100	Name Name	11362	ACEM	VALUE OF REAL BOTALTS ON CLASS	VALUE OF INFROVENCES ON BALL DITATE	Value or Presonal Property	TOTAL TION	PALE. TAX	•
HOPE CON. MRG. GO		Patented Miner,		Г				1				
		Maud C 500		1								
		± норе 250							750			
*												
	4-		!	-	_					750		
TAK "SKISKE		504- 4m-Pal-tande	-				50					
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ASSESSMENT ROLL OF CORRECT DISTRICT, EUREKA COUNTY, NEVADA

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PAGE No. ASSESSMENT ROLL OF General DISTRICT, EUREKA COUNTY, NEVADA FOR THE YEAR 1929 Y ... SENT MATERIAL SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENTENCE OF SENT TAN. (C) (C) 淵대 valiation 100 Handley Brothers House, Stables, Corral (Home) (Windmill) (Mineletti). (Pedriole). 2350 80 40 40 20 Aiuquiji . 21 53 160 EAS ot has 20 54 47.54 80 3 21. 36 9775 100 . 4 Work Horses 300 3 Saddle 150 2 Stock Mules 100 75 Stock Mattle 2100 2 Bulls 160 1800 Encep 7600 1800 Encep 100, 2 Burres 20, May 100, Margon March 100 18070 30195 Poll taxes W422 Hadyono Lot at Palicade ga 50 Frame House 150 Furniture Plane Ford Four 200 400 Eat hewkins Lot at Palisade 動 50 Franc Bouse 150 Plane Ford Truck 150 350 Thomse J. Hodgo House, Stable, Corral 100 Land situated in 800, 750 3 750 3 750 1250 1260 1260 1590 50 Sections 27 & 28 18 . 49. 79 20 Acres W.Hay lat, @ 40 30 " 2nd, @ 25 29 " Cras. 3rd, @ 3 Wagons -2 West Essect 2 Sadds " 45 Stack Cattle 1637 1765 Poll tax receipt issued 1502 Mope Con Mag. Co. Patented Minon, 750 750 Patented Mine. Loc Marris 250 85 447

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SSESSMENT ROLL OF_		_DISTRICT, EUREKA	COUNTY,	NEVADA
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FOR THE YEAR 1930 1 **张鹏** 出格 Patented Mine. 250 Harlen & Burcka Belle
Fatten & Burcka Belle
Fatten a Guelivery
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Star of the West
Jafferson
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Gonnell 2625 2625 Lot at Fallsade Lot at Fallsade Mouse 150 2350 20 54 47.54 80 34 21 1500 1500 750 1191 7292 Wegons 3 8. 100 150. 16000 /. 75 Six Cattle
2000 Sheep
30 Buoks Burros Machinery Charcolet Inter-1929 Dodge Udmer 1927 30050



Assessor Home

Personal Property

Sales Data

Secured Tax Inquiry

Recorder Search

#### Parcel Detail for Parcel # 007-350-02

Location

Property Location T20N,R54E SEC. 5 W2SW4

Add'l Addresses

District 4.0 - Eureka County General District

Subdivision Lot Block

**Legal Description** 

**Property Name** 

Description

Total Acres 80.000

Square Feet 0

Ag Acres 80.000

W/R Acres .000

**Improvements** 

Single- 0 family Detached

Bedrooms / Baths  $^{0\ /}_{.00}$ Non-dwelling Units 0

Single- 0 family Attached

Mobile Home Hookups 0

Multiple- 0 family Units

Wells 0 Garage Square Ft... 0

Mobile Homes Q Total Dwelling Units 0

Septic Tanks 0 Attached / Detached Buildings Sq Ft 0

Residence Sq Ft 0

Basement Sq Ft 0 **Basement** 

Improvement List

Finished Basement SF 0

Bedrooms / Baths 0 /

Stories .0

**Ownership** 

Assessed Owner Name ARC DOME PARTNERS, LLC

**Mailing Address** 

Ownership History 289 LA COSTA AVE

**DAYTON, NV 89403** 

**Document History** 

Legal Owner Name ARC DOME PARTNERS, LLC

Vesting Doc #, Date 226521 12/26/2013 Year / Book / Page 13

Map Document #s

**Appraisal Classifications** 

Current Land Use Code 600 Code Table

Zoning Code(s)

Re-appraisal Group 3 **Original Construction Year** 

Re-appraisal Year 2013

Weighted Year

Assesse	ed Valuati	ion	
Assessed Values	2018-19	2017-18	2016-17
Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0
Ag Land	288	304	291
Exemptions	0	0	0
Net Assessed Value	288	304	291
Increased (New) Values	3		
Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Values	2018-19	2017-18	2016-17
Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0
Ag Land	823	869	831
Exemptions	0	0	0
Net Taxable Value	823	869	831
Increased (New) Values			
Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Back to Search List

#### Legal Description for Parcel # 007-350-02

11 15 :::	Sect/ Lot	Town/ Block	Range	Acres
W2SW4	5	20	54	80.000

The assessor's legal descriptions are for information purposes only and are insufficient for transferring title.

Please refer to your last recorded deed or map.

Go Back



#### United States Department of the Interior Bureau of Land Management ALLOTMENT MASTER REPORT NV10031 ARAMBEL



Office: Allotment Number and Name:

LLNVB01000 NV10031 OK MOUNT LEWIS FO

Distribution

0031 ARAMBEL

AMP IMPLEMENTED

Management Plan Type: Management Plan Implemented Date: Management Status Code:

09/27/2004 C

CUSTODIAL CATEGORY

Ephemeral Ecosystem:
Grazing Availability:
Decision:

N NO YES

Staff Assignment:

Supplemental Land Information

Ownership Acres
Public Land: 46,969

AUMs 1,349

Other Federal: State: Private:

Total:

201 47,170

1,349

Pastures

 0001
 4 CRNRS SDG

 0002
 DRY LAKE AREA

 0003
 SPRING VALLEY AREA

 0004
 MC CULLOUGH SPRING

 0005
 LAMOREUX CANYON

 0006
 WHITE MOUNTAIN

				and Summa	iry				
Code	Description	Level	Acre %	AUMs %	Fund Symbol	Exec	Office	State	County
01	PL 03	ASSESSED THE THE PROPERTY.	100	100	145032	Order	Acres %	Acres %	Acres %
LLNVB01000	MOUNT LEWIS FO	Office	.00	100	143002	U	100		
NV	NEVADA	State					100	100	
NV011	EUREKA	County						100	100

		Authori	zation Cross Refe	erence		END DATE
Authorization Office	Authorization Number	Operator Name	Active AUMs	Suspended AUMs	Temp Suspended AUMs	Permitted Use
LLNVB01000	2704013	ARC DOME PARTNERS LLC	1349	1205	0	2554

#### **Allotment Terms and Conditions**

Terms and conditions include grazing schedule lines and also any text terms and conditions. The allotment terms and conditions below will print on bills and courtesy applications issued to permittees and lessees.

Terms and Conditions

Date Printed: October 30, 2018

Form 4130-1 (February 2012)

## UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB NO. 1004-0041
Expires: August 31, 2014

BU	REAU OF LAND	MANAGEM	MENT				oires: August		
	GRAZING S					FOR	BLM US	SE ONLY	r
	GRAZING AP	PLICATION			State				
Name (last, first, middle initi									
ARC DOME PARTNERS,	LLC								
Address (include street, city, 289 LA COSTA AVE.	State, and zip code)								
DAYTON, NV 89403									
I hereby app. Land Manag	ly for the following ament (BLM).	grazing use on	the public lane	ds and/or o					
(1)		(2)	13)	(4)	(	51	(6)	1 (7)	(9.
ALLOTMEN	NT	PASTURE	HVFCI				%	(7)	(8)
NAME	NO.	NO	NUMBER		PERIOD		PL	TYPE	AUM'S
ARAMBEL				KIND	BEGIN	END	USE		
VIAMOEL	NV 10031	4CN	983	SHP	04/15/2017	05/15/201	7 10		200
ARAMBEL	NV 10031	BAL	950	SHP	05/01/2017	10/31/201	7 90		1149
				-			-		
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how your recorded brands, ea	rmarks, and wattles	SM	F 7	<b>2</b> .			1		
how reason for nonuse, if requ	nested: conserv	ation and prote	ection of the pu	ublic lands trantine.	; 🔲 annual fi	uctuation of	ivestock op	perations;	☐ financial
	lleh					D	ate (	03/21/2017	7
660				61	-CDIA4				
eason for nonuse: A Amen	wed D Disame	and (Davis)		Signature	OI BLM			Date	

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

Form:4130-5 (June:2015)

# UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

FORM APPROVED OMB NO 1004-0041 Expires October 31, 2017

#### **ACTUAL GRAZING USE REPORT**

ARO DOME PARTNERS

false, fictitious, or fraudulent statement or presentations as to any matter within its jurisdiction.

(Continued on page 2)

Dear: Grazing Operator:

In accordance with the terms and conditions of the permit or lease with authorizes your grazing use, please complete this form and return to the MLFO

Field Office within 15 days after completing your authorized grazing use (43 CFR 4130.3-2(d)). This information, along with other studies data, is needed to evaluate the effectiveness of present management. Use a separate line for every day that you either turn livestock in or take

livestock out of an allotment or pasture. Your cooperation in providing accurate information will be appreciated.

ARAMBEL				FOR BUREAU OF LAND MANAGEMENT (BLM) USE ONLY						
ACTUAL GRAZING USE				CALCULATION OF AUM'S GRAZING USE						
PASTURE		NUMBER AND KIND OR CLASS OF LIVESTOCK		NO AND	GRAZING PERIOD					
	DATE mm. dd yyyy	TURNED IN	TAKEN OUT	KIND OF LIVI- STOCK	BEGIN	END	® βL USE	AUM'S		
4-CRN	4/15/2017	983 SHEEP								
	05/14/2017		983 SHEEP							
BAL-ARAMBEL	5/15/2017	950 SHEEP								
	10/31/2017		950 SHEEP							
***************************************										
I CERTIFY That this is a c	omplete and accure	ate report of my gr	razing use.							
Signature of Permittee/L	1111 1 1 1	Colo Print Robe	ed Name of Permin ert Beck	e/Lessee		Date 02/05/	2018			
Title U.S.C. Section 100	1, makes it a crime			lly to make	to any depart	ment or agend	y of the Unit	ted States an		