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

DCNR/DWR/SNBO
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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 ROBERT F. BECK AND KAREN A. BECK, TRUSTEES OF THE BECK FAMILY TRUST DATED 4-19-2005** **OBJECTIONS TO PRELIMINARY ORDER OF DETERMINATION**

OBJECTIONS

COMES NOW, Claimant Robert F. Beck and Karen A. Beck, Trustees of the Beck Family Trust dated 4-19-2005 ("Claimant" or "Beck Family Trust"), by and through Trustees Robert F. Beck and Karen A. 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 the Beck Family Trust 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 ("Proof V-02889").[1]

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 January 4, 2016, the Beck Family Trust filed Proof of Appropriation V-10811 for Stock Watering purposes with NDWR.

On January 4, 2016, the Beck Family Trust filed Proof of Appropriation V-10812 for Stock Watering purposes with NDWR.

On January 4, 2016, the Beck Family Trust filed Proof of Appropriation V-10813 for Stock Watering purposes with NDWR.

On January 4, 2016, the Beck Family Trust filed Proof of Appropriation V-10814 for Stock Watering purposes with NDWR.

On January 4, 2016, the Beck Family Trust filed Proof of Appropriation V-10815 for Stock Watering purposes with NDWR.

On April 27, 2016, the Beck Family Trust filed Amended Proof of Appropriation V-10809 for Stock Watering Purposes with NDWR ("Proof V-10811").[2]

On April 27, 2016, the Beck Family Trust filed Amended Proof of Appropriation V-10810 for Stock Watering Purposes with NDWR ("Proof V-10812").[3]

On April 27, 2016, the Beck Family Trust filed Amended Proof of Appropriation V-10816 for Stock Watering Purposes with NDWR ("Proof V-10813").[4]

On April 27, 2016, the Beck Family Trust filed Amended Proof of Appropriation V-10817 for Stock Watering Purposes with NDWR ("Proof V-10814").[5]

On April 27, 2016, the Beck Family Trust filed Amended Proof of Appropriation V-10818 for Stock Watering Purposes with NDWR ("Proof V-10815").[6]

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").[7]

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[2] Beck Family Trust Proof V-10811 attached as Exhibit 2.
[3] Beck Family Trust Proof V-10812 attached as Exhibit 3.
[4] Beck Family Trust Proof V-10813 attached as Exhibit 4.
[5] Beck Family Trust Proof V-10814 attached as Exhibit 4.
[6] Beck Family Trust Proof V-10815 attached as Exhibit 6.
[7] Portions of Preliminary Order relevant to the Beck Family Trust attached as Exhibit 7.

II. OBJECTIONS

A. Beck Family Trust Objections

The Beck Family Trust makes the following objections to the Preliminary Order appurtenant to Proofs V-10811, V-10812, V-10813, V-10814 and V-10815 pursuant to the information contained within the Beck Family Trust Amended Proofs and supplemental evidence contained within the Affidavit of Robert F. Beck and Karen A. Beck, Trustees of the Beck Family Trust filed in conjunction herewith. The Order of Determination should be amended to increase the Beck Family Trust authorized animal numbers and priority date pursuant to historic use.

1. The Beck Family Trust objects to the inclusion of proofs V-01316, V-01327, V-01329, V-02889, V-10809, V-10810, V-10816, V-10817, V-10818, V-10856, V-10857, V-10858, V-10859, V-10860 and V-10861 filed by the Beck Properties and Arc Dome Partners, LLC being included as a part of the Findings of the State Engineer on Non-Reserve Right Claims appurtenant to the Beck Family Trust with the understanding that the Beck Family Trust reserves the right to use any and all information appurtenant to any and all proofs filed by the Beck Properties and Arc Dome Partners, LLC which supports the claims to the use of water appurtenant to any and all proofs filed by the Beck Family Trust.

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.

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 7 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 7 at 28.

Beck Properties, the principles of whom are the Trustees of the Beck Family Trust, concurred with proof V-02889 being rejected with the understanding that Beck Properties on behalf of the Beck Family Trust 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-10811 claims a right to 0.03 cfs of water from Lower Torre Spring via 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 7 at 19-20. In the Preliminary Order, the State Engineer granted the Beck Family Trust proof for a reduced allocation being 50 cattle and horses, with a priority date of 1886. Exhibit 7 at 29. The Beck Family Trust 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 the Beck Family Trust authorized animal numbers pursuant to historic use.

4. Proof V-10812 claims a right to 0.03 cfs of water from Palmer Ranch Spring via 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 7 at 20. In the Preliminary Order, the State Engineer granted the Beck Family Trust proof for a reduced allocation being 50 cattle and horses, with a priority date of 1886. Exhibit 7 at 29. The Beck Family Trust 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 the Beck Family Trust authorized animal numbers pursuant to historic use.

5. Proof V-10813 claims a right to 0.03 cfs of water from Middle Torre Spring via 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 7 at 20. In the Preliminary Order, the State Engineer granted the Beck Family Trust proof for a reduced allocation being 50 cattle and horses, with a priority date of 1886. Exhibit 7 at 29. The Beck Family Trust 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 the Beck Family Trust authorized animal numbers pursuant to historic use.

6. Proof V-10814 claims a right to 0.03 cfs of water from Upper Torre SW Spring via collection system, pipelines to troughs 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 7 at 20. In the Preliminary Order, the State Engineer granted the Beck Family Trust proof for a reduced allocation being 50 cattle and horses, with a priority date of 1886. Exhibit 7 at 29. The Beck Family Trust 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 the Beck Family Trust authorized animal numbers pursuant to historic use.

7. Proof V-10815 claims a right to 0.03 cfs of water from Upper Torre SE Spring via 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 7 at 20-21. In the Preliminary Order, the State Engineer granted the Beck Family Trust proof for a reduced allocation being 50 cattle and horses, with a priority date of 1886. Exhibit 7 at 29-30. The Beck Family Trust 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 the Beck Family Trust authorized animal numbers pursuant to historic use.

8. The Beck Family Trust 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 the Beck Family Trust.

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 the Beck Family Trust Proofs V-10811, V-10812, V-10813, V-10814 and V-10815 and as confirmed by the State Engineer, the Preliminary Order establishes a pre-statutory proof for all of the the Beck Family Trust Proofs. See Exhibit 7. As stated in the Preliminary Order the diversion rate and year of priority of the Beck Family Trust proofs 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."[8]

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.[9] 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."[10] 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 proving up elements of historical water rights when all witnesses to the original appropriations

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[8] 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)
[9] Mont. Code Ann § 85-2-227 (2013)
[10] Mont. Code Ann § 85-2-248 (2013)

have long since died, the 1979 Legislature enacted the prima facie proof statute.[11] 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"[12] 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".[13]

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.

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[11] Mont. Code Ann § 85-2-227
[12] Utah Code Ann. § 73-4-14 (2014)
[13] ARS § 45 – 261 (5)

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.[14] 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.

[14] Eureka County Tax Assessment records for the years 1896, 1902-1905 attached as Exhibit 8.

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

The Black Point Grazing allotment covers an area of approximately 59,430 acres and encompasses a large portion of the southeasterly 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 5160[15] for stock water use and on October 19, 1925 Mr. Legarra also filed applications 7548[16] and 7549[17] 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 Trustees of the Beck Family Trust. 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.[18] 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.

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[15] State Engineer Water Right File 5160 attached as Exhibit 9.
[16] State Engineer Water Right File 7548 attached as Exhibit 10.
[17] State Engineer Water Right File 7549 attached as Exhibit 11.
[18] Marcos Legarra Tax Records 1920 to 1928, Exhibit 12.

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 the 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 the Beck Family Trust Proofs, significant historical research was conducted by Dixon Hydrologic, PLCC ("Dixon Hydrologic") to substantiate the Beck Family Trust proofs. 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. In addition to the significant historical research conducted by Dixon Hydrologic and initially submitted with the Beck Family Trust proofs, 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 the Beck Family Trust, 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-10811 was filed on January 4, 2016 and claims a right to 0.03 cfs of water from Lower Torre Spring via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. Exhibit 7 at 19-20. In the Preliminary Order, the State Engineer granted the Beck Family Trust proof V-10811 for a reduced allocation being 50 cattle and horses, with a priority date of 1886. Exhibit 7 at 29.

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-10811, 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 the Beck Family Trust 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 the Beck Family Trust.

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"[19]

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-10811 as Exhibit 2 are copies of permits 8813, 8814 and 8815 filed on January 17, 1929. Exhibit 2 at 14-19. These applications were filed by the Handley Brothers who were a predecessor to property owned by Arc Dome Partners, LLC, an

[19] Exhibit 1 at 7.

entity owned and controlled by the principles of the Beck Family Trust, Eureka County APN 007-350-02[20] 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."[21]

Also included with the filing of Proof V-10811 as Exhibit 4 is a copy of permit 8995 filed on July 20, 1929. Exhibit 2 at 25-26. 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."[22]

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, the 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-10811 for many years prior to 1905.

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[20] Eureka County Tax records for the years 1913-1921 and 1924-1930 and 2018 parcel detail, attached as Exhibit 13. Note: Research was unable to locate tax records appurtenant to the Handley Brothers for the years 1922 and 1923.
[21] Exhibit 2 at 14-19.
[22] Exhibit 2 at 25-26.

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 8 at 1-10.

Proof V-02889 and proof V-10811 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 areas of the Beck Family Trust proofs. 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-10811, 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-10811 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-10811. 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 the Beck Family Trust, and the applicants under said permits made multiple statements regarding the ranging and watering of stock in the area of proof V-10811 for many years prior to 1905.

The substantial evidence that predecessors of the Beck Family Trust grazed and watered livestock in the vicinity of proof V-10811, 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-10811 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.

2) Proof V-10812 was filed on January 4, 2016 and claims a right to 0.03 cfs of water from Palmer Ranch Spring via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. Exhibit 7 at 20. In the Preliminary Order, the State Engineer granted the Beck Family Trust proof V-10812 for a reduced allocation being 50 cattle and horses, with a priority date of 1886. Exhibit 7 at 29.

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-10812, 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 the Beck Family Trust 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 the Beck Family Trust.

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"[23]

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-10812 as Exhibit 2 are copies of permits 8813, 8814 and 8815 filed on January 17, 1929. Exhibit 3 at 14-19. These applications were filed by the Handley Brothers who were a predecessor to property owned by Arc Dome Partners, LLC, an entity owned and controlled by the principles of the Beck Family Trust, Eureka County APN 007-350-02[24] 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."[25]

Also included with the filing of Proof V-10812 as Exhibit 4 is a copy of permit 8995 filed on July 20, 1929. Exhibit 3 at 25-26. 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:

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[23] Exhibit 1 at 7.
[24] Eureka County Tax records for the years 1913-1921 and 1924-1930 and 2018 parcel detail, attached as Exhibit 13. Note: Research was unable to locate tax records appurtenant to the Handley Brothers for the years 1922 and 1923.
[25] Exhibit 3 at 14-19.

> "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."[26]

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, the 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-10812 for many years prior to 1905.

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 8 at 1-10.

Proof V-02889 and proof V-10812 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 areas of the Beck Family Trust proofs. 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-10812, most likely understates the number of cattle and/or sheep that actually watered at the sources during any one year period prior to 1905.

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[26] Exhibit 3 at 25-26.

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-10812 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-10812. Permits 8813, 8814 8815 and 8995 were filed by a predecessor of Arc Dome Partners, LLC, a entity owned and controlled by the principles of the Beck Family Trust, and the applicants under said permits made multiple statements regarding the ranging and watering of stock in the area of proof V-10812 for many years prior to 1905.

The substantial evidence that predecessors of the Beck Family Trust grazed and watered livestock in the vicinity of proof V-10812, 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-10812 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.

3) Proof V-10813 was filed on January 4, 2016 and claims a right to 0.03 cfs of water from Pastorino East Spring 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. Exhibit 7 at 20. In the Preliminary Order, the State Engineer granted the Beck Family Trust proof V-10813 for a reduced allocation being 50 cattle and horses, with a priority date of 1886. Exhibit 7 at 29.

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-10813, 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 the Beck Family Trust 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 the Beck Family Trust.

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"[27]

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.

[27] 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-10813 as Exhibit 2 are copies of permits 8813, 8814 and 8815 filed on January 17, 1929. Exhibit 4 at 14-19. These applications were filed by the Handley Brothers who were a predecessor to property owned by Arc Dome Partners, LLC, an entity owned and controlled by the principles of the Beck Family Trust, Eureka County APN 007-350-02[28] 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."[29]

Also included with the filing of Proof V-10813 as Exhibit 4 is a copy of permit 8995 filed on July 20, 1929. Exhibit 4 at 25-26. 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."[30]

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.

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[28] Eureka County Tax records for the years 1913-1921 and 1924-1930 and 2018 parcel detail, attached as Exhibit 13. Note: Research was unable to locate tax records appurtenant to the Handley Brothers for the years 1922 and 1923.
[29] Exhibit 4 at 14-19.
[30] Exhibit 4 at 25-26.

In preparing the Preliminary Order appurtenant to the proofs filed by Beck Properties, the 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-10813 for many years prior to 1905.

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 8 at 1-10.

Proof V-02889 and proof V-10813 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 areas of the Beck Family Trust proofs. 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-10813, 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-10813 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-10813. 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 the Beck Family Trust, and the applicants under said permits made multiple statements regarding the ranging and watering of stock in the area of proof V-10813 for many years prior to 1905.

The substantial evidence that predecessors of the Beck Family Trust grazed and watered livestock in the vicinity of proof V-10813, 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-10813 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.

4) Proof V-10814 was filed on January 4, 2016 and claims a right to 0.03 cfs of water from Upper Torre SW Spring 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. Exhibit 7 at 20. In the Preliminary Order, the State Engineer granted the Beck Properties proof V-10814 for a reduced allocation being 50 cattle and horses, with a priority date of 1886. Exhibit 7 at 29.

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-10814, 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 the Beck Family Trust 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 the Beck Family Trust.

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"[31]

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-10814 as Exhibit 2 are copies of permits 8813, 8814 and 8815 filed on January 17, 1929. Exhibit 4 at 14-19. These applications were filed by the Handley Brothers who were a predecessor to property owned by Arc Dome Partners, LLC, an

[31] Exhibit 1 at 7.

entity owned and controlled by the principles of the Beck Family Trust, Eureka County APN 007-350-02[32] 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."[33]

Also included with the filing of Proof V-10814 as Exhibit 4 is a copy of permit 8995 filed on July 20, 1929. Exhibit 4 at 25-26. 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."[34]

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, the 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-10814 for many years prior to 1905.

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[32] Eureka County Tax records for the years 1913-1921 and 1924-1930 and 2018 parcel detail, attached as Exhibit 13. Note: Research was unable to locate tax records appurtenant to the Handley Brothers for the years 1922 and 1923.
[33] Exhibit 4 at 14-19.
[34] Exhibit 4 at 25-26.

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 8 at 1-10.

Proof V-02889 and proof V-10814 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 areas of the Beck Family Trust proofs. 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-10814, 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-10814 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-10814. Permits 8813, 8814 8815 and 8995 were filed by a predecessor of Arc Dome Partners, LLC, a entity owned and controlled by the principles of the Beck Family Trust, and the applicants under said permits made multiple statements regarding the ranging and watering of stock in the area of proof V-10814 for many years prior to 1905.

The substantial evidence that predecessors of the Beck Family Trust grazed and watered livestock in the vicinity of proof V-10814, 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-10814 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.

5) Proof V-10815 was filed on January 4, 2016 and claims a right to 0.03 cfs of water from Pastorino East Spring 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. Exhibit 7 at 20-21. In the Preliminary Order, the State Engineer granted the Beck Family Trust proof V-10815 for a reduced allocation being 50 cattle and horses, with a priority date of 1886. Exhibit 7 at 29-30.

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-10815, 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 the Beck Family Trust 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 the Beck Family Trust.

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"[35]

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-10815 as Exhibit 2 are copies of permits 8813, 8814 and 8815 filed on January 17, 1929. Exhibit 6 at 14-19. These applications were filed by the Handley Brothers who were a predecessor to property owned by Arc Dome Partners, LLC, an entity owned and controlled by the principles of the Beck Family Trust, Eureka County APN 007-350-02[36] 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."[37]

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[35] Exhibit 1 at 7.
[36] Eureka County Tax records for the years 1913-1921 and 1924-1930 and 2018 parcel detail, attached as Exhibit 13. Note: Research was unable to locate tax records appurtenant to the Handley Brothers for the years 1922 and 1923.
[37] Exhibit 6 at 14-19.

Also included with the filing of Proof V-10815 as Exhibit 4 is a copy of permit 8995 filed on July 20, 1929. Exhibit 6 at 25-26. 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."[38]

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, the 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-10815 for many years prior to 1905.

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 8 at 1-10.

Proof V-02889 and proof V-10815 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 areas of the Beck Family Trust proofs. Given the number of livestock

[38] Exhibit 6 at 25-26.

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-10815, 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-10815 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-10815. Permits 8813, 8814 8815 and 8995 were filed by a predecessor of Arc Dome Partners, LLC, a entity owned and controlled by the principles of the Beck Family Trust, and the applicants under said permits made multiple statements regarding the ranging and watering of stock in the area of proof V-10815 for many years prior to 1905.

The substantial evidence that predecessors of the Beck Family Trust grazed and watered livestock in the vicinity of proof V-10815, 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-10815 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. 10032 appurtenant to the Black Point Grazing Allotment authorizes 1,751 sheep, 318 head of cattle, with a season of use from May 1st to October 31st of each year for sheep and May 1st to November 30th for cattle. Additionally, the Black Point Grazing Allotment permit 10032 authorizes 2,097 AUMs for sheep and 2,381 AUMs for cattle, for a total grazing preference of 4,478 AUMs. As a further example of animal numbers authorized on the Black Point Grazing Allotment the BLM periodically requests Actual Grazing Use Reports to demonstrate animal numbers used in the allotment during a given season. In 2017, 1,751 sheep and 318 head of cattle were turned into the various pastures of the Black Point Grazing Allotment.[39]

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 an understanding of what potentially could have pre statutorily occurred. Present day, the BLM has determined that the Black Point Grazing Allotment which is the grazing allotment that Beck Properties and Beck Family Trust proofs are located, has a carrying capacity of 1,751 sheep and 318 head of cattle. However, during the lawless and unregulated era pre 1905, it is highly likely that the number of livestock grazing and watering within the Black Point Grazing Allotment far exceeded the current number permitted by the BLM.

---

[39] Black Point grazing allotment permit and grazing use report attached as Exhibit 14.

III. CONCLUSION

The limitation of water use under Proofs V-10811, V-10812, V-10813, V-10814 and V-10815 as was done within the Preliminary Order, will severely limit the full extent of the Beck Family Trust use of the Black Point Grazing Allotment.

The submittal of the initial claims of vested rights by the original Claimants and the Beck Family Trust 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 Proofs V-10811, V-10812, V-10813, V-10814 and V-10815 should be amended with the terms as submitted and described below.

1) Proof V-10811 - Approve a vested right to divert water from Lower Torre Spring via 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.

2) Proof V-10812 - Approve a vested right to divert water from Palmer Ranch Spring via a collection system, pipeline and 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.

3) Proof V-10813 - Approve a vested right to divert water from Middle Torre Spring via 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.

4) Proof V-10814 - Approve a vested right to divert water from Upper Torre SW Spring via a collection system, pipeline to troughs 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.

5) Proof V-10815 - Approve a vested right to divert water from Upper Torre SE Spring via 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.

Trustee Signatures on Following Page

DATED this 29th day of October, 2018.

BECK FAMILY TRUST, Dated 4-19-2005

Robert F. Beck, Trustee
289 La Costa Avenue
Dayton, Nevada 89403

Karen A. Beck, Trustee
289 La Costa Avenue
Dayton, Nevada 89403

PROOF OF APPROPRIATION FOR Stock Water PURPOSES

File No. 02889

INDEXED UNDER

Name of claimant	x
Map	
Stream	x
Township 20N, R54E.	x

Eureka County
BASIN NO. 16-153
DIAMOND VALLEY

Name of claimant United Dressed Beef, 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 NW¼SE¼ Section 28, T. 20N., R. 54E., M.D.B.M.

REMARKS

3195

KEEP AT TOP OF FILE
Application No: V02889

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

STATE OF NEVADA
DIVISION OF WATER RESOURCES

SUMMARY OF OWNERSHIP

Please retain this sheet on top of file

PROOF: V02889 USE: Stk. CFS: --- DUTY: — AFA 600 UNITS
CERTIFICATE: ISSUED: CFS: DUTY: AFA UNITS

REVIEW DATE: 6/30/1999 BY: HCS SUPPLEMENTAL TO:
LAST UPDATE: 11/25/2015 BY: RDM

OWNER	CFS	DUTY AFA	UNITS	CHANGED BY: STATUS	REFERENCED DOCUMENTS	DESCRIPTION
Beck Properties, a California general partnership, Trustor	—	---	100 cattle 500 sheep		1-5	Reconveyance Received Date 5-24-17 Filed Under 1937
						ENCUMBERED
						Reconveyance Received Date 12-28-17 Filed Under 2789

ENCUMBRANCE(S) : YES ( ) NO (X)

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

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

Serial No. 02889

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

(1) Name of claimant Uni ed D sseed f, I c.

Street and No. or P.O. Box No. of Eureka City or town

Nevada
State and Zip Code No.

(2) Source of water Bank Ranch Stock water
Name of natural water source.

(3) The water is diverted by not diverted
Dam, ditch, pipe line, natural channel, spring area, etc

(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 a section corner. If on unsurveyed land it should be stated. Diversion over a channel reach must described by course and distance to a section corner for both the beginning and end of such reach.

(5) The water is impounded in Pools a d natural channels
Troughs, tanks, pools, reservoir, natural channel, e

(6) The construction of the dit h or other works was begun not diverted
Date

and completed
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is Deeded Land
Patented, deeded, public domain with grazing permit, etc.

(8) The claimant's water right was (was not) recorded in the office of the County Recorder of County, at Page of B k of
NOTE—Failure to record in the county no way invalidates a water right, bu if water right wa s recorded, supply full information on abo.

FILED
Aug. 26 1976
STATE ENGINEER'S OFFICE

9/22/76. 2.4 F.

1886

( ) The approximate number of animals watered by the claimant during the first year 1975, was 100 cattle ____ horses 500 sheep or ____ (Other). 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 use in reduced quantity at any time, full information as to causes and duration of non-use should be given.

(11) The amount of water which has been necessary to be diverted for this purpos has een
All the source produces which var es from summer to winter
cubic eet per second.

448.83 gal. per min equ l bic foot per second.

(12) Th works are located at NW¼ of SE¼ Section 28 T. 20N , R54E,

Describe as being within a 40-acre su division, sectio township and range of p lic survey If un unsurveyed land, it should be stated.

Remarks . This spring has be used for domestic irrigation and stockwa er f r ... over 90 ears A garden was grown her and holding areas for sheep were buil ... An ld stone house still stan on t e spri g site, dating ba k t the 18 0 s. It has been an op rating ranch si th t time. The s ring is clean d out from time to time, when necessary by ranch foreman, in order to maint in the flow ...

Remarks This lan has an application for pat nt date of 1894 by John Hancock recorded at the division of State Land Office in Ca on y Nev da.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by United Dressed Beef, nc are full and correct to the best of his knowledge and belief

Donald D. Eldridge - Agent

If proof is not made by claimant, deponent should state on this lin virtue what authority he presents th claimant.

United Dressed Beef, Inc
Claimant

B Donald D Eldridge

Street and o. .O Box No.

City, State, Zip c

Subscribed and sworn to befor me this 2 day of August 97C

Notary Public in and for the County of Washoe, State of Nevada

My commission expires. May 7 980

MILDRED K. SANDERS
Notary P ic State of Nevada
Washoe Coun
My Commission Expires May 27, 1980

$10 FILING FEE MUST ACCOMPANY PROOF

Form Aa (Rev. 9-72) 405

eck Fa T

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 (Prizacker) 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: Sept 22, 1976.

Raymond Labarry Jr.
RAYMOND LABARRY, JR.

SUBSCRIBED AND SWORN TO before me,
this 22 day of Sept,
1976, by _____.

Willis A. DePaoli
Notary Public

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

FILED
Oct. 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 asks about the year of priority of First Benefical Use. I assumed the claimant, in article 9, was United Dressed Beef, Inc., and [redacted] with this in mind I used 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.

ELMO J. DeRICCO
Director

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES
Capitol Complex
201 South Fall Street, Carson City, Nevada 89710

ROLAND D. WESTERGARD
State Engineer

In reply refer to
No. 02884 thru 02903, inclusive

Address All Communications to
the State Engineer, Division
of Water Resources
Telephone (702) 885-4380

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.

An early reply to the above mattter will be appreciated.

Sincerely yours,

L. Edward Parmenter
Adjudication Engineer

By: L. Edward Parmenter SH

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

encl.



02889

FILED
Aug. 26, 1976
STATE ENGINEER'S OFFICE

AMENDED

Proof No. V-10811

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	☐	Commercial	☐

Federal Reserved Right ☐ Other (OTH) _____

Secondary (Select all that may be applicable):

Stock water ☐ Domestic ☐

DCNR/DWR/SNBO
RECEIVED
APR 27 2016

NAME OF CLAIMANT Robert F. Beck and Karen A. Beck, trustees of the Beck Family Trust dated 04-19-2005

Address 289 La Costa Avenue City of Dayton County of Lyon

State of Nevada Telephone No. 775-346-0572 Email Address rbecknet@gmail.com

1. Source of water Lower Torre Spring
   Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion Natural spring and channel
   Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):

Within the SE¼ NW¼ of Section 21, Township 20 North, Range 54 East M.D.M., at a point from which the Northwest corner of Section 21, Township 20 North, Range 54 East M.D.M., bears North 50° 53' 15" West a distance of 2,936 feet.

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun _____

and completed specific dates unknown but most likely late 1920's to early 1930's

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:

Possessory interest prior to land being patented and then subsequently deeded to current owner.
Patented, deeded, public domain with grazing permit, etc.

6. The claimant's water right was / was not recorded in the office of the County Recorder of
   (circle one)

_____ County, at Page _____ of Book _____ of _____.

7. The amount of water diverted for the claim's purpose has been measured at

0.03 cubic feet per second.

448.83 gallons per minute equals 1 cubic feet per second

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):

Within the SE¼ NW¼ of Section 21, Township 20 North, Range 54 East M.D.M.

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(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 of animals watered by the claimant during the first year of 1886 (Year) was

100 cattle _____ horses 500 sheep _____ other (describe in remarks)

The watering was conducted during each of the following months: January 1 thru December 31

10. The approximate number of animals watered by the claimant in subsequent years was:

** cattle _____ horses ** sheep _____ other (describe in remarks)

11. The water is impounded in Natural spring pool, natural channel and small pond
(Trough(s), tank(s)s, pool(s), reservoir, natural channel, etc.)

QUESTIONS WITH REGARD TO IRRIGATION

12. The date of survey of ditch, canal, or pipe line was _____

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of _____ inches with a type of pipe of _____ for _____ feet in length.
(Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe)

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not (circle one) been enlarged.

16. The work of enlargement of the ditch, canal or pipeline commenced _____ and completed _____

17. The dimensions of the enlarged ditch or canal are: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of _____ inches with a type of pipe of _____ for _____ lineal feet in length.
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

19. The claimant is / is not the owner in the above-described conduit.
(circle one)

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APR 27 2016

_____
If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of _____
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)
have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from _____ to _____ of each year. The average number of cuttings in a year is typically _____ cuttings and the maximum number of cuttings in a year is _____ cuttings.

22. The water claimed has / has not been used for irrigation each and every year since the right was initiated.
(circle one)

23. The years during which no water was used for irrigation or during which the full water right was not used were
(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, appending a sheet if necessary)

_____

24. The characteristics of the soil are _____
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is _____ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is _____ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is _____ cubic feet per second.

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.)

DCNR/DWR/SNBO
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APR 27 2016

Date	Acres		Quarter-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)	_____	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.
_____	_____	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.

DCNR/DWR/SNBO
RECEIVED
APR 27 2016

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by

Beck Family Trust dated 04-19-2005 are full and correct to the best of their knowledge and belief.
(Name)

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name Robert Beck, Trustee Signature _____
(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

Telephone Number 775-346-0572 Email Address rbecknet@gmail.com

State of Nevada
County of Carson city

Subscribed and sworn to before me on 4/21/16
(Date)

by Robert Beck

NOTARY PUBLIC
STATE OF NEVADA
County of Carson
GABRIEL ACEBEDO
No: 08-6392-3
My Appointment Expires APR. 21, 2016

_____
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.

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.

Exhibit – 1

Serial No. 02889

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

(1) Name of claimant United Dressed Beef, Inc.

_____ of Eureka
Street and No. or P.O. Box No. City or town

Nevada
State and Zip Code No.

(2) Source of water Bank Ranch Stock water
Name of natural water source.

(3) The water is diverted by not diverted
Dam, ditch, pipe line, natural channel, spring area, etc.

(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.

(5) 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 begun not diverted
Date

and completed _____
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is Deeded Land
Patented, deeded, public domain with grazing permit, etc.

(8) The claimant's water right was (was not) recorded in the office of the County Recorder of _____ County, at Page _____ of Book _____ of _____
NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

FILED
Aug. 26, 1976
STATE ENGINEER'S OFFICE

See Affidavit 9/22/76 L.E.F.

1886

(9) The approximate number of animals watered by the claimant during the first year 1975, was 100 cattle horses 500 sheep or ..... (Other) 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.

(11) The amount of water which has been necessary to be diverted for this purpose has been.....

All the source produces which varies from summer to winter

.....cubic feet per second.

448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located at NW¼ of SE¼ Section 28 T. 20N., R54E.

Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Remarks.....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. The spring is cleaned out from time to time, when necessary, by ranch foreman, in order to maintain the flow.

Remarks This land has an application for patent date of 1894 by John Hancock recorded at the division of State Land Office in Carson City, Nevada.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by United Dressed Beef, Inc.

are full and correct to the best of his knowledge and belief.

Donald D. Eldridge - Agent

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

United Dressed Beef, Inc.

Claimant

By Donald D Eldridge

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

Carmichael, Calif.

City, State, Zip Code No.

Subscribed and sworn to before me this 2nd day of August, 1976.

Mildred K. Sanders

Notary Public in and for the County of Washoe, State of Nevada

My commission expires May 27, 1980

MILDRED K. SANDERS
Notary Public — State of Nevada
Washoe County
My Commission Expires May 27, 1980

$10 FILING FEE MUST ACCOMPANY PROOF

Form A4 (Rev. 9-72) 405

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 (Brizendine) - 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.

DATED: [illegible], 1976.

RAYMOND LABARRY, JR.

SUBSCRIBED AND SWORN TO before me,
this [illegible] day of Sept.,
1976, by _____.

Willis A. DePaoli
Notary Public

WILLIS A. DePAOLI
Notary Public — State of Nevada
Eureka County
My Commission Expires Oct. 1st, 1980

FILED
Oct. 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 ~~that~~ with this in mind used 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

ASSIGNED

APPLICATION FOR PERMIT

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 17 1929.
Returned to applicant for correction
Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Cottonwood Canyon Springs and Creek (No. 2 or South Branch).
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 inches' flow

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:
At a point in the SE¼ SW¼ of Sec. 13, T. 20 N; R. 54 E., which bears S. 39° 37' E., 2708.31 ft. from the ¼ corner on the W. boundary of said Sec. 13.
Describe 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 acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about Month and end about Month, of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located In the SE¼ SW¼ of Sec. 13, T. 20 N; R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep.

(h) Use will begin about April 1 and end about Oct. 1, of each year.
Month Month

(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 right is not waived by virtue of the filing of this application.

8813

DESCRIPTION OF PROPOSED WORKS

Dams and reservoirs

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

6. Estimated cost of works $200.00

7. Estimated time required to construct works Works already completed.

8. Remarks

For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey M. Payne

Compared ME-CT

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 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 .042 cubic feet per second. 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

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

Map Filed Aug. 22, 1929

Proof of letter filed - 10-22-30

Proof of completion of work filed - 10-9-31

Proof of beneficial use filed NOV 21 1933

Priority No. 1021 Issued 11-24-30 192

Recorded Book Page

County Records

IN WITNESS MY HAND AND SEAL this 30th day of April 1930.

State Engineer.

By

ASSISTANT STATE ENGINEER

AMENDED

ASSIGNED Serial No. 8814

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 correction

Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Saw Mill Spring and Creek.
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
At a point in the SE¼ NE¼ of Sec. 13, T. 20 N; R. 54 E., which bears N. 82° 12' 42" E., 4446.90 feet from the ¼ corner on the West boundary of said Sec. 13.
Describe 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 acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about and end about , of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located in the SE¼ NE¼ Sec. 13 T. 20 N; R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep.

(h) Use will begin about Apr. 1 and end about Oct. 1, of each year.
Month Month

(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 right is not waived by virtue of the filing of this application.

8814

DESCRIPTION OF PROPOSED WORKS

Reservoirs and Ironghe

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works. $400.00.

6. Estimated time required to construct works. Additional one year.

7. Remarks

For use of applicant

HANDLEY BROTHERS, Applicant.

By Hanway 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 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 .042 or sufficient to water 6000 sheep, 150 head of cattle. cubic feet per second.

Actual construction work shall begin on or before Oct. 1, 1930.

Proof of commencement of work shall be filed before Nov. 1, 1930

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

Map Filed Aug. 22, 1929

Proof of labor filed May 2, 1930. WITNESS MY HAND AND SEAL this 30th day

Proof of completion of work filed May 2, 1930

Proof of beneficial use filed Nov 21 1933 of April 1930.

Certificate No. 11400 Issued Nov 27 1935

Recorded Book Page

Comm'd. Records

State Engineer.

By ASSISTANT STATE ENGINEER

AMENDED

APPLICATION FOR PERMIT

ASSIGNED Serial No. 5515

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 correction
Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Cottonwood Springs and Creek (No. 1 or main branch).
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
At a point in the SE¼ SE¼ of Sec. 13, T. 20 N., R. 54 E., which bears
Describe 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.
S. 61° 27' E., 5298.32 feet from the S. corner of the West boundary of said Sec. 13.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about Month and end about Month, of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located in the SE¼ SE¼ of Sec. 13, T. 20 N., R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep.

(h) Use will begin about Apr. 1 and end about Oct. 1, of each year.
Month Month

(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 right is not waived by virtue of the filing of this application.

2815

DESCRIPTION OF PROPOSED WORKS

Pipe line and troughs

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or by other methods. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works $150.00

6. Estimated time required to construct works One year additional

7. Remarks

For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey W. Payne

Compared ME-CT

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 this 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 .042 cubic feet per second. or sufficient to water 5000 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

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

Map Filed Aug. 22, 1929.

Proof of Labor filed -10-30-30

Proof of completion of work filed 10-9-31

Proof of Beneficial use filed NOV 21 1933

Certificate No. 7101 issued

Recorded Bk. Page

County Records

WITNESS MY HAND AND SEAL this 30th day of April 1930

State Engineer.

By

Assistant or Deputy State Engineer

Exhibit – 3

Application No. 8815 Certificate Record No. 2021 Book 7 Page 2021

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, H. M. PAYNE FOR HAMBLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Cottonwood Canyon Springs and Creek (South Branch) through Dam and reservoir for Stockwatering and domestic purposes. This point of diversion of water from the source is as follows: S. 32° 37' E., 2768.37 ft. from the ¼ Cor. on the W. bdy. Sec. 13, T. 20 N., R. 54 E., M.D.B.&M., or in the SE¼ SW¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M. situated in Eureka County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Hambley Brothers

Post-office address Eureka, Eureka County, Nevada.

Amount of appropriation 0.028 cubic foot per second or sufficient to water 4000 sheep and 100 cattle.

Period of use, from April 1st to Nov. 1st of each year

Date of priority of appropriation January 17th, 1929.

Description of works of diversion and use: Dam of earth and rock 4 to 5 feet high, 32 feet wide and 20 feet thong, making reservoir 80 feet in diameter. Place of use is in the SE¼ SW¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, GEO. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A. D. 1933.

State Engineer.

Recorded 12/1/33 Book B Page 83
Eureka County Records

Application No. 8814 Certificate Record No. 2622 Book 7 Page 2022

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

Whereas, H. M. PAINE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an unnamed spring in unnamed gulch in the Saw Mill Spring and Creek

through pipeline and troughs for domestic Stockwatering and domestic purposes. The point of diversion of water from the source as follows: N. 822.18 ft. W. 4446.99 ft. from the S. Cor. on the E. bdy. Sec. 15, T. 20 N., R. 54 E., M.D.B.&M., or in the SE¼ NE¼ Sec. 15, T. 20 N., R. 54 E., M.D.B.&M.; is situated in Eureka County, State of Nevada.

Now Know Ye, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913, has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator: Handley Bros.

Post-office address: Eureka, Eureka County, Nevada

Amount of appropriation: 0.025 cubic foot per second or sufficient to water 2000 sheep and two cattle.

Period of use, from: April 1st to Nov. 1st of each year

Date of priority of appropriation: January 17th, 1929

Description of works of diversion and use: About 10 rod of 2 inch pipe conveys water from the spring to two galvanized iron troughs each 2 ft. wide, 1 foot deep and 16 ft. long. Place of use is on the SE¼ NW¼ Sec. 15, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, and to the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

In Testimony Whereof, I, GEO. A. MALONE, State Engineer of the State of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A.D. 1933

State Engineer

Recorded 12/11/33 in B Page 94 Eureka County Records

Application No. 8816 ; Certificate Record No. 3023 Book A Page 3023

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Cottonwood Springs and Creek (Main Branch) through pipeline and troughs for Stockwatering and domestic purposes. The point of diversion of water from the source is as follows: S. 81° 27' E., 5238.52 ft. from a Cor. on W. bdy. Sec. 13, T. 20 N., R. 54 E., M.D.B.&M., or in the SE¼ SE¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M., situated in Eureka County, State of Nevada;

NOW KNOW YE, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913, has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator: Handley Brothers

Post-office address: Eureka, Eureka County, Nevada

Amount of appropriation: 0.025 cubic foot per second or sufficient to water 2000 sheep and 200 cattle.

Period of use, from April 1st to Nov. 1st of each year

Date of priority of appropriation: January 17th, 1929

Description of works of diversion and use: A reservoir about 10 ft. in diameter and 2 ft. deep has been constructed at the spring and 16 ft. of 1½ inch pipe conveys water from said reservoir to about 20 ft. of semi-circular galvanized iron troughs about 2 ft. wide and 1 foot deep. Place of use is in the SE¼ SE¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, GEO. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A. D. 1933.

State Engineer.

Recorded 11/13/33 at 8:30 Page 55

Eureka County Records

Exhibit – 4

AMENDED

ASSIGNED

Serial No. 8995

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUL 26 1929

Returned to applicant for correction AUG 22 1929

Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Dipping Corral Spring
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
NW¼ NE¼ of Sec. 14, T. 20 N., R. 54 E., at a point which bears N. 46° 24' 34" West, 3247.56 feet from the ¼ corner on the E. boundary of said Sec. 14.
Describe 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 acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about ____ (Month) and end about ____ (Month), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is ____ horsepower.

(e) Works to be located NW¼ NE¼ Sec. 14, T. 20 N., R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep and 150 cattle

(h) Use will begin about Jan. 1 (Month) and end about Dec. 31 (Month), of each year.

(i) Remarks Applicants and their predecessors have used water from this spring for many years prior to 1906, 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.

8995

DESCRIPTION OF PROPOSED WORKS

Spring has been cleaned out and water stored in a reservoir. It is piped from the reservoir to the dipping tanks and used when needed for that purpose, as well as stockwatering.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works $200.00

6. Estimated time required to construct works Already completed.

7. Remarks

For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey 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 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 .042 or sufficient to water 6000 sheep, 150 head of cattle. cubic feet per second.

Actual construction work shall begin on or before Oct. 1, 1930

Proof of commencement of work shall be filed before Nov. 1, 1930

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

WITNESS MY HAND AND SEAL this 30th day of April, 1930.

State Engineer.

By

Map Filed Aug. 22, 1929

Proof of labor filed May 2-1930

Proof of completion of work filed May 2, 1930

Proof of beneficial use filed NOV 27 1933

Certificate No. 1017 Issued May 14, 1930

Recorded Book Page

County Records

Beck Family Trust Exhibit 2 - Page 26

Application No. 9295 ... Certificate Record No. 2024 Book 7 ... Page 2884

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

Witness, W. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Dipping Corral Spring through Reservoir and pipes for Stockwatering and domestic purposes. The point of diversion of water from the source is as follows: N. 460.25' W. 3947.56 ft. from I. Cor. on N. bdy. Sec. 14, T. 20 N., R. 54 E., M.D.B.&M., and from the NW¼ NE¼ Sec. 14, T. 20 N., R. 54 E., M.D.B.&M. situated in Eureka County, State of Nevada.

Now Know Ye, That the State Engineer, under the provisions of Section 70, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator: Handley Brothers

Post-office address: Eureka, Eureka County, Nevada

Amount of appropriation: 0.028 cubic foot per second, or sufficient to water 400 sheep and 100 cattle.

Period of use: from January 1st to December 31st of each year

Date of priority of appropriation: July 20th, 1928

Description of works of diversion and use: Small dam at the spring creates a pool about 8 ft. in diam. from which water is conveyed through 6 ft. of 1 inch pipe to the natural channel leading from said spring where it runs about 50 ft. before being conserved in a reservoir about 60 x 100 ft. and 4 ft. deep. Water is also piped from this reservoir through 120 ft. of 2 inch pipe to watering vats and corrals. Place of use in the NW¼ NE¼ Sec. 14, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used to the extent the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, GEO. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A. D. 1933.

State Engineer

Recorded 12/1/33 in Book B, page 516

Examined

Date; Start & End Time: Friday, 4/7/2017 ~ 6:15-6:30PM Site Name/Site ID _____

Field Party: Tony Eng Spring/Stream Name Lower Torve Spring

Claim#/Permit #: V10811 Claim # _____

Spring & Surface Water Inventory Form

Owner: Beck Family Trust Basin Name/Number: Diamond Valley: #153

MOU: Stock Irrigation Elevation (ft): 6455 ft.

County: ~~Eureka~~ Elevation Source (ie USGS topo): _____

Coordinates: ~~39.58750~~ N 115.90000 E (NAD83, Decimal degrees) M.D.B.M.

Legal Description: T. 20 (N)/S R. 54 E. Sec 21 SE Qtr NW Qtr Land: Private X BLM ___

Spring Characteristics

~~Good~~ Coords are for fm site, not spring

Is any surface water present? X Yes ☐ No If yes, ☐Saturated ☐Ponding X Flowing

If stream: ☐Perennial ☐Ephemeral ☐Intermittent (seasonal)

Spring Location Description (such as an open cut, depression, etc.):

If source is a spring complex or cluster, how many sources? _____

Flow Characteristics:

Discharge (gpm): 4 gpm Measurement method: Bucket & watch (west, actual)

Measurement Notes: 1 gallon in 15" 40- established site ~50m below spring source, & just above junction w/ Torve Ck. Used short ~3" PVC pipe

Rating of measurement: X Excellent ☐Fair ☐Good ☐Poor

Measuring point description or sketch:

Note: There may be a buried spring box here (or higher up creek) which diverts water into a buried pipeline to stock tanks in SE 1/4 Sec. 17.

Water Temp (F): 48° Air Temp (F): upper 40's pH: NA Brook length/width/depth: ~50m to junction w/ Torve Ck

Weather Conditions At Site Visit: Overcast, breezy, cooling into upper 40's now

Spring/stream Outflow Description:

Disturbance Level: ☐ Undisturbed ☐ Slight ☐Moderate X Heavy

Livestock/Wildlife evidence: X Presence(#) X Grazing ☐Trailing ☐Hummocking ☐Dung & Amount ☐Other

Notes: Heavy use by stock; ~ 20 deer in area earlier

Other Disturbances: X Spring Development ☐Reservoir ☐Road/OHV ☐Campsite X Human Development ☐Erosion ☐Other: _____

Notes:

Diversion Type: X Natural ☐ Spring Box ☐Trough ☐ Pipe ☐ Ditch ☐ Impoundment ☐Channelized ☐Fencing ☐Other_____

Brief Description of Condition/Upkeep: Natural channel; some older historic(?) metal pipe near measurement site. Some relict evidence of former east highline ditch for IRR, V02888

Accessibility Notes (Score 1-5: 1=easy, 5=difficult): ~2



V-10811 (stk), Lower Torre Spring - upper photo showing fm site just above junction with Torre Creek on right, looking SE, with Palmer Ranch in far distance; lower photo: close-up of site showing flow of 4 gpm (excellent); spring source is ~70 yards to east, where there may be a buried spring box & pipeline to stock troughs ~1 mile to NW.



AMENDED

Proof No. V-10812

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	☐	Commercial	☐

Federal Reserved Right ☐ Other (OTH) _____

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Secondary (Select all that may be applicable):

Stock water ☐ Domestic ☐

NAME OF CLAIMANT Robert F. Beck and Karen A. Beck, trustees of the Beck Family Trust dated 04-19-2005

Address 289 La Costa Avenue City of Dayton County of Lyon

State of Nevada Telephone No. 775-346-0572 Email Address rbecknet@gmail.com

1. Source of water Palmer Ranch Spring
   Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion Natural spring and channel
   Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):

Within the NW¼ SE¼ of Section 21, Township 20 North, Range 54 East M.D.M., at a point from which the Northwest corner of Section 21, Township 20 North, Range 54 East M.D.M., bears North 49° 06' 01" West a distance of 4,597 feet.

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun _____

and completed specific dates unknown but most likely late 1920's to early 1930's

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:

Possessory interest prior to land being patented and then subsequently deeded to current owner.
Patented, deeded, public domain with grazing permit, etc.

6. The claimant's water right was / was not recorded in the office of the County Recorder of
   (circle one)

_____ County, at Page _____ of Book _____ of _____.

7. The amount of water diverted for the claim's purpose has been measured at

0.03 cubic feet per second.

448.83 gallons per minute equals 1 cubic feet per second

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):
Within the NW¼ SE¼ of Section 21, Township 20 North, Range 54 East M.D.M.

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(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 of animals watered by the claimant during the first year of 1886 (Year) was

100 cattle _____ horses 500 sheep _____ other (describe in remarks)

The watering was conducted during each of the following months: January 1 thru December 31

10. The approximate number of animals watered by the claimant in subsequent years was:

** cattle _____ horses ** sheep _____ other (describe in remarks)

11. The water is impounded in Natural spring pool, natural channel and small pond
Trough(s), tank(s)s, pool(s), reservoir, natural channel, etc.

QUESTIONS WITH REGARD TO IRRIGATION

12. The date of survey of ditch, canal, or pipe line was _____

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of _____ inches with a type of pipe of _____ for _____ feet in length.
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not been enlarged.
(circle one)

16. The work of enlargement of the ditch, canal or pipeline commenced _____ and completed _____

17. The dimensions of the enlarged ditch or canal are: Width on bottom _____ feet. width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of _____ inches with a type of pipe of _____ for _____ lineal feet in length.
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

19. The claimant is / is not the owner in the above-described conduit.
(circle one)

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_____
If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of _____
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)
have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from _____ to _____ of each year. The average number of cuttings in a year is typically _____ cuttings and the maximum number of cuttings in a year is _____ cuttings.

22. The water claimed has / has not been used for irrigation each and every year since the right was initiated.
(circle one)

23. The years during which no water was used for irrigation or during which the full water right was not used were
(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, appending a sheet if necessary):

_____

24. The characteristics of the soil are _____
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is _____ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is _____ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is _____ cubic feet per second.

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.)

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

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.

DCNR/DWR/SNBO
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APR 27 2016

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by

Beck Family Trust dated 04-19-2005 are full and correct to the best of their knowledge and belief.
(Name)

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name Robert Beck, Trustee Signature
(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

Telephone Number 775-346-0572 Email Address rbecknet@gmail.com

State of Nevada

County of Carson city

Subscribed and sworn to before me on 4/21/16
(Date)

by Robert Beck

Signature of Notary Public Required

NOTARY PUBLIC
STATE OF NEVADA
County of Carson
GABRIEL ACEBEDO
No: 08-6392-3
My Appointment Expires APR. 21, 2016

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.

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.

Exhibit – 1

Serial No. 02889

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

(1) Name of claimant United Dressed Beef, Inc.

_____ of Eureka
Street and No. or P.O. Box No. City or town

Nevada
State and Zip Code No.

(2) Source of water Bank Ranch Stock water
Name of natural water source.

(3) The water is diverted by not diverted
Dam, ditch, pipe line, natural channel, spring area, etc.

(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.

(5) 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 begun not diverted
Date

and completed _____
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is Deeded Land
Patented, deeded, public domain with grazing permit, etc.

(8) The claimant's water right was (was not) recorded in the office of the County Recorder of _____ County, at Page _____ of Book _____ of _____
NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

FILED
Aug. 26, 1976
STATE ENGINEER'S OFFICE

See Affidavit 9/22/76 E.E.

1886

(9) The approximate number of animals watered by the claimant during the first year 1975 (Date) was 100 cattle horses 500 sheep or (Other) 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.

(11) The amount of water which has been necessary to be diverted for this purpose has been

All the source produces which varies from summer to winter

cubic feet per second.

448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located at NW¼ of SE¼ Section 28 T. 20N., R54E.

Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Remarks 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. The spring is cleaned out from time to time, when necessary, by ranch foreman, in order to maintain the flow.

Remarks This land has an application for patent date of 1894 by John Hancock recorded at the division of State Land Office in Carson City, Nevada.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by United Dressed Beef, Inc.

are full and correct to the best of his knowledge and belief.

Donald D. Eldridge - Agent

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

United Dressed Beef, Inc.
Claimant

By Donald D Eldridge

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

City, State, Zip Code No.

Subscribed and sworn to before me this 2nd day of August, 1976

Mildred K. Sanders

Notary Public in and for the County of Washoe State of Nevada

My commission expires May 27, 1980

MILDRED K. SANDERS
Notary Public — State of Nevada
Washoe County
My Commission Expires May 27, 1980

$10 FILING FEE MUST ACCOMPANY PROOF

Form 4A (Rev. 9-72) 403

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 (Brisnehan) - 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: [illegible], 1976.

RAYMOND LABARRY, JR.

SUBSCRIBED AND SWORN TO before me,
this [illegible] day of Sept.,
1976, by _____.

Notary Public

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

FILED
Oct. 12, 1976
STATE ENGINEER'S OFFICE

WESTERN FARM MANAGEMENT COMPANY

P.O. BOX 320 RENO, NEVADA 89501
450 MARSH AVENUE RENO, NEVADA 89501 (702) 329-8489

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 mind used 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

ASSIGNED

APPLICATION FOR PERMIT 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 17 1929.
Returned to applicant for correction
Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Cottonwood Canyon Springs and Creek (No. 2 or South Branch).
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
At a point in the SE¼ SW¼ of Sec. 13, T. 20 N; R. 54 E., which bears
Describe 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.
S. 39° 37' E., 2708.31 ft. from the ¼ corner on the W. boundary of said Sec. 13.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about (Month) and end about (Month), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located In the SE¼ SW¼ of Sec. 13, T. 20 N; R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep.

(h) Use will begin about April 1 and end about Oct. 1, of each year.
(Month) (Month)

(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 right is not waived by virtue of the filing of this application.

8813

DESCRIPTION OF PROPOSED WORKS

Dams and reservoirs

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the land sub-divisions.

6. Estimated cost of works $200.00

8. Estimated time required to construct works Works already completed.

7. Remarks

For use of applicant

HANDLEY BROTHERS, Applicant.

By Hanvay 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 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 .042 cubic feet per second. 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

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

Map Filed Aug. 22, 1929

Proof of labor filed - 10-23-30

Proof of completion of work filed - 10-9-31

Proof of beneficial use filed NOV 2 1 1933

Certificate No. 1021, Issued 11-9-33

Recorded Bk Page

County Records

WITNESS MY HAND AND SEAL this 30th day of April, 1930.

State Engineer.

By Assistant State Engineer

AMENDED

ASSIGNED Serial No. 8814

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 correction
Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Saw Mill Spring and Creek.
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
At a point in the SE¼ NW¼ of Sec. 13, T. 20 N., R. 54 E., which bears N. 82° 12' 42" E., 4446.90 feet from the W¼ corner on the West boundary of said Sec. 13.
Describe 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 acres to be irrigated is
(b) 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 application is returned for correction.

(c) Use will begin about Month and end about Month, of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.
(e) Works to be located in the SE¼ NE¼ Sec. 13 T. 20 N., R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep.
(h) Use will begin about Apr. 1 and end about Oct. 1, of each year.
Month Month
(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 right is not waived by virtue of the filing of this application.

8814

DESCRIPTION OF PROPOSED WORKS

Reservoirs and troughs

1. State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should have stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works $400.00.

6. Estimated time required to construct works Additional one year.

7. Remarks

For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey 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 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 .042 cubic feet per second. 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

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

WITNESS MY HAND AND SEAL this 30th day of April, 1930.

Map Filed Aug 22 1929

Proof of labor filed May 2 1930

Proof of completion of work filed May 2 1930

Proof of beneficial use filed NOV 21 1933

Certificate No. 2140 Issued Nov 27 1933

Recorded Book Page

Carroll Roberts

FILED

State Engineer

By Assistant

AMENDED

ASSIGNED

APPLICATION FOR PERMIT Serial No. 5515

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 correction
Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Cottonwood Springs and Creek (No. 1 or main branch).
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
At a point in the SE¼ SE¼ of Sec. 13, T. 20 N., R. 54 E., which bears
Describe 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.
S. 64° 27' E., 5298.32 feet from the ¼ corner of the West boundary of said Sec. 13.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about Month and end about Month, of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located in the SE¼ SE¼ of Sec. 13, T. 20 N., R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep.

(h) Use will begin about Apr. 1 and end about Oct. 1, of each year.
Month Month

(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 right is not waived by virtue of the filing of this application.

8815

DESCRIPTION OF PROPOSED WORKS

Pipe line and troughs

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works, $150.00

6. Estimated time required to construct works, additional One year.

7. Remarks.

For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey M. Payne

Compared ME-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 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 .042 cubic feet per second. or sufficient to water 5000 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

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

WITNESS MY HAND AND SEAL this 30th day of April 1930.

State Engineer.

By

Map Filed Aug. 22, 1929.
Proof of labor filed 10-30-30
Proof of completion of work filed 10-9-31
Proof of beneficial use filed NOV 24 1931
Certificate No. 7003 issued Nov 24 1931
Recorded Bk. Page
County Records

Exhibit – 3

Application No. 6813 Certificate Record No. 2021 Book 7 Page 2021

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, H. M. PAYNE FOR HAMBLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Cottonwood Canyon Springs and Creek (South Branch) through Dam and reservoir for Stockwatering and domestic purposes. The point of diversion of water from the source is as follows: SW. 330 ft. E., 2708.31 ft. from the ¼ Cor. on the W. bdy. Sec. 13, T. 20 N., R. 54 E., M.D.B.&M., or in the SW¼ SW¼ Sec. 18, T. 20 N., R. 54 E., M.D.B.&M.

situated in Eureka County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Hambley Brothers

Post-office address Eureka, Eureka County, Nevada.

Amount of appropriation 0.028 cubic foot per second or sufficient to water 4000 sheep and 100 cattle.

Period of use, from April 1st to Nov. 1st of each year

Date of priority of appropriation January 17th, 1929.

Description of works of diversion and use: Dam of earth and rock 4 to 5 feet high, 12 feet wide and 20 feet long, making reservoir 20 feet in diameter. Place of use is in the SW¼ SW¼ Sec. 18, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, GEO. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November A. D. 1933.

State Engineer.

Recorded 12/1/33 in Book B Page 82 Eureka County Records

Application No. 8814 Certificate Record No. 2822 Book 7 Page 2822

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

Whereas, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Saw Mill Spring and Creek through pipeline and troughs for stockwatering and domestic purposes. The point of diversion of water from the source is as follows: At 688.18 ft. W. and 4446.90 ft. N. from the S. Cor. on the W. bdy. Sec. 13, T. 20 N., R. 54 E., M.D.B.&M. or in the SW¼ NW¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M. situated in Eureka County, State of Nevada.

Now Know Ye, That the State Engineer under the provisions of Section 72, Chapter 140, Statutes of 1913, has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator: Handley Bros.

Postoffice address: Eureka, Eureka County, Nevada

Amount of appropriation: 0.025 cubic foot per second or sufficient to water 400 sheep and 100 cattle.

Period of use, from April 1st to Nov. 1st inclusive each year.

Date of priority of appropriation: January 17th, 1929

Description of works of diversion and use: About 10 ft. of 2 inch pipe delivers water from the spring to two galvanized iron troughs each 2 ft. wide, 1 foot deep and 8 feet long. Place of use is on the SW¼ NW¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, and to exceed this amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

In Testimony Whereof, I, GEO. W. MALONE, State Engineer within and for the State of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A. D. 1933

State Engineer

Recorded 12/1/33 Bk. B Page 94 Eureka County Records

Application No. 8815 ; Certificate Record No. 3025 Book 7 ; Page 3025

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application to Water to Beneficial Use, from Cottonwood Springs and Creek (Main Branch) through pipeline and troughs for Stockwatering and domestic purposes. The point of diversion of water from the source is as follows: Sc. 21° 27' E., 5296.32 ft. from ¼ Cor. on W. bdy. Sec. 13, T. 20 N. R. 54 E., M.D.B.&M. or in the SW¼ SE¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M. situated in Eureka County, State of Nevada.

Now Know Ye, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator: Handley Brothers

Post-office address: Eureka, Eureka County, Nevada

Amount of appropriation: 0.028 cubic foot per second or sufficient to water 4000 sheep and 100 cattle.

Period of use, from April 1st to Nov. 1st of each year

Date of priority of appropriation: January 17th, 1929

Description of works of diversion and use: A reservoir about 10 ft. in diameter and 2 ft. deep has been constructed at the spring and 16 ft. of 1½ inch pipe conveys water from said reservoir to about 20 ft. of semi-circular galvanized iron troughs about 2 ft. wide and 1 foot deep. Place of use is in the SW¼ SE¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purposes for which acquired.

IN TESTIMONY WHEREOF, I, GEO. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A. D. 1933

State Engineer.

Recorded 12/1/33 at 3 P.M. Page 55

Eureka County Records

Exhibit – 4

AMENDED

ASSIGNED Serial No. 8995

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUL 29 1929
Returned to applicant for correction AUG 22 1929
Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Dipping Corral Spring
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
NW¼ NE¼ of Sec. 14, T. 20 N., R. 54 E., at a point which bears N. 46° 24' 34" West, 3247.56 feet from the ¼ corner on the E. boundary of said Sec. 14.
Describe 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 acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about ____ (Month) and end about ____ (Month), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located NW¼ NE¼ Sec. 14, T. 20 N., R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep and 150 cattle

(h) Use will begin about Jan. 1 (Month) and end about Dec. 31 (Month), 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 vicinity 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 piped from the reservoir to the dipping tanks and used when needed for that purpose, as well as stockwatering.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, flumes, ditches, or other conduits. If water is to be stored in reservoirs, the capacity and the location of the reservoir should be given, with reference to the legal subdivisions.

5. Estimated cost of works $200.00

6. Estimated time required to construct works Already completed.

7. Remarks, For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey M. Payne

Compared M.F.-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 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 .042 cubic feet per second, 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

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

WITNESS MY HAND AND SEAL this 30th day of April, 1930

Map Filed Aug. 22, 1929.
Proof of labor filed May 2, 1930
Proof of completion of work filed May 2, 1930.
Proof of beneficial use filed NOV 22 1933
Certificate No. 1074 Issued May 21, 1932
Recorded Book Page
County Records

State Engineer

By

Beck Family Trust Exhibit 3 - Page 26

Exhibit – 5

Application No. 9995 Certificate Record No. 3024 Book 7 Page 3024

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

Whereas, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from a Dipping Corral Spring

through Reservoir and pipes for Stockwatering and domestic

purposes. The point of diversion of water from the source is as follows: No. 46° 28' W. 3247.56 ft. from a corner on S. bdy. Sec. 14, T. 20 N., R. 54 E., M.D.B.&M., at the NW¼ NW¼ Sec. 14, T. 20 N., R. 54 E., M.D.B.&M.

situated in Eureka County, State of Nevada.

Now Know Ye, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Handley Brothers

Post-office address Eureka, Eureka County, Nevada

Amount of appropriation 0.028 cubic foot per second, or sufficient to water 4000 sheep and 100 cattle.

Period of use; from January 1st to December 31st of each year

Date of priority of appropriation July 20th, 1920

Description of Works of diversion and use: Small dam at the spring creates a pool about 8 ft. in diam. from which water is conveyed through 6 ft. of 1 inch pipe to the natural channel leading from said spring where it runs about 50 ft. and is then served in a reservoir about 60 x 100 ft. and 4 ft. deep. Water is also piped from this reservoir through 120 ft. of 2 inch pipe, watering vats and corrals. Place of use in the NW¼ NW¼ Sec. 14, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

In Testimony Whereof, I, GEO. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A.D. 1933

State Engineer.

Recorded 12/1/33 in Book B, Page 516

Examined

Date; Start & End Time: 4/7/2017 ~5-5:15PM (see also field notes + photos from 5/21/2017) Site Name/Site ID

Field Party: Tony Eng Spring/~~Stream~~ Name Palmer Ranch Spring

Claim#/Permit #: V10312 Claim #

Spring & Surface Water Inventory Form

Owner: Beck Family Trust Basin Name/Number: Diamond Valley: #153

MOU: Stock ~~#DOM~~ Irrigation Elevation (ft): 6570 ft

~~County~~: ~~Eureka~~ Elevation Source (ie USGS topo):

Coordinates: 39.58402 N 115.89507 E (NAD83, Decimal degrees) M.D.B.M.

Legal Description: T. 20 N/S R. 54 E. Sec 21 NW Qtr SE Qtr Land: Private X BLM ___

Spring Characteristics

Is any surface water present? X Yes ☐ No If yes, ☐Saturated ☐Ponding X Flowing

If stream: ☐Perennial ☐Ephemeral ☐Intermittent (seasonal)

Spring Location Description (such as an open cut, depression, etc.):

Excavated ~~Pit~~ pond

If source is a spring complex or cluster, how many sources? likely one source, but re-charged by sub-IRR from Torre Creek, + upper V02888 POU.

Flow Characteristics:

Discharge (gpm): 26 gpm Measurement method: Bucket + ~~Stop~~watch

Measurement Notes: Measured from outfall channel to from constructed pond; large ~12" IRR pipe into 3 gallon bucket.

Rating of measurement:
X Excellent ☐Fair
☐Good ☐Poor

Measuring point description or sketch:

Water Temp (F): 47° Air Temp (F): low 50's pH: NA Brook length/width/depth:

Weather Conditions At Site Visit: Overcast, breezy; low-mid-50's

Spring/stream Outflow Description:

Disturbance Level: ☐ Undisturbed ☐ Slight ☐Moderate X Heavy

Livestock/Wildlife evidence: ☐ Presence(#) ☐Grazing ☐Trailing ☐Hummocking ☐Dung & Amount ☐Other

Notes:

Other Disturbances: ☐Spring Development X Reservoir X Road/OHV ☐Campsite X Human Development ☐Erosion ☐Other:

Notes: No evidence of natural spring as source in excavated forming ~75 ft deeper (5-10 ft?) ~100 diameter, pond.

Diversion Type: ☐ Natural ☐ Spring Box ☐Trough ☐ Pipe ☐ Ditch X Impoundment ☐Channelized ☐Fencing ☐Other

Brief Description of Condition/Upkeep Beautiful setting; pond likely used now as much for "recreation" as stock watering... too nice for cow

Tail water used for IRR below on V02888 POU.

Accessibility Notes (Score 1-5: 1=easy, 5=difficult): 1-2; some locked gates into property





V-10812 (stk), Palmer Ranch Spring - upper photo showing fm site just below excavated pond and original spring source, which on 5/21/2017 was mostly commingled water from Torre Creek and recent snowmelt, and not the spring, looking SE with Palmer Ranch to left; lower photo: close-up of site showing flow of 180 gpm (good, direct), 162 gpm (fair by weir). On 4/7/2017 the flow at the same site was only 26 gpm, (see photo next page), and was entirely from the spring versus the creek.

5/21/2017 Page 2

Continued up to rec. pond, just south of old Palmer ranch structures for fun site. Set weir easily in soft soil just below pond discharge & w/in 2±3m of [510812 fun] pivots #036-056 site from 4/2017, making small waterfall. Obtained 6 gallons in 2" (good) for 180 gpm, & 0.46 ft on large weir (fair) for 0.362 cfs/162 gpm; water 60°F & air low 60's. Unlike 4/2017 measurement, all flow in from Torre Creek itself & not from spring feeding pond; surprising that flows are this much higher, but undoubtedly due to >6" of higher elevation in snow around Diamond Pk. & draining into Torre Ck.



4/7/2017

AMENDED

Proof No. V-10813

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	☐	Commercial	☐

Federal Reserved Right ☐ Other (OTH) _____

DCNR/DWR/SNBO
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APR 27 2016

Secondary (Select all that may be applicable):

Stock water ☐ Domestic ☐

NAME OF CLAIMANT Robert F. Beck and Karen A. Beck, trustees of the Beck Family Trust dated 04-19-2005

Address 289 La Costa Avenue City of Dayton County of Lyon

State of Nevada Telephone No. 775-346-0572 Email Address rbecknet@gmail.com

1. Source of water Middle Torre Spring
   Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion Natural spring and channel
   Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):

Within the NW¼ NW¼ of Section 27, Township 20 North, Range 54 East M.D.M., at a point from which the Northwest corner of Section 21, Township 20 North, Range 54 East M.D.M., bears North 47° 31' 36" West a distance of 8,285 feet.

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun _____

and completed specific dates unknown but most likely late 1920's to early 1930's

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:

Possessory interest prior to land being patented and then subsequently deeded to current owner.
Patented, deeded, public domain with grazing permit, etc.

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

_____ County, at Page _____ of Book _____ of _____.

7. The amount of water diverted for the claim's purpose has been measured at

0.03 cubic feet per second.

448.83 gallons per minute equals 1 cubic feet per second

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):

Within the NW¼ NW¼ of Section 27, Township 20 North, Range 54 East M.D.M.

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(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 of animals watered by the claimant during the first year of 1886 (Year) was

100 cattle _____ horses 500 sheep _____ other (describe in remarks)

The watering was conducted during each of the following months: January 1 thru December 31

10. The approximate number of animals watered by the claimant in subsequent years was:

** cattle _____ horses ** sheep _____ other (describe in remarks)

11. The water is impounded in Natural spring pool, natural channel and small pond
(Trough(s), tank(s)s, pool(s), reservoir, natural channel, etc.)

QUESTIONS WITH REGARD TO IRRIGATION

12. The date of survey of ditch, canal, or pipe line was _____

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of _____ inches with a type of pipe of _____ for _____ feet in length.
(Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe)

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not (circle one) been enlarged.

16. The work of enlargement of the ditch, canal or pipeline commenced _____ and completed _____

17. The dimensions of the enlarged ditch or canal are: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of _____ inches with a type of pipe of _____ for _____ lineal feet in length.
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

19. The claimant is / is not (circle one) the owner in the above-described conduit.

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_____
If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of _____
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)
have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from _____ to _____ of each year. The average number of cuttings in a year is typically _____ cuttings and the maximum number of cuttings in a year is _____ cuttings.

22. The water claimed has / has not (circle one) been used for irrigation each and every year since the right was initiated.

23. The years during which no water was used for irrigation or during which the full water right was not used were (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, appending a sheet if necessary):

_____

24. The characteristics of the soil are _____
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is _____ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is _____ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is _____ cubic feet per second.

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.)

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APR 27 2016

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

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.

DCNR/DWR/SNBO
RECEIVED
APR 27 2016

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by

Beck Family Trust dated 04-19-2005 are full and correct to the best of their knowledge and belief.
(Name)

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name Robert Beck, Trustee Signature
(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

Telephone Number 775-346-0572 Email Address rbecknet@gmail.com

State of Nevada

County of carson city

Subscribed and sworn to before me on 4/21/16
(Date)

by Robert Beck

Signature of Notary Public Required

NOTARY PUBLIC
STATE OF NEVADA
County of Carson
GABRIEL ACEBEDO
No: 08-6392-3
My Appointment Expires APR. 21, 2016

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.

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.

Exhibit – 1

Serial No. 02889

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

(1) Name of claimant United Dressed Beef, Inc.

..... of Eureka
Street and No. or P.O. Box No. City or town

Nevada
State and Zip Code No.

(2) Source of water Bank Ranch Stock water
Name of natural water source.

(3) The water is diverted by not diverted
Dam, ditch, pipe line, natural channel, spring area, etc.

(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.

(5) 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 begun not diverted
Date

and completed
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is Deeded Land
Patented, deeded, public domain with grazing permit, etc.

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

County, at Page of Book of

NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information underlined.

FILED
Aug. 26, 1976
STATE ENGINEER'S OFFICE

See Affidavit 9/22/76 L.E.F.

1886

(9) The approximate number of animals watered by the claimant during the first year 1975 (Date), was 100 cattle horses 500 sheep or (Other) 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.

(11) The amount of water which has been necessary to be diverted for this purpose has been All the source produces which varies from summer to winter cubic feet per second.

448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located at NW¼ of SE¼ Section 28 T. 20N., R54E.

Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Remarks 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. The spring is cleaned out from time to time, when necessary, by ranch foreman, in order to maintain the flow.

Remarks This land has an application for patent date of 1894 by John Hancock recorded at the division of State Land Office in Carson City, Nevada.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by United Dressed Beef, Inc.

are full and correct to the best of his knowledge and belief.

Donald D. Eldridge - Agent

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

United Dressed Beef, Inc.
Claimant

By Donald D Eldridge

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

Emmett Idaho
City, State, Zip Code No.

Subscribed and sworn to before me this 2nd day of August, 1976

Mildred K. Sanders

Notary Public in and for the County of Washoe, State of Nevada

My commission expires May 27, 1980

MILDRED K. SANDERS
Notary Public — State of Nevada
Washoe County
My Commission Expires May 27, 1980

$10 FILING FEE MUST ACCOMPANY PROOF

Form 4A (Rev. 9-72)

405

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, Heald Spring (Brewster) - No. 1, Heald Spring - No. 2, Heald Spring - No. 3, Heald Spring - No. 4, Heald Spring - No. 5, Heald Springs - No. 6, Heald Spring - No. 7, Heald Spring - No. 8, and Heald 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: [illegible], 1976.

RAYMOND LABARRY, JR.

SUBSCRIBED AND SWORN TO before me,
this 12 day of Sept.,
1976, by _____.

Notary Public

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

FILED
Oct. 12, 1976
STATE ENGINEER'S OFFICE

WESTERN FARM MANAGEMENT COMPANY

P.O. BOX 320 RENO, NEVADA 89501
450 MARSH AVENUE RENO, NEVADA 89501 (702) 329-8489

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 ~~this~~ with this in mind used 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

ASSIGNED

APPLICATION FOR PERMIT Serial No. 3813

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA.

Date of first receipt and filing in State Engineer's office JAN 12 1925.
Returned to applicant for correction
Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Cottonwood Canyon Springs and Creek (No. 2 or South Branch).
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
At a point in the SE¼ SW¼ of Sec. 13, T. 20 N; R. 54 E., which bears S. 39° 37' E., 2708.31 ft. from the S. corner on the W. boundary of said Sec. 13.
Describe 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 acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about Month and end about Month, of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located In the SE¼ SW¼ of Sec. 13, T. 20 N; R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep.

(h) Use will begin about April 1 and end about Oct. 1, of each year.
Month Month

(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 right is not waived by virtue of the filing of this application.

8813

DESCRIPTION OF PROPOSED WORKS

Dams and reservoirs

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

6. Estimated cost of works $200.00

7. Estimated time required to construct works Works already completed.

8. Remarks

Purpose of applicant

HANDLEY BROTHERS, Applicant.

By Hanway M. Payne

Compared ME-CT

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 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 .042 or sufficient to water 6000 sheep, 150 head of cattle. cubic feet per second.

Actual construction work shall begin on or before Oct. 1, 1930

Proof of commencement of work shall be filed before Nov. 1, 1930

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

Map filed Aug 22 1929

Proof of labor filed - 10-23-30

Proof of completion of work filed - 10-9-31

Proof of beneficial use filed NOV 21 1933

Certificate No. 1021 issued 11-27-33

Recorded Book Page

County Records

WITNESS MY HAND AND SEAL this 30th day of April, 1930.

State Engineer.

By ASSISTANT STATE ENGINEER

AMENDED

ASSIGNED
Serial No. 8814

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 correction
Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Saw Mill Spring and Creek.
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
At a point in the SE¼ NE¼ of Sec. 13, T. 20 N; R. 54 E., which bears N. 82° 12' 42" E., 4446.90 feet from the ¼ corner on the West boundary of said Sec. 13.
Describe 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 acres to be irrigated is
(b) 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 application is returned for correction.

(c) Use will begin about (Month) and end about (Month), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.
(e) Works to be located in the SE¼ NE¼ Sec. 13 T. 20 N; R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep.
(h) Use will begin about Apr. 1 (Month) and end about Oct. 1 (Month), 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 right is not waived by virtue of the filing of this application.

0814

DESCRIPTION OF PROPOSED WORKS

Reservoirs and troughs

State manner in which water is to be diverted, whether by dam or other works, whether through pipe, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works $400.00

6. Estimated time required to construct works Additional one year

7. Remarks

For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey 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 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 .042 cubic feet per second. 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

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

Map Filed Aug. 2, 1929

Proof of labor filed May 2, 1930

Proof of completion of work filed May 2, 1930

Proof of beneficial use filed NOV 24 1933

Certificate No. 2110 issued Nov. 27, 1933

Recorded Book Page

Compared By

WITNESS MY HAND AND SEAL this 30th day of April, 1930.

State Engineer.

By ASSISTANT STATE ENGINEER

Beck Family Trust Exhibit 4 - Page 17

AMENDED

ASSIGNED

APPLICATION FOR PERMIT Serial No. 6815

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 correction
Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Cottonwood Springs and
Name of stream, lake, or other source
Creek (No. 1 or main branch).

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
At a point in the SE¼ SE¼ of Sec. 13, T. 20 N., R. 54 E., which bears
Describe 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.
S. 61° 27' E., 6298.32 feet from the ¼ corner of the West boundary
of said Sec. 13.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about ____ (Month) and end about ____ (Month), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located in the SE¼ SE¼ of Sec. 13, T. 20 N., R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep.

(h) Use will begin about Apr. 1 and end about Oct. 1, of each year.
Month Month

(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 right is not waived by virtue of the filing of this application.

8815

DESCRIPTION OF PROPOSED WORKS

Pipe line and troughs

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the land embraced.

5. Estimated cost of works $160.00

6. Estimated time required to construct additional works One year.

7. Remarks

For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey M. Payne

Compared ME-CT

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 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 .042 cubic feet per second. 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

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

Map Filed Aug. 22, 1929.

Proof of Labor Filed 10-30-30

Proof of completion of work filed

Proof of beneficial use filed

Certificate No. 7001 issued

Recorded

By

Date

County Records

WITNESS MY HAND AND SEAL this 30th day of April 1930.

State Engineer.

By

Exhibit – 3

Application No. 8813 Certificate Record No. 2021 Book 7 Page 2021

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Cottonwood Canyon Springs and Creek (South Branch) through Dam and reservoir for Stockwatering and domestic purposes. The point of diversion of water from the source is as follows: S. 399.32ft. E. 2708.31 ft. from the ¼ Cor. on the W. bdy. Sec. 13, T. 20 N., R. 54 E., M.D.B.&M., or in the SW¼ SW¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M. situated in Eureka County, State of Nevada.

Now Know Ye, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Handley Brothers

Post-office address Eureka, Eureka County, Nevada.

Amount of appropriation 0.028 cubic foot per second or sufficient to water 4000 sheep and 100 cattle.

Period of use, from April 1st. to Nov. 1st. of each year

Date of priority of appropriation January 17th, 1929.

Description of works of diversion and use: Dam of earth and rock 4 to 6 feet high, 12 feet wide and 20 feet long, making reservoir 80 feet in diameter. Place of use is in the SE¼ SW¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired, and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, CHAS. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 24th day of November, A. D. 1933.

Chas. W. Malone
State Engineer.

Recorded 12/1/33 in B Page 83
Eureka County Records

Application No. 8814 Certificate Record No. 2022 Book 7 Page 2022

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use from an unnamed source known as Saw Mill Spring and Creek through pipeline and troughs for stockwatering and domestic purposes. The point of diversion of water from the source is as follows: N. 888.19 ft. E. 4436.99 ft. from the S. Cor. on the E. bdy. Sec. 13, T. 20 N., R. 54 E., M.D.B.&M., or in the SE¼ NE¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M. and is situated in Eureka County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of Section 70, Chapter 140, Statutes of 1913, as amended by Chapter 178, Statutes of 1919, has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator: Handley Bros.

Post office address: Eureka, Eureka County, Nevada

Amount of appropriation: 0.025 cubic foot per second, or sufficient to water 400 sheep and 100 cattle.

Period of use, from April 1st to Nov. 1st of each year

Date of priority of appropriation: January 17th, 1929

Description of works of diversion and use: About 20 rod of 2 inch pipe delivers water from the spring to two cultivanizer troughs each 2 ft. wide, 1 foot deep and 16 ft. long. Place of use is in the SE¼ NW¼ Sec. 18, T. 20 N., R. 54 E., M.D.B.&M. and 2 troughs adjacent to the

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where required and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, GEO. W. MALONE, State Engineer of the State of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A. D. 1933

State Engineer

Recorded 12/1/33 Bk. B Page 94

Eureka County Recorder

Application No. 8815 ; Certificate Record No. 2085 Book 21 Page 2085

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

Whereas, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from the Cottonwood Springs and Creek (Main Branch) through pipeline and troughs for Stockwatering and domestic purposes. The point of diversion of water from the source is as follows: S. 61° 27' E. 5226.32 ft. from ¼ Cor. on W. bdy. Sec. 13, T. 20 N., R. 54 E., M.D.B.&M. or in the SW¼ SE¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M. situated in Eureka County, State of Nevada;

Now Know Ye, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Handley Brothers

Post-office address Eureka, Eureka County, Nevada

Amount of appropriation 0.025 cubic foot per second or sufficient to water 2000 sheep and 200 cattle.

Period of use, from April 1st to Nov. 1st of each year

Date of priority of appropriation January 17th, 1929

Description of works of diversion and use: A reservoir about 10 ft. in diameter and 2 ft. deep has been constructed at the spring and 16 ft. of 1½ inch pipe conveys water from said reservoir to about 20 ft. of semi-circular galvanized iron troughs about 2 ft. wide and 1 foot deep. Place of use is in the SW¼ SE¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, and to exceed the amount above specified, and the use is restricted to the place where acquired and to the purposes for which acquired.

In Testimony Whereof, I, GEO. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A. D. 1933

State Engineer.

Recorded 12/1/33 in Book B, Page 55

Exhibit – 4

AMENDED

ASSIGNED

Serial No. 5995

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUL 26 1929
Returned to applicant for correction AUG 6 1929
Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Dipping Corral Spring
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
NW¼ NE¼ of Sec. 14, T. 20 N; R. 54 E., at a point which bears N. 46° 24' 34" West, 3247.56 feet from the ¼ corner on the E. boundary of said Sec. 14.
Describe 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 acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about _____ (Month) and end about _____ (Month), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located NW¼ NE¼ Sec. 14, T. 20 N; R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep and 150 cattle

(h) Use will begin about Jan. 1 (Month) and end about Dec. 31 (Month), 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 vicinity 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 piped from the reservoir to the dipping tanks and used when needed for that purpose, as well as stockwatering.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, flumes, ditches, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given, with reference to this description.

5. Estimated cost of works $200.00

6. Estimated time required to construct works Already completed.

7. Remarks:

For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey M. Payne

Compared MF-CT

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 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 .042 cubic feet per second. 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

Work must be prosecuted with reasonable diligence and be completed on or before Oct. 1, 1931

Proof of completion of work shall be filed before Nov. 1, 1931

Application of water to benefidial use shall be made on or before Oct. 1, 1933. Proof of the application of water to beneficial use must be filed with State Engineer on or before Nov. 1, 1933

Map Filed AUG 22 1929

Proof of labor filed May 2 1930

Proof of completion of work filed May 2 1930

Proof of beneficial use filed NOV 27 1933

Certificate No. 1012 Issued Nov 27 1933

Recorded Book Page

By

County Records

WITNESS MY HAND AND SEAL this 30th day of April, 1930.

Leon Malone

State Engineer

By

Exhibit – 5

Application No. 8995 Certificate Record No. 2024 Book 7 Page 2024

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

Whereas, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from a Dipping Corral Spring through Reservoir and pipes for Stockwatering and domestic purposes. The point of diversion of water from the source is as follows: N. 482.254 W. 3247.55 ft. from a Cor. on S. bdy. Sec. 14, T. 20 N., R. 54 E., M.D.B.&M., and is the NW¼ NE¼ Sec. 14, T. 20 N., R. 54 E., M.D.B.&M.

situated in Eureka County, State of Nevada.

Now Know Ye, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator: Handley Brothers

Post-office address: Eureka, Eureka County, Nevada

Amount of appropriation: 0.028 cubic foot per second, or sufficient to water 4000 sheep and 100 cattle.

Period of use, from January 1st to December 31st of each year

Date of priority of appropriation: July 30th, 1928

Description of works of diversion and use: Small dam at the spring creates a pool about 8 ft. in diam. from which water is conveyed through 6 ft. of 1 inch pipe to the natural channel leading from said spring where it runs about 50 ft. and is then conserved in a reservoir about 60 x 100 ft. and 4 ft. deep. Water is also piped from this reservoir through 120 ft. of 2 inch pipe to stock watering vats and corrals. Place of use in the NW¼ NE¼ Sec. 14, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used for the purposes aforesaid, not to exceed the amount above specified, which the use is restricted to the place where acquired and to the purpose for which acquired.

In Testimony Whereof, I, GEO. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A. D. 1933.

State Engineer.

Recorded 12/1/33 at 8 min. past 8 A.

Beck Family Trust Exhibit 4 - Page 28

Nevada Division of Water Resources Memorandum

Date: July 25, 2018
To: Diamond Valley Adjudication Files
From: Tony Eng, Water Resource Specialist
RE: V-10813, Middle Torre Spring, Beck ~~FM~~ FT Stock; Eureka County, NV

Inspection Date(s)
5/20/2017

Flow Measurement	Method	Quality
11.3 gpm (48 oz in 2")	B&S/direct	good

Lat of FM site	Long of FM site
39.57513	115.88555

Remarks/Justification (looked for on 4/7/17)
Actual spring location is ~260 yards SSE of claimed POD, which plots on barren hillside. Actual in field location is on north side of Torre Creek drainage, at break in slope. Some of willows recently thinned around spring, and Qc>gravelly channel looks cleared and mucked out with modest watercress. FM site is just below trail crossing and ~40 yards west of actual spring source. Minor to perhaps modest contributor in spring to flow of Torre Creek.

Continued up creek to find actual location of V10813 stk spring (Photos 250-255) ^ Lower cut/thinned willows noted on way up creek. Found spring (which was ~2±3 yrs ago) & MFS-surveyed by Agent by ~200 m to ~NW. Established fm site at road/trail crossing at ± 6" white PVC pipe, ~ 40m below/~SW of actual spring. Measured 48 oz in 2" (good) w/ various pipe extensions for full; water 48°F, air now in 50s. Not enough time for middle & lower Torre Creek sites:.. will do in AM. PM camping near lower Torre CR POU at outer/western-most gate, ...ma

V10813, Middle Torre Spring, Beck FT Stock





Flow measurement site just below trail crossing, with the spring source to left of and above ATV at break in slope, looking east. Flow equates to 11.3 gpm at 8 PM.

2

AMENDED

Proof No. V-10814

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	☐	Commercial	☐
Federal Reserved Right	☐	Other (OTH)					

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Secondary (Select all that may be applicable):

Stock water ☐ Domestic ☐

NAME OF CLAIMANT Robert F. Beck and Karen A. Beck, trustees of the Beck Family Trust dated 04-19-2005

Address 289 La Costa Avenue City of Dayton County of Lyon

State of Nevada Telephone No. 775-346-0572 Email Address rbecknet@gmail.com

1. Source of water Upper Torre SW Spring

Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion Collection system, pipeline and natural channel

Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):

Within the NE¼ SW¼ of Section 25, Township 20 North, Range 54 East M.D.M., at a point from which the Northwest corner of Section 21, Township 20 North, Range 54 East M.D.M., bears North 63° 13' 31" West a distance of 19,889 feet.

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun _____

and completed specific dates unknown but most likely late 1920's to early 1930's

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:

Possessory interest prior to land being patented and then subsequently deeded to current owner.

Patented, deeded, public domain with grazing permit, etc.

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

(circle one)

_____ County, at Page _____ of Book _____ of _____.

7. The amount of water diverted for the claim's purpose has been measured at

0.03 cubic feet per second.

448.83 gallons per minute equals 1 cubic feet per second

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):
Within the NE¼ SW¼ of Section 25, Township 20 North, Range 54 East M.D.M.

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(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 of animals watered by the claimant during the first year of 1886 (Year) was

100 cattle _____ horses 500 sheep _____ other (describe in remarks)

The watering was conducted during each of the following months: January 1 thru December 31

10. The approximate number of animals watered by the claimant in subsequent years was:

** cattle _____ horses ** sheep _____ other (describe in remarks)

11. The water is impounded in Collection system piped to troughs with overflow to natural channel and pools
(Trough(s), tank(s)s, pool(s), reservoir, natural channel, etc.)

QUESTIONS WITH REGARD TO IRRIGATION

12. The date of survey of ditch, canal, or pipe line was _____

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of _____ inches with a type of pipe of _____ for _____ feet in length.
(Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe)

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not (circle one) been enlarged.

16. The work of enlargement of the ditch, canal or pipeline commenced _____ and completed _____

17. The dimensions of the enlarged ditch or canal are: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of _____ inches with a type of pipe of _____ for _____ lineal feet in length.
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

19. The claimant is / is not (circle one) the owner in the above-described conduit.

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_____
If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of _____
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)
have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from _____ to _____ of each year. The average number of cuttings in a year is typically _____ cuttings and the maximum number of cuttings in a year is _____ cuttings.

22. The water claimed has / has not (circle one) been used for irrigation each and every year since the right was initiated.

23. The years during which no water was used for irrigation or during which the full water right was not used were (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, appending a sheet if necessary):

_____

24. The characteristics of the soil are _____
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is _____ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is _____ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is _____ cubic feet per second.

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.)

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

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.

DCNR/DWR/SNBO
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APR 27 2016

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by

Beck Family Trust dated 04-19-2005 are full and correct to the best of their knowledge and belief.
(Name)

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name Robert Beck, Trustee Signature
(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

Telephone Number 775-346-0572 Email Address rbecknet@gmail.com

State of Nevada
County of Carson city

Subscribed and sworn to before me on 4/21/16
(Date)

by Robert Beck

Signature of Notary Public Required

NOTARY PUBLIC
STATE OF NEVADA
County of Carson
GABRIEL ACEBEDO
No: 08-6392-3
My Appointment Expires APR. 21, 2016

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.

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.

Exhibit – 1

Serial No. 02889

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

(1) Name of claimant United Dressed Beef, Inc.

of Eureka
Street and No. or P.O. Box No. City or town

Nevada
State and Zip Code No.

(2) Source of water Bank Ranch Stock water
Name of natural water source.

(3) The water is diverted by not diverted
Dam, ditch, pipe line, natural channel, spring area, etc.

(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.

(5) 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 begun not diverted
Date

and completed
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is Deeded Land
Patented, deeded, public domain with grazing permit, etc.

(8) The claimant's water right was (was not) recorded in the office of the County Recorder of County, at Page of Book of

NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

FILED
Aug. 26, 1976
STATE ENGINEER'S OFFICE

See Affidavit 9/22/76 L.E.F.

1886

(9) The approximate number of animals watered by the claimant during the first year 1975 (Date), was 100 cattle, horses 500 sheep or ... (Other). 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.

(11) The amount of water which has been necessary to be diverted for this purpose has been All the source produces which varies from summer to winter ... cubic feet per second.

448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located at NW¼ of SE¼ Section 28 T. 20N., R54E.

Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Remarks 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. The spring is cleaned out from time to time, when necessary, by ranch foreman, in order to maintain the flow.

Remarks This land has an application for patent date of 1894 by John Hancock recorded at the division of State Land Office in Carson City, Nevada.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by United Dressed Beef, Inc.

are full and correct to the best of his knowledge and belief.

Donald D. Eldridge - Agent

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

United Dressed Beef, Inc.
Claimant

By Donald D Eldridge

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

Lemmon Valley Nevada
City, State, Zip Code No.

Subscribed and sworn to before me this 2nd day of August, 1976

Mildred K. Sanders

Notary Public in and for the County of Washoe, State of Nevada

My commission expires May 27, 1980

MILDRED K. SANDERS
Notary Public — State of Nevada
Washoe County
My Commission Expires May 27, 1980

$10 FILING FEE MUST ACCOMPANY PROOF

Form AA (Rev. 9-72) 405

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 (Brigmaker) - 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: [illegible], 1976.

RAYMOND LABARRY, JR.

SUBSCRIBED AND SWORN TO before me,
this [illegible] day of Sept.,
1976, by _____.

Notary Public

WILLIS A. DePAOLI
Notary Public — State of Nevada
Eureka County
My Commission Expires Oct. 14, 1978

FILED
Oct. 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 ~~this~~ with this in mind used 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

ASSIGNED

APPLICATION FOR PERMIT Serial No. 8313

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office, JAN 1 1929.
Returned to applicant for correction
Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Cottonwood Canyon Springs and Creek (No. 2 or South Branch).
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 inches' flow

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:
At a point in the SE¼ SW¼ of Sec. 13, T. 20 N; R. 54 E., which bears
Describe 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.
S. 39° 37' E., 2708.31 ft. from the ¼ corner on the W. boundary of said Sec. 13.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about ____ (Month) and end about ____ (Month), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located In the SE¼ SW¼ of Sec. 13, T. 20 N; R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep.

(h) Use will begin about April 1 (Month) and end about Oct. 1 (Month), 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 right is not waived by virtue of the filing of this application.

8813

DESCRIPTION OF PROPOSED WORKS

Dams and reservoirs

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoirs should be given with reference to the legal subdivisions.

6. Estimated cost of works $200.00

8. Estimated time required to construct works Works already completed.

7. Remarks

Purpose of applicant

HANDLEY BROTHERS, Applicant.

By Harvey 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 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 .042 cubic feet per second. 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

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

App. Filed AUG 22 1929.

Proof of Labor filed - 10-22-30.

Proof of completion of work filed - 10-9-31.

Proof of Applied to use filed NOV 21 1933

Certificate No. 1021 issued 11-9-33

Recorded Book Page

County Records

WITNESS MY HAND AND SEAL this 30th day of April 1930.

State Engineer.

By

ASSISTANT STATE ENGINEER

Beck Family Trust Exhibit 5 - Page 15

AMENDED

ASSIGNED

APPLICATION FOR PERMIT Serial No. 8814

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 correction

Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Saw Mill Spring and Creek.
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:

At a point in the SE¼ NE¼ of Sec. 13, T. 20 N., R. 54 E., which bears N. 82° 12' 42" E., 4446.90 feet from the ¼ corner on the West boundary of said Sec. 13.
Describe 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 acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about (Month) and end about (Month), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located in the SE¼ NE¼ Sec. 13 T. 20 N. R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep.

(h) Use will begin about Apr. 1 (Month) and end about Oct. 1 (Month), 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 right is not waived by virtue of the filing of this application.

Beck Family Trust Exhibit 5 - Page 16

8814

DESCRIPTION OF PROPOSED WORKS

Reservoirs and troughs

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works $400.00

6. Estimated time required to construct works Additional one year

7. Remarks For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey 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 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 .042 or sufficient to water 6000 sheep, 150 head of cattle. cubic feet per second.

Actual construction work shall begin on or before Oct. 1, 1930

Proof of commencement of work shall be filed before Nov. 1, 1930

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933.

Map filed Aug. 2, 1929

Proof of labor filed May 2, 1930

Proof of completion of work filed May 2, 1930

Proof of beneficial use filed NOV 21 1933

Certificate No. 2020 Issued Nov. 27, 1933

Copied Compared

WITNESS MY HAND AND SEAL this 30th day of April, 1930.

Frank Malone

State Engineer.

By

ASSISTANT STATE ENGINEER

Beck Family Trust Exhibit 5 - Page 17

AMENDED

ASSIGNED

APPLICATION FOR PERMIT Serial No. 5813

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 correction

Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Cottonwood Springs and Creek (No. 1 or main branch).
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
At a point in the SE¼ SE¼ of Sec. 13, T. 20 N., R. 54 E., which bears
Describe 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.
S. 81° 27' E., 5298.32 feet from the ¼ corner of the West boundary of said Sec. 13.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about ____ (Month) and end about ____ (Month) of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located in the SE¼ SE¼ of Sec. 13, T. 20 N., R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep.

(h) Use will begin about Apr. 1 (Month) and end about Oct. 1 (Month) 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 right is not waived by virtue of the filing of this application.

Beck Family Trust Exhibit 5 - Page 18

8815

DESCRIPTION OF PROPOSED WORKS

4. Pipe line and trough

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works $150.00

6. Estimated time required to construct works additional One year.

7. Remarks For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey 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 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 .042 cubic feet per second. 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

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

WITNESS MY HAND AND SEAL this 30th day of April 1930.

Map Filed Aug. 22, 1929.
Proof of labor filed 10-30-30
Proof of completion of work filed 10-9-31
Proof of beneficial use filed NOV 23 33
Certificate No. 7100 Issued
Recorded Bk Page
County Records

State Engineer.

By

Exhibit – 3

Application No. 9813 : Certificate Record No. 2021 Book 7 Page 2021

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Cottonwood Canyon Springs and Creek (South Branch) through Dam and reservoir for Stockwatering and domestic purposes: The point of diversion of water from the source is as follows: N. 399.37ft. E. 2768.31 ft. from the ¼ Cor. on the W. bdy. Sec. 13, T. 20 N., R. 54 E., M.D.B.&M., or in the SW¼ SW¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M. situated in Eureka County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Handley Brothers

Post-office address Eureka, Eureka County, Nevada.

Amount of appropriation 0.1888 cubic foot per second or sufficient to water 4800 sheep and 100 cattle.

Period of use, from April 1st to May 1st of each year

Date of priority of appropriation January 17th, 1929.

Description of works of diversion and use: Dam of earth and rock 4 to 5 feet high, 32 feet wide and 20 feet long, making reservoir 80 feet in diameter. Place of use is in the SE¼ SW¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amounts above specified, and the use is restricted to the place where acquired, and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, GEO. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A. D. 1933.

George W. Malone
State Engineer.

Recorded 12/1/33 in Bk. B Page 83
Eureka County Records

Application No. 8814 Certificate Record No. 2922 Book 7 Page 2922

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

Whereas, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an unnamed Saw Mill Spring and Creek

through pipeline and troughs for stock watering and domestic purposes. The point of diversion of water from the source is as follows: Near spring 1334 ft. E. and 4436.20 ft. N. from the S. Cor. on the W. bdy. Sec. 13, T. 20 N., R. 54 E., M.D.B.&M., or in the SE¼ NW¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M.; the place of use is situated in Eureka County, State of Nevada

Now Know Ye, That the State Engineer, under the provisions of Section 70, Chapter 140, Statutes of 1913, has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator: Handley Bros.

Post office address: Eureka, Eureka County, Nevada

Amount of appropriation: 0.025 cubic foot per second or sufficient to water 400 sheep and 100 cattle.

Period of use, from April 1st to November 1st of each year.

Date of priority of appropriation: January 17th, 1929

Description of works of diversion and use: About 10 ft. of 2 inch pipe conveys water from the spring to two galvanized iron troughs each 2 ft. wide, 1 foot deep and 16 feet long. Place of use is in the SE¼ NW¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, and to not exceed the amount above specified, and the use is restricted to the place where required and to the purpose for which required.

In Testimony Whereof, I, GEO. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A. D. 1933

State Engineer

Recorded 12/1/33 Bk. B Page 94

Eureka County Records

Application No. 8815 ; Certificate, Record No. 2023 Book 7 Page 2023

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS: H. M. PAYNE FOR HANSLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Cottonwood Springs and Creek (Main Branch) through pipeline and troughs for Stockwatering and domestic purposes. The point of diversion of water from the source is as follows: S. 61° 27' E., 6296.38 ft. from ¼ Cor. on W. bdy. Sec. 13, T. 20 N., R. 54 E., M.D.B.&M., or in the SE¼ SW¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M. situated in Eureka County, State of Nevada;

NOW KNOW YE, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator: Hansley Brothers

Post-office address: Eureka, Eureka County, Nevada

Amount of appropriation: 0.028 cubic foot per second or sufficient to water 2000 sheep and 100 cattle.

Period of use, from April 1st to Nov. 1st of each year

Date of priority of appropriation: January 17th, 1929

Description of works of diversion and use: A reservoir about 10 ft. in diameter and 2 ft. deep has been constructed at the spring and 16 ft. of 1½ inch pipe conveys water from said reservoir to about 20 ft. of semi-circular galvanized iron troughs about 2 ft. wide and 1 foot deep. Place of use is in the SE¼ SW¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purposes for which acquired.

IN TESTIMONY WHEREOF, I, GEO. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A. D. 1933

State Engineer.

Recorded 12/1/33, 8:13 Page 55

Eureka Co. County Recorder

Exhibit – 4

AMENDED

ASSIGNED

APPLICATION FOR PERMIT Serial No. 8995

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUL 20 1929
Returned to applicant for correction AUG 22 1929
Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Dipping Corral Spring
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
NW¼ NE¼ of Sec. 14, T. 20 N., R. 54 E., at a point which bears N. 46° 24' 34" West, 3347.56 feet from the ¼ corner on the E. boundary of said Sec. 14.
Describe 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 acres to be irrigated is

(b) 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 instructions from the State Engineer when application is returned for correction.

(c) Use will begin about ____ (Month) and end about ____ (Month), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located NW¼ NE¼ Sec. 14, T. 20 N., R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep and 150 cattle

(h) Use will begin about Jan. 1 (Month) and end about Dec. 31 (Month), of each year.

(i) Remarks Applicants and their predecessors have used water from this spring for many years prior to 1906, 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.

8995

DESCRIPTION OF PROPOSED WORKS

Spring has been cleaned out and water stored in a reservoir. It is piped from the reservoir to the dipping tanks and used when needed for that purpose, as well as stockwatering.

(State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given, with reference to the legal subdivisions.)

5. Estimated cost of works $200.00

6. Estimated time required to construct works Already completed.

7. Remarks

For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey 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 use of this 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 .042 cubic feet per second. 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

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

WITNESS MY HAND AND SEAL this 30th day of April, 1930

Map Filed Aug. 22, 1929.
Proof of labor filed May 2, 1930
Proof of completion of work filed May 2, 1930
Proof of beneficial use filed NOV 22 1933
Certificate No. 10174 issued May 31, 1932
Recorded ..... Book ..... Page .....
..... County Records

State Engineer

By

Beck Family Trust Exhibit 5 - Page 26

Exhibit – 5

Application No. 8995 Certificate Record No. 2024 Book 7 Page 284A

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

Whereas, W. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from a [redacted] to be known as Dipping Corral Spring through Reservoir and pipes for the purpose of Stockwatering and domestic. The point of diversion of water from the source is as follows: N. 460.6ft W. 5247.5ft from a Cor. on N. bdy. Sec. 14, T. 20 N., R. 54 E., M.D.B.&M. and [redacted] the NW¼ NW¼ Sec. 14, T. 20 N., R. 54 E., M.D.B.&M. situated in Eureka County, State of Nevada.

Now Know Ye, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator: Handley Brothers

Post-office address: Eureka, Eureka County, Nevada

Amount of appropriation: 0.088 cubic foot per second, or sufficient to water 4000 sheep and 100 cattle.

Period of use: from January 1st to December 31st of each year

Date of priority of appropriation: July 30th, 1928

Description of works of diversion and use: Small dam at the spring creates a pool about 8 ft. in diam. from which water is conveyed through 6 ft. of 1 inch pipe to the natural channel leading from said spring where it runs about 50 ft. and is then again conserved in a reservoir about 60 x 100 ft. and 4 ft. deep. Water is also piped from this reservoir through 120 ft. of 2 inch pipe to watering vats and corrals. Place of use in the NW¼ NW¼ Sec. 14, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

In Testimony Whereof, I, GEO. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A. D. 1933

State Engineer.

Recorded 12/1/33 in Book B, page 516

Eureka Co.

Proof No. V-10815

AMENDED

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	☐	Commercial	☐

Federal Reserved Right ☐ Other (OTH) _____

Secondary (Select all that may be applicable):

Stock water ☐ Domestic ☐

DCNR/DWR/SNBO
RECEIVED
APR 27 2016

NAME OF CLAIMANT Robert F. Beck and Karen A. Beck, trustees of the Beck Family Trust dated 04-19-2005

Address 289 La Costa Avenue City of Dayton County of Lyon

State of Nevada Telephone No. 775-346-0572 Email Address rbecknet@gmail.com

1. Source of water Upper Torre SE Spring

Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion Natural spring and channel

Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):

Within the SE¼ SW¼ of Section 25, Township 20 North, Range 54 East M.D.M., at a point from which the Northwest corner of Section 21, Township 20 North, Range 54 East M.D.M., bears North 61° 39' 12" West a distance of 20,637 feet.

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun _____

and completed specific dates unknown but most likely late 1920's to early 1930's

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:

Possessory interest prior to land being patented and then subsequently deeded to current owner.

Patented, deeded, public domain with grazing permit, etc

6. The claimant's water right was / was not recorded in the office of the County Recorder of
(circle one)

_____ County, at Page _____ of Book _____ of _____.

7. The amount of water diverted for the claim's purpose has been measured at

0.03 cubic feet per second.

448.83 gallons per minute equals 1 cubic feet per second

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):

Within the SE¼ SW¼ of Section 25, Township 20 North, Range 54 East M.D.M.

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APR 27 2016

(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 of animals watered by the claimant during the first year of 1886 (Year) was

100 cattle _____ horses 500 sheep _____ other (describe in remarks)

The watering was conducted during each of the following months: January 1 thru December 31

10. The approximate number of animals watered by the claimant in subsequent years was:

** cattle _____ horses ** sheep _____ other (describe in remarks)

11. The water is impounded in Natural spring pool, natural channel and small pond
(Trough(s), tank(s)s, pool(s), reservoir, natural channel, etc.)

QUESTIONS WITH REGARD TO IRRIGATION

12. The date of survey of ditch, canal, or pipe line was _____

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of _____ inches with a type of pipe of _____ for _____ feet in length.
(Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe)

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not been enlarged.
(circle one)

16. The work of enlargement of the ditch, canal or pipeline commenced _____ and completed _____

17. The dimensions of the enlarged ditch or canal are: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of _____ inches with a type of pipe of _____ for _____ lineal feet in length.
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

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APR 27 2016

19. The claimant is / is not (circle one) the owner in the above-described conduit.

_____
If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of _____
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)
have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from _____ to _____ of each year. The average number of cuttings in a year is typically _____ cuttings and the maximum number of cuttings in a year is _____ cuttings.

22. The water claimed has / has not (circle one) been used for irrigation each and every year since the right was initiated.

23. The years during which no water was used for irrigation or during which the full water right was not used were (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, appending a sheet if necessary):

_____

24. The characteristics of the soil are _____
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is _____ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is _____ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is _____ cubic feet per second.

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.)

DCNR/DWR/SNBO
RECEIVED
APR 27 2016

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

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.

DCNR/DWR/SNBO
RECEIVED
APR 27 2016

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by

Beck Family Trust dated 04-19-2005 are full and correct to the best of their knowledge and belief.
(Name)

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name Robert Beck, Trustee Signature
(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

Telephone Number 775-346-0572 Email Address rbecknet@gmail.com

State of Nevada
County of Carson city

Subscribed and sworn to before me on 4/21/16
(Date)

by Robert Beck

Signature of Notary Public Required

NOTARY PUBLIC
STATE OF NEVADA
County of Carson
GABRIEL ACEBEDO
No: 08-6392-3
My Appointment Expires APR. 21, 2016

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.

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.

Exhibit – 1

Serial No. 02889

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

(1) Name of claimant United Dressed Beef, Inc.

of Eureka
Street and No. or P.O. Box No. City or town

Nevada
State and Zip Code No.

(2) Source of water Bank Ranch Stock water
Name of natural water source.

(3) The water is diverted by not diverted
Dam, ditch, pipe line, natural channel, spring area, etc.

(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.

(5) 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 begun not diverted
Date

and completed
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is Deeded Land
Patented, deeded, public domain with grazing permit, etc.

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

County, at Page of Book of

NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information underlined.

FILED
Aug. 26, 1976
STATE ENGINEER'S OFFICE

See Affidavit 9/22/76 L.E.P.

1886

(9) The approximate number of animals watered by the claimant during the first year 1975 (Date), was 100 cattle horses 500 sheep or ..... (Other). 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.

(11) The amount of water which has been necessary to be diverted for this purpose has been All the source produces which varies from summer to winter cubic feet per second.

448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located at NW¼ of SE¼ Section 28 T. 20N., R54E.

Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Remarks 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. The spring is cleaned out from time to time, when necessary, by ranch foreman, in order to maintain the flow.

Remarks This land has an application for patent date of 1894 by John Hancock recorded at the division of State Land Office in Carson City, Nevada.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by United Dressed Beef, Inc. are full and correct to the best of his knowledge and belief.

Donald D. Eldridge - Agent

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

United Dressed Beef, Inc.
Claimant

By Donald D Eldridge

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

Carson City, Nevada
City, State, Zip Code No.

Subscribed and sworn to before me this 2nd day of August, 1976.

Mildred K. Sanders

Notary Public in and for the County of Washoe, State of Nevada

My commission expires May 27, 1980

MILDRED K. SANDERS
Notary Public — State of Nevada
Washoe County
My Commission Expires May 27, 1980

$10 FILING FEE MUST ACCOMPANY PROOF

Form 4A (Rev. 9-72) 403

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, Heald Spring (Brewster) - No. 1, Heald Spring - No. 2, Heald Spring - No. 3, Heald Spring - No. 4, Heald Spring - No. 5, Heald Springs - No. 6, Heald Spring - No. 7, Heald Spring - No. 8, and Heald 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: [illegible], 1976.

RAYMOND LABARRY, JR.

SUBSCRIBED AND SWORN TO before me,
this [illegible] day of Sept.,
1976, by _____.

Notary Public

WILLIS A. DePAOLI
Notary Public — State of Nevada
Eureka County
My Commission Expires Oct. 14, 1981

FILED
Oct. 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 them with this in mind used 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

ASSIGNED

APPLICATION FOR PERMIT Serial No. 6813

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA.

Date of first receipt and filing in State Engineer's office JAN 12 1925

Returned to applicant for correction

Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Cottonwood Canyon Springs and Creek (No. 2 or South Branch).
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
At a point in the SE¼ SW¼ of Sec. 13, T. 20 N; R. 54 E., which bears
Describe 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.
S. 39° 37' E., 2708.31 ft. from the ¼ corner on the W. boundary of said Sec. 13.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about Month and end about Month, of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located In the SE¼ SW¼ of Sec. 13, T. 20 N; R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep.

(h) Use will begin about April 1 and end about Oct. 1, of each year.
Month Month

(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 right is not waived by virtue of the filing of this application.

8B13

DESCRIPTION OF PROPOSED WORKS

Dams and reservoirs

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the land subdivisions.

5. Estimated cost of works $200.00

6. Estimated time required to construct works Works already completed.

7. Remarks

Forms of applicant

HANDLEY BROTHERS, Applicant.

By Harvey 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 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 .042 cubic feet per second. 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

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

Map Filed Aug. 22, 1929

WITNESS MY HAND AND SEAL this 30th day of April 1930.

Proof of labor filed - 10-23-30

Proof of completion of work filed - 10-29-31

Proof of Material as filed NOV 21 1930

Certificate No. 1021, issued 11-9-32

Recorded Book Page

County Records

State Engineer.

By ASSISTANT STATE ENGINEER

AMENDED

ASSIGNED

APPLICATION FOR PERMIT Serial No. 8814

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 correction

Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Saw Mill Spring and Creek.
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
At a point in the SE¼ NE¼ of Sec. 13, T. 20 N; R. 54 E., which bears N.
Describe 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.
82° 12' 42" E., 4446.90 feet from the ¼ corner on the West boundary of said Sec. 13.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about (Month) and end about (Month), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located in the SE¼ NE¼ Sec. 13 T. 20 N; R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep.

(h) Use will begin about Apr. 1 and end about Oct. 1, of each year.
(Month) (Month)

(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 right is not waived by virtue of the filing of this application.

8814

DESCRIPTION OF PROPOSED WORKS

Reservoirs and troughs

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works $400.00

6. Estimated time required to construct works Additional one year.

7. Remarks

For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey 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 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 .042 cubic feet per second. 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

Work must be prosecuted with reasonable diligence and be completed on or before Oct. 1, 1931

Proof of completion of work shall be filed before Nov. 1, 1961

Application of water to beneficial use shall be made on or before Oct. 1, 1933. Proof of the application of water to beneficial use must be filed with State Engineer on or before Nov. 1, 1933.

Map Filed Aug. 2, 1929

Proof of labor filed May 2, 1930

Proof of completion of work filed May 2, 1930

Proof of beneficial use filed NOV 24 1933

Certificate No. 2190 issued Nov 27 1933

Copied Entered Compared Proofed

WITNESS MY HAND AND SEAL this 30th day of April, 1930.

State Engineer.

By ASSISTANT STATE ENGINEER

AMENDED

ASSIGNED Serial No. 6818

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 correction

Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Cottonwood Springs and Creek (No. 1 or main branch).
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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:
At a point in the SE¼ SE¼ of Sec. 13, T. 20 N., R. 54 E., which bears
Describe 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.
S. 61° 27' E., 5298.32 feet from the ¼ corner of the West boundary of said Sec. 13.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use will begin about ____ (Month) and end about ____ (Month), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located in the SE¼ SE¼ of Sec. 13, T. 20 N., R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep.

(h) Use will begin about Apr. 1 (Month) and end about Oct. 1 (Month), 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 right is not waived by virtue of the filing of this application.

+ 8815

DESCRIPTION OF PROPOSED WORKS

Pipe line and troughs

State manner in which water is to be diverted, whether by dam or other works, whether by pipes, ditches, flumes, or otherwise fully. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works. $150.00

6. Estimated time required to construct works. additional One year.

7. Remarks. For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey W. 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 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 .042 cubic feet per second. or sufficient to water 5000 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

Work must be prosecuted with reasonable diligence and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

WITNESS MY HAND AND SEAL this 30th day of April 1930

Map Filed Aug. 22, 1929

Proof of Labor Filed -10-30-30

Proof of completion of work filed Nov. 1-31

Proof of beneficial use filed Nov. 21 1933

Certificate No. 7001 Issued May 1 1931

Recorded Bk Page

County Records

State Engineer.

By Assistant

Exhibit – 3

Application No. 9813 Certificate Record No. 2021 Book 7 Page 2021

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Cottonwood Canyon Springs and Creek (South Branch) through Dam and reservoir for Stockwatering and domestic purposes. The point of diversion of water from the source is as follows: Sa. 399.37ft. E., 2768.31 ft. from the ¼ Cor. on the W. bdy. Sec. 15, T. 20 N., R. 54 E., M.D.B. & M., or in the SW¼ SW¼ Sec. 15, T. 20 N., R. 54 E., M.D.B.&M. situated in Eureka County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Handley Brothers

Post-office address Eureka, Eureka County, Nevada.

Amount of appropriation 0.089 cubic foot per second or sufficient to water 4000 sheep and 100 cattle.

Period of use, from April 1st to Nov. 1st of each year

Date of priority of appropriation January 17th, 1929.

Description of works of diversion and use: Dam of earth and rock 4 to 5 feet high, 12 feet wide and 20 feet long, making reservoir 80 feet in diameter. Place of use is in the SE¼ SW¼ Sec. 15, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired, and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, GEO. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November A. D. 1933.

State Engineer.

Recorded 12/1/33 Bk B Page 83
Eureka County Records

Application No. 8814 Certificate Record No. 2622 Book 7 Page 2022

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

Whereas, W. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Saw Mill Spring and Creek through pipeline and troughs for stockwatering and domestic purposes. The point of diversion of water from the source is as follows: N. 824.1ft. E. 4448.00 ft. from the S. Cor. on the E. bdy. Sec. 35, T. 20 N., R. 54 E., M.D.B.&M., or in the SE¼ NE¼ Sec. 18, T. 20 N., R. 54 E., M.D.B.&M. situated in Eureka County, State of Nevada

Now Know Ye, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913, has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator: Handley Bros.

Post-office address: Eureka, Eureka County, Nevada

Amount of appropriation: 0.025 cubic foot per second, or equivalent to water for 500 sheep and 100 cattle.

Period of use: from April 1st to Nov. 1st inclusive each year.

Date of priority of appropriation: January 17th, 1929

Description of works of diversion and use: Point to tap of 2 inch pipe conveys water from the spring to two galvanized iron troughs each 2 ft. wide, 1 foot deep and 8 feet long. Place of use is in the SE¼ NW¼ Sec. 18, T. 20 N., R. 54 E., M.D.B.&M. [illegible]

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

In Testimony Whereof, I, GEO. W. MALONE, State Engineer, have hereunto set my hand and the seal of my office, this 27th day of November, A. D. 1933

State Engineer.

Recorded 12/1/33 Bk. B Page 94

Eureka County Records

Application No. 8815 ; Certificate Record No. 2025 Book 7 Page 2025

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application to Water to Beneficial Use, from Cottonwood Springs and Creek (Main Branch) through pipeline and troughs for Stockwatering and domestic purposes. The point of diversion of water from the source is as follows: S. 61° 27' E., 5288.58 ft. from ¼ Cor. on W. bdy. Sec. 13, T. 20 N., R. 54 E., M.D.B.&M. or in the SW¼ SE¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M. situated in Eureka County, State of Nevada.

Now Know Ye, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator: Handley Brothers

Post-office address: Eureka, Eureka County, Nevada

Amount of appropriation: 0.028 cubic foot per second or sufficient to water 4000 sheep and 100 cattle.

Period of use, from April 1st to Nov. 1st of each year.

Date of priority of appropriation: January 17th, 1929

Description of works of diversion and use: A reservoir about 10 ft. in diameter and 2 ft. deep has been constructed at the spring and 16 ft. of 1½ inch pipe conveys water from said reservoir to about 20 ft. of semi-circular galvanized iron troughs about 2 ft. wide and 1 foot deep. Place of use is in the SW¼ SE¼ Sec. 13, T. 20 N., R. 54 E., M.D.B.&M.

b. The right to water hereby determined is limited to the amount which can be beneficially used, and to exceed the amount above specified, and the use is restricted to the place where acquired, and to the purposes for which acquired.

In Testimony Whereof, I, GEO. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A. D. 1933

State Engineer.

Recorded 12/11/33 in Book D, Page 55, Eureka County Records

Exhibit – 4

AMENDED

ASSIGNED Serial No. 8995

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUL 24 1929
Returned to applicant for correction AUG 22 1929
Corrected application filed AUG 22 1929

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 hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Dipping Corral Spring
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-feet.
One second-foot equals 40 miners' 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: NW¼ NE¼ of Sec. 14, T. 20 N; R. 54 E., at a point which bears N.
Describe as being within a 10-acre subdivision of public survey, or by course and distance to a section-corner. If on unsurveyed land, it should be so stated.
46° 24' 34" West, 3247.56 feet from the ¼ 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

(b) 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 application is returned for correction.

(c) Use will begin about ____ (Month) and end about ____ (Month), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located NW¼ NE¼ Sec. 14, T. 20 N; R. 54 E.
Give 40-acre subdivision on which works will be located, 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 6000 sheep and 150 cattle

(h) Use will begin about Jan. 1 (Month) and end about Dec. 31 (Month), of each year.

(i) Remarks. Applicants and their predecessors have used water from this spring for many years prior to 1906, 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.

8995

DESCRIPTION OF PROPOSED WORKS

Spring has been cleaned out and water stored in a reservoir. It is piped from the reservoir to the dipping tanks and used when needed for that purpose, as well as stockwatering.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given, with reference to the legal subdivisions.

5. Estimated cost of works $200.00

6. Estimated time required to construct works Already completed

7. Remarks

For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey M. Payne

Compared M.F.-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 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 .042 cubic feet per second. 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

Work must be prosecuted with reasonable diligence, and be completed on 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 use must be filed with State Engineer on or before Nov. 1, 1933

WITNESS MY HAND AND SEAL this 30th day of April, 1930

Map Filed Aug. 22, 1929

Proof of labor filed May 22-1930

Proof of completion of work filed May 2, 1930

Proof of beneficial use filed NOV 22 1933

Certificate No. 1074 Issued NOV 24 1933

Recorded Book Page

County Records

J. E. O'Malone
State Engineer

By

Beck Family Trust Exhibit 6 - Page 26

Exhibit – 5

Application No. 6885 Certificate Record No. 2024 Book 7 Page 2024

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

Whereas, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Dipping Corral Spring through Reservoir and pipes for Stockwatering and domestic purposes. The point of diversion of water from the source is as follows: N. 46° 25' W. 5247.86 ft. from a Cor. on Mi bdy. Sec. 14, T. 20 N., R. 54 E., M.D.B.&M., or in the NW¼ NW¼ Sec. 14, T. 20 N., R. 54 E., M.D.B.&M.

situated in Eureka County, State of Nevada.

Now Know Ye, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator: Handley Brothers.

Post-office address: Eureka, Eureka County, Nevada.

Amount of appropriation: 0.028 cubic foot per second, or sufficient to water 4000 sheep and 100 cattle.

Period of use, from January 1st to December 31st of each year.

Date of priority of appropriation: July 20th, 1929.

Description of works of diversion and use: Small dam at the spring creates a pool about 8 ft. in diam. from which water is conveyed through 6 ft. of 1 inch pipe to the natural channel leading from said spring where it runs about 50 ft. into the reservoir served in a reservoir about 80 x 100 ft. and 4 ft. deep. Water is also piped from this reservoir through 120 ft. of 2 inch pipe to watering vats and corrals. Place of use in the NW¼ NW¼ Sec. 14, T. 20 N., R. 54 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

In Testimony Whereof, I, GEO. W. MALONE, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of November, A.D. 1933.

State Engineer.

Recorded 12/1/33 in Book 6 Page 216

Beck Family Trust Exhibit 6 - Page 28

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.

J K P.E.

JASON KING, P.E.
State Engineer

Dated this 30TH **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 AUGUST, 2018.

IN WITNESS THEREOF, I have hereunto set my hand and affixed my seal of office at Carson City, Nevada, this 30TH day of AUGUST, 2018.

J. K. P.E.

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.

JK P.E.

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 June11, 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 1264[1], 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 Engineer[3]. 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.

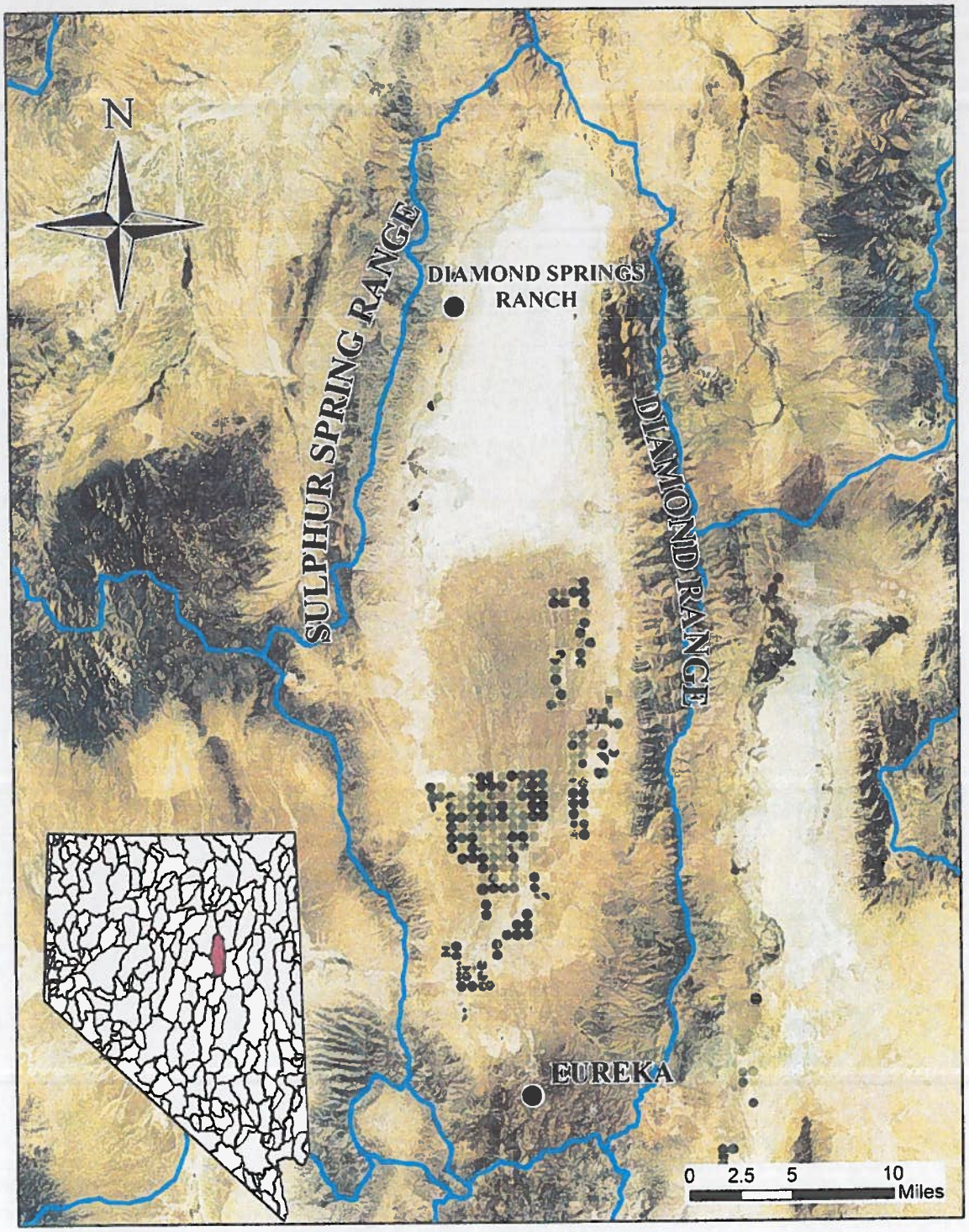


Figure 1. Location map of the Diamond Valley Hydrographic Basin (10-153).

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,

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[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.[7] 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

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[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.

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[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. The 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.

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[9] Hindman v. Rizor, 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).[10] Non-use for a period of time may inferentially be some evidence of intent to abandon.[11] Although a prolonged period of non-use may raise an inference of intent to abandon, it does not create a rebuttable presumption.[12] At a minimum, proof of continuous use of the water right should be required to support a finding of lack of intent to abandon.[13]

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

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[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 NE¼ NE¼ 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 NW¼ NE¼ 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 NE¼ NW¼ 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 NE¼ SW¼ 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 NE¼ 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 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.

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 SE¼ SW¼ 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 NW¼ NE¼ 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 NE¼ SE¼ 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 NE¼ SE¼ 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 SE¼ SW¼ 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 SE¼ SE¼ 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 SW¼ SW¼ 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 pre-statutory 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 NW¼ 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. 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."[276] 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."[277] 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

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[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."[278] 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.

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

93

ORIGINEL.

Assessment Book of the Property of Eureka,

Assessed to all Owners when Known,

1896

TAXPAYER'S NAME.	Real Estate.	Improvements.	DESCRIPTION OF PROPERTY. Name, Nature and Location (with City and Town Lots—Subdivision or Section, and Block or Range; City and Town Lots; Improvements; Mineral Property)	No. Range. Township. Meridian. Section.	Qr. Qr. Sec.	Mineral Claim.	City or Town Lots or Blocks. Fractional Lot.	Lot.	Block.	Division.	Number of Acres of Real Estate.	Assessed Value of Real Estate.	Value of Real Estate or Improvements only Omitted.
269 Mullany Edward			Personal Property, Furniture and Piano $125; Possessory interest, viz and to Lot No 11 in Block No 57 of the town of Eureka, Eureka County, State of Nevada, Improvements, Frame House					11	57				25
270 Mullany Benj'n Jr.			Personal Property, Furniture &c. $100; Possessory interest, viz and to Lots No 3 in Block No 83 of the town of Eureka, Eureka County, State of Nevada, Improvements, Frame House; Possessory interest, viz and to the Northerly 1/2 of Lot No 4 in Block No 83 of the town of Eureka, Eureka County, State of Nevada					3	83				25.
								North 1/2 of	4	83				13
271 Murphy J. H. Mrs.			Personal Property, Horses $100, Cows $100, Sheep $100; Possessory interest, viz and to a tract of farming land situate on the Ruby Marsh, viz Eureka County, State of Nevada, and described as follows to wit: Beginning at the S.W. Cor. of the N.W. 1/4 of Sec. 27, T. 22 N., R. 57 E., running thence East 80 chains, thence South 40 chains, thence West 80 chains, thence North 40 chains to the place of beginning, containing 320 Acres, Improvements, House and Stable on Premises	37	32	27					80	80.	320.
272 Elliott Jeanette Mrs.			Personal Property, Horses $1000, Cows $1000, Sheep $100, 2 Stacks Hay $100, 300 Bushels Wheat $300, 64 Cows $1280, Work Oxen and Farming Tools $400, 6 Wagons $300, 1 Mowing Machine $100, Rake $125, 20 Head Brood Horses $2400, Harness Outfit $100, 100 Bushels Seed Wheat $200, 20 Head Work Horses $2000,										
			Possessory interest, viz and to a tract of farming land situate about 27 Miles Westerly from the town of Eureka, viz Eureka County, State of Nevada, known as the Rowen Spring Ranch and described as follows to wit: Commencing at a stake 1/4 Miles Southerly from the Rowen Spring, and running thence North 1° E. 10 chains to a stake, thence North 15° E. 19.50 chains to a stake, thence North 63 1/2° E. 31.00 chains to a stake, thence South 61° E. 11.00 chains to a stake, thence South 30 1/2° W. 57.50 chains to the place of beginning containing 154.76 Acres								154.76	154.76	150
			Possessory interest, viz and to a tract of land situate on Roberts Creek about 20 Miles North West from the town of Eureka, viz Eureka County, State of Nevada, and described as follows to wit: Commencing at South East Corner of Corral and running thence West 80 chains to a stake, thence North 20 chains to a stake, thence East 80 chains to a stake, thence South 20 chains to the place of beginning containing 160 Acres, Improvements, Shed and Corral								160	160.	150
			Possessory interest, viz and to a tract of farming land situate about 26 Miles North West from the town of Eureka, viz Eureka County, State of Nevada on "Roberts Creek" and lying on both the North and South sides of the Roseland road and known as the Ford and Company's Ranch and described as follows to wit: Beginning the										

1896

370 	Possessory interest in and to a tract of farming land situate near Beowawe, in Eureka County, State of Nevada and described as follows to wit: Being the W½ of NE¼ of Sec. 27 Township 33 N. R. 47 E. Containing Following improvements Frame House and Stable in Beowawe Eureka County, State of Nevada	57	32	45
372 Hennit Jeanette Mrs.	Personal Property 4 Yacht $1000. 5 Jennies, 4 Jack Colts $400. 200 Head Horses $1500. 900 Beeves $1800. 6 Cows $120. Prod Res and Farming Tools $400. 6 Wagons $ 200. 1 Buckboard $25. 17000 Sheep $21250. 20 Head Beef Horses $400. Solvent Debts secured $500. 100 Bulls $ 1200. 20 Head Work Mules $200.			
	Possessory interest in and to a tract of farming land situate about 27 Miles Westerly from the town of Eureka in Eureka County, State of Nevada, known as the "Spruce Spring Ranch" and described as follows to wit: Commencing at a stake 1½ Miles Southerly from the Spruce Station and 60 feet Southwesterly from the main Spring, and running thence North 1° E. 10 chains to a mound. Thence North 18° E 10.24			

Beck Family Trust Exhibit 8 - Page 2

41 ORIGINAL.

Assessment Book of the Property of Eureka

ASSESSED TO ALL OWNERS, WHEN KNOWN.

1902

TAXPAYER'S NAME.	Real Estate.	School District.	DESCRIPTION OF PROPERTY. Real Estate other than City and Town Lots; Situation of Section, and Metes or Bounds; City and Town Lots; Improvements; Personal Property.	Mt. Diablo Base & Mer. Section.	Mt. Diablo Base & Mer. Township.	Mt. Diablo Base & Mer. Range.	City or Town Lots in Eureka. Number.	City or Town Lots in Eureka. Lot.	City or Town Lots in Eureka. Block.	City or Town Lots in Eureka. Addition.	Number of Acres of Real Estate.	Value of Real Estate.	Improvements.	Personal Property.
86 Eastberg Harry			Personal Property Horses 2 @											
			Improvements Frame House situated on A Ruby Hill in											
			Eureka County State of Nevada.											
87 Eccles Thomas			Personal Property Saddle Horse 1 @ Work Horses 150, 11 Work											
			Cattle 270 2 Milch Cows @ Wagon 85											
			Improvements Frame House situated on North Ruby Hill											
			Eureka County State of Nevada.											
88 55 England Eliza M. & Co			Personal Property Blacksmith Tools 1 @ Wagon @											
			Property situated in and to Lots 1 2 3 4 5 6 7 & 11 Block 24 of the Town											
			of Eureka Eureka County State of Nevada.					1 2 3 4 5 6 7 & 11		20				60
			Improvements Frame House and Blacksmith Shop											
89 Erickson Mrs John			Property situated in and to Lots 3 4 5 6 7 & 8 Block 120 of the Town of											
			Eureka Eureka County State of Nevada					3 4 5 6 7 & 8		120				80
			Improvements Frame House and Stable											
			Personal Property Horses 2 @ Wagon 1 @ 25											
90 Eatherne N. J.			Personal Property Horses 2 @											
			Improvements Frame House situated on South Ruby Hill											
			in Eureka County State of Nevada.											
91 Guilfoyle Jas.			Property situated in and to Lot 7 in Block 22 of the Town											
			of Eureka Eureka County State of Nevada					7	22					50
			Improvements Frame Building											
92 City of Eureka Telephone Company			Improvements Property situated in and to about 12 miles of											
			Telephone Line Extending from the Eureka Reduction											
			Works in the County of Eureka to the Town of Ely											
			in White Pine County Nevada and											
			to Hamilton and Ely											
93 Eureka Lumber & Stock Company			Personal Property 3 Yoke Oxen 7 Horses 100 10 Range Horses @											
			200 Bucks @ 2000 1000 Sheep @ 7 Milch Cows @ 175 20 Work											
			Horses @ 10 Mules @ 250 @ 2 Work Oxen @ 200 Mill Power @ 300											
			2 Wagons @ 200 2 Spring Wagons @ 75 Buggies @											
			Property situated in and to about 2 Farming Lands situated about 24											
			miles North from Eureka known as the Roberts Creek Ranch and described											
			as follows to wit: Beginning											
			NW ¼ Sec 7 T 22 N R 52 E	19	22	52					78	00	78 00	390
			NE ¼ Sec 7 T 22 N R 52 E	19	22	52					40		40	200
			NW ¼ Sec 8 T 22 N R 52 E	24	22	51					78	25	78 25	390
			NE ¼ Sec 8 T 22 N R 52 E	20	22	51					77	50	77 50	385
			NW ¼ Sec 9 T 22 N R 52 E	26	22	51					40		40	200
			Improvements Frame House Stable Shed	5	22	51					40		40	200
			12 Miles Wire Fencing										354	60 1770
			Property situated in and to about 2 Farming Lands situated in Roberts											
			Creek Valley about 12 miles North from Eureka in Eureka County Nevada											
			known as the Lone Mountain Ranch and described as follows Beginning											

1902

Eureka Live Stock Company

Eureka Live Stock Company

No. 532

Principal Place of business Eureka Eureka County, Nevada. Ten Mile Pine County Timber Law road to Hamilton and Ely

Principal Products 3 Jacks $250. 7 Jennies $150. 110 Range Horses $500 400 Bucks $200. 1200 Sheep $2000. 7 Milch Cows $175 20 Work Horses $500. 15 Mules $750. 24 Work Colts $420. Will Run 4 Jacks $300 4 Wagons $320 2 Mining Horses $60 Pasture $20

Pasturage obtained on ranches at least 5 miles from Eureka, Nevada, also Range Stock Ranch and during the following months

W½	of SW¼	19	22	51
SE¼	of SW¼	19	22	51
W½	of NW¼	30	22	51
W½	of SW¼	30	22	51
NE¼	of NW¼	30	22	51
NW¼	of SE¼	8	22	51

Principal Ranch Eureka Mable Mule

46 ORIGINAL.

Assessment Book of the Property of Eureka

ASSESSED TO ALL OWNERS, WHEN KNOWN.

1903

TAXPAYER'S NAME	Real Estate	Improvements	DESCRIPTION OF PROPERTY. REAL ESTATE OTHER THAN CITY AND TOWN LOTS (subdivision of Section, or Mineral Bearing City and Town Lots) Improvements Personal Property	Sec. Township and Range No. Section	North	East	City or Town Lots or Blocks. Portion	Lot	Block	Addition	Number of Acres of Real Estate	Assessed Value per Acre	Assessed Value of Property Class
Post 411													
Eureka Live Stock Company			Pasturage Deputy 2 Yoke 200. 10 Jennies 200. 160 Range Horses 75. 200 Cattle 200. 12 Mules 240. 7 Milch Cows 175. 20 Work Horses 260. 6 Mules 240. 16 Mild Mules 200. 250 Stock Cattle 2500. 10 Bulls 250. 2 Horses 80. Farm Implements 200 Wagons 200. Buggy 40.									
			Pasturage, situated in and to the Reese Creek Ranch situated in Eureka County, Nevada and described as follows, to-wit: Being the										
			NW¼ of SW¼	19	22	51					78 4	75 4	900
			SE¼ of SW¼	19	22	51					40	40	200
			W½ of NW¼	30	22	51					75 22	75 20	1500
			W½ of SW¼	30	22	51					77 75	77 75	1500
			NE¼ of NW¼	36	22	51					40	40	200
			NW¼ of NE¼	1	23	51					40	40	200
			Improvements Frame House, stable, Shade & Fencing									36 1	1100
			" 12 miles Wire Fencing										
			Lower Pasture Ranch description										
			SE¼ of NE¼	35	21	52					40	40	200
			NE¼ SE¼	35	21	52					40	40	200
			SW¼ of NW¼	31	21	52					40	40	200
			NW¼ of SW¼	31	21	52					40	40	200
			Antelope Valley Ranch description										
			W½ of NE¼	18	18	51					80	80	400
			NW¼ of SE¼	18	18	51					80	80	400
			SW¼ "	18	18	51					160	160	800
			NW¼ of NE¼	19	18	51					40	40	200
			NE¼ of NW¼	19	18	51					40	40	200
			SE¼ of NW¼	18	18	51					39 35	39 35	1958
			Headgate Plant, Antelope Valley										
			NE¼ of NE¼	36	18	49					40	40	200
			NW¼ of NE¼	36	18	50					40	39 80	200
			Right Hand Springs, Antelope Valley										
			SW¼ of NE¼	25	18	50					40	40	200
			NW¼ of SE¼	25	18	50					40	40	200
			Improvements Frame House, Corrals with Living Tanks										
			Pete Creek Ranch										
			W½ of	6	18	52					160	160	800
			NE¼ of SE¼	8	18	52					40	40	200
			NW¼ of NW¼	9	18	52					40	40	200
			SE¼ of NW¼	4	18	53					40	40	200
			NE¼ of SW¼	9	18	53					40	40	200
			SW¼ of SE¼	9	18	53					160	160	800
			SE¼ of NW¼	9	18	53					80	80	400
			NE¼ of NE¼	9	18	53					40	40	200
			NE¼ of SE¼	10	18	53					320	320	1600
			SE¼ of NW¼	11	18	53					80	80	400
			NE¼ of NW¼	11	18	53					80	80	400
			SE¼ of NE¼	11	18	53					80	80	400
			W½ of	12	18	53					320	320	1600
			SE¼ of SW¼	1	18	54					80	80	400
			NE¼ of NW¼	2	18	54					80	80	400

46 ORIGINAL

Assessment Book of the Property of Eureka

ASSESSED TO ALL OWNERS, WHEN KNOWN.

1903

TAXPAYER'S NAME. Page 411	Road District.	School District.	DESCRIPTION OF PROPERTY. REAL ESTATE OTHER THAN CITY AND TOWN LOTS; Subdivisions of Sections, or Acres and Boundary; City and Town Lots; Improvements; Personal Property.	Mt. Diablo Base and Mer. Section	Township North.	Range East.	City or Town Lots of Eureka. Fraction	Lot	Block	Division	Number of Acres of Real Estate	Assessed Value Acres
Eureka Lime Stock Company			Personal Property 3 Yoke Oxen $260. 10 Cattle $200. 150 Range Horses $750. 100 Stock Cows $2000. 12000 Sheep $30000. 7 Milch Cows $175. 20 Work Horses $560. 6 Mules $240. 16 Wild Mules $200. 325 Stock Cattle $6525. 10 Bulls $425. 2 Horses $80. Farm Implements $200. Wagons $60. Buggy $40.									
			Possessory interest in and to the Roberts Creek Ranch situated in Eureka County, Nevada and described as follows, to wit: Being the									
			W½ of SW¼	19	22	51					78 4	78 4
			SE¼ of SW¼	19	22	51					40	40
			W½ of NW¼	30	22	51					78 25	78 25
			W½ of SW¼	30	22	51					77 25	77 25
			NE¼ of NW¼	36	22	51					40	40
			NW¼ of SE¼	8	22	51					40	40
			Improvements Frame House, Stable, Sheds & Fencing									325
			" 12 miles Wire Fencing									
			" [illegible]									

Beck Family Trust Exhibit 8 - Page 6

48 ORIGINAL

Assessment Book of the Property of Eureka

ASSESSED TO ALL OWNERS, WHEN KNOWN

1904

TAXPAYERS NAME	Real Estate	Personal Property	DESCRIPTION OF PROPERTY — REAL ESTATE, OTHER THAN CITY AND TOWN LOTS; Subdivisions of Sections, or Blocks and Details; City and Town Lots; Improvements; Personal Property	Mt. Diablo Base and Mer. — Section	Mt. Diablo Base and Mer. — Town (North)	Mt. Diablo Base and Mer. — Range (East)	City or Town Lots — Position	City or Town Lots — Lot	City or Town Lots — Block	City or Town Lots — Division	Number of Acres of Real Estate	Improvements Other Than Real Estate	Value of Real Estate & Improvements Other
No 393													
Eureka Bond Mfg. Co.			Personal Property Safes & Accounting Apparatus $ 100										
			Horses $ 90 Wagons $ 110 Machinery $ 600										
			Improvements situated viz: on and in Block 115 116 of the Town of Eureka Eureka County State of Nevada						115-116				100
			Improvements Frame Building over Furnaces & Boilers										
			" " Carpenter Shop										
			" " Stone Office Building										
			Improvements situated viz: and in Block 114 of the Town of Eureka Eureka County State of Nevada						114				50
			Improvements Frame & Stone Houses										
			" " Stables										
			Improvements situated viz: and in Lots 11 & 12 Block 17 of the Town of Eureka Eureka County State of Nevada					12	17				25
			All rights of ownership of Springs & water on and in Lots 11 & 12 Block 17										325
			Improvements Frame House over Ingleton Shaft Ruby Hill										
			" " Stone Foundations of Brown Shaft										
			" " Small office										
Eureka Live Stock Co.			Personal Property 4 Jacks $ 200 10 Jennies $ 200 100 Young Mules $ 200										
			25 Work Horses $ 750 12 Saddle Horses $ 220 800 Range Horses $ 1800										
			3 Race Mares $ 300 7 Milch Cows $ 175 400 Stock Cattle $ 1600 10 Bulls $ 200										
			4 Work Mules $ 200 8 Pack Mules $ 240 Wagons $ 200 Driving Horses $ 150										
			Buggies $ 150 Farming Implements $ 200 Mortgage $ 200										
			Patents Quick Results described as follows, to wit: Being the										
			NW¼ of SW¼	19	22	57					77.45	77.45	400
			SE¼ " SW¼	19	22	57					40	40	200
			NW¼ " NW¼	30	22	57					31.25	31.25	150
			W½ " SW¼	30	22	57					77.95	77.95	150
			NE¼ " NW¼	30	22	57					40	40	200
			NW¼ " SE¼	6	22	57					40	40	40
			Improvements Frame House, Stable, Sheds & Fencing									31.55	155
			Knox Montalvin Ranch described as follows, to wit: Being the										
			SE¼ of NE¼	25	21	50					40	40	80
			NE¼ " SE¼	25	21	50					40	40	80
			SW¼ " NW¼	36	21	50					40	40	80
			NW¼ " SW¼	36	21	50					40	40	80
			Antelope Valley Ranch described as follows, to wit: Being the										
			W½ of NE¼	15	18	51					80	80	
			W½ " SE¼	18	18	51					80	80	
			NW¼	13	18	51					160	160	
			NW¼ " SW¼	18	18	51					80	80	
			NE¼ " NW¼	13	18	51					80	80	
			E½ " NW¼	13	18	51					84.50	84.50	340
			Faulkner Placer, Antelope Valley described as follows, to wit: Being the										
			NE¼ of NE¼	25	18	49					40	40	80
			NW¼ " NE¼	24	18	49					40	40	80
			Kilolu Mineral Springs, Antelope Valley described as follows, to wit: Being										
			SW¼ of NE¼	25	18	49					40	40	80
			NW¼ " NE¼	25	18	49					40	40	80
			Improvements Frame House, Corrals & Drinking Tank										

1904

Eureka, Eureka County, State of Nevada

All rights of ownership of springs of water on Lots 11 & 12 Block 17

Improvements Frame House over Laughton Shaft, Ruby Hill.

" " Stone Foundations at Paxton Shaft "

" " Small office

Eureka Live Stock Co.

Personal Property 4 Jacks $300. 10 Jennies $200. 100 Range Horses $00.
20 Work Horses $75. 15 Saddle Horses $25. 300 Buck Sheep $20.
1200 Ewes $3000. 7 Milch Cows $175. 400 Stock Cattle $6800. 10 Bulls
$ Work Mules $25. $ Mule Mules $ Wagons $00 Driving Horses $
Buggy $40 Farming Implements $00. Mortgage $00

Robert Buck Ranch described as follows, to wit: Being the

W½ of	SW¼	19	22	51
SE¼ "	SW¼	19	22	51
W½ "	NW¼	30	22	51
W½ "	SW¼	30	22	51
NE¼ "	NW¼	30	22	51
NW¼ "	SE¼	8	22	51

43 ORIGINAL

Assessment Book of the Property of Eureka

ASSESSED TO REAL OWNERS, WHEN KNOWN

1905

TAXPAYER'S NAME	Real Estate	Real Property	DESCRIPTION OF PROPERTY — REAL ESTATE, OTHER THAN CITY AND TOWN LOTS. Subdivision of Section, or Mining and Quartz Claim and Town Lots. Improvements Forming Part of Property.	Mt. Diablo Base and Mer. — Section	Township	Range	City or Town Lots in Block — Position	Lot	Block	Addition	Number of Acres of Real Estate	Improvements Other Than Fences — Acres	Value of Real Estate Exclusive of Improvements Other Than Fences
Eureka City Water Co.	X		Personal Property: 25 Head Horses 750.00										
			10 Head Cows 300.00 4 Yoke Oxen 200.00 Harness 50.00										
			100 Rods Fence 300.00 4 Jacks 300.00 Harness 50.00										
			10 Scrapers 200.00 2 Wheelbarrows 30.00 2 Ploughs 40.00										
			1 Road Grader 100.00 1 Wagon 100.00 1 Buggy 200.00										
			1 Road Cart 50.00 300 Feet Iron Pipe 150.00 Miscellaneous										
			Wagon Shop 300.00 Barn 200.00										
			Reservoir, Dam, Pipe Line & Flume				4 & 5		55				75
			Supply Ditch, Flume & Trestle										
			Right of Way Eureka & Klamath River Railroad Company

43

ORIGINAL

Assessment Book of the Property of Eureka

ASSESSED TO ALL OWNERS, WHEN KNOWN

1905

TAXPAYERS NAME	Road District	School District	DESCRIPTION OF PROPERTY — REAL ESTATE, OTHER THAN CITY AND TOWN LOTS. Subdivisions of Sections, or Metes and Bounds; City and Town Lots; Improvements thereon; Personal Property.	Mt. Diablo Base and Mer. — Section	Township North	Range East	City or Town Lots in Eureka — Fractional	Lot	Block	Addition	Number of Acres of Real Estate	Pecuniary Claim — Acres	Value of Real Estate or Pecuniary Claim	
No 444														
Eureka Lyn Stock Co.	W		Personal Property: 25 Work Horses 750.00										$	$
			15 Saddle Horses 300.00 2 Driving Horses 50.00											
			100 Range Horses 3000.00 4 Jacks 300.00 Stallion 150.00											
			10 Jennies 200.00 2 Work Mules 120.00 2 Range Mules											
			2.00.00 : 600 Stock Cattle 9000.00 10 Bulls 300.00											
			12000 Sheep 30000.00 300 Goats 1500.00 7 Milch Cows 175.00											
			Wagons Buggy 385.00 Farm Tools 200.00											
			Possessory Rights in & to					44 2.5	55					7.50
			Rights, Found Stake Head											
			Refuse Could Record claimed and Located											
			& Said: Adjoining the											
			20 S. 59 W.	19	22	51					78.42		78.42	400.
			SE SW S. 20 W.	19	22	51					40		40	200
			29 N. 20 W.	30	22	51					78.25		78.25	150.
			30 S. 30 W.	30	22	51					77.96		77.96	150.
			NE N. 20 W.	30	22	51					40		40	200
			N. 20 W. NE	6	22	51					40		40	40.
			Rights, Found Record, Stake & Posting, Record											
			Said Records & Record claimed & Located											

No. 5160

Indexed under

Name of applicant	Report No.
Map	
Stream	
Field book	
Township 22 N., R. 54 E.	

ASSIGNED

10-153
DIAMOND VALLEY

N E ¼ S E ¼ Sec 12

Application filed July 18, 1918

Applicant Clement Maggini ASSIGNED to Marcos Legarra

Source of water Sheep Canon Springs

Returned for correction July 29, 1918

Corrected application received Sep. 20, 1918

Sent for publication Sep 20, 1918 Eureka Sentinel

Proof of publication filed Nov. 25, 1918

Investigated on ground by Ira MacFarland Oct. 5, 1919 (Report inside)

Protested

Form Affidavit 70A filed Nov. 26, 1918

Approved Oct 28, 1919 for 0.025 c.f.s. Stock

Denied

Withdrawn by applicant

Canceled

Proof of labor filed June 25 1920

Map filed 7-20-20 ml. 5159

Proof of completion of work filed Nov 12, 1921

Proof of beneficial use filed Jul 11, 1924

Certificate No. 1012 issued May 31, 1924 for .0125 c.f.s. of water
Recorded Apr 7, 1924 Bk 2 Page 172 Eureka Co. Records

REMARKS

ASSIGNED by Clement Maggini, Nov. 3, 1920 to Marcos Legarra. Filed Dec. 20, 1922

August 20, 1925

August 18, 1925

s. 5250, 5251, 5159 and 5160

Mr. Edgar Mather
Attorney at Law
Elko, Nevada

Dear Sir:

Our records show that application No. 5159 was filed by Clement Maggini on July 18, 1918 for water from Monroe Canyon Springs. The point of diversion described in the application is in the SE¼ SE¼ Sec. 13, T. 28 N., R. 54 E. The application was denied on October 28, 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. Maggini on September 20, 1918 for water from Monroe Spring No. 2, the point of diversion of which is described as in the NE¼ NW¼ Sec. 24, T. 28 N., R. 54 E. A permit was granted under this application, and subsequently it was assigned to Marcos Legarra. Same was however cancelled on October 28, 1922 for failure to comply with the provisions of the permit.

In addition to the above, the records show application No. 5251 made by Clement Maggini for water from Maggini Spring No. 2, the point of diversion being in the SE¼ SW¼ Sec. 18, T. 28 N., R. 54 E. This permit was also assigned to Legarra and has since been cancelled.

Certificate No. 1018 was issued to Marcos Legarra on March 31, 1924 under permit No. 5160 for 0.0125 c.f.s. of water from Sheep Canyon Spring for stockwatering purposes. The point of diversion described therein is NE¼ SE¼ Sec. 18, T. 28 N., R. 54 E. 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

HP A.

Beck Family Trust Exhibit 9 - Page 2

SIGNED

Application No. 5160 Certificate Record No. 1012 Book 5 Page 1012

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Marcos Legarra has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Sheep Canyon Spring through Sheep Canyon Ditch for Stockwatering purposes. The point of diversion of water from the source is as follows: NE¼ SE¼ Sec. 12, T.22 N., R. 54 E., M.D.B.& M. situated in Eureka County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Marcos Legarra

Postoffice address Eureka, Nevada.

Amount of appropriation .0125 cubic foot per second

Period of use, from April 1 to November 1 of each year

Date of priority of appropriation July 18, 1918

Description of works of diversion, manner and place of use:- A reservoir approximately 10 feet in diameter stores the water near the spring. Water is transported through 12 feet of 2 inch pipe to 2 troughs each 14 feet in length. Water is conserved in this manner for 2000 head of sheep.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, Robert A. Allen, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 31st day of March, A. D. 1924

Robert A. Allen

State Engineer.

Company 4 U. M. M.

Recorded April 7, 1924 Ex. Rec. Page 172

Eureka County Records

Beck Family Trust Exhibit 9 - Page 3

Under Permit No. 5160

FILED
FEB 11 1924
STATE ENGINEER'S OFFICE

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, and your authority for acting in its behalf.

Answer: No.

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 its 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 applicant.

(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 11.21 gallons per minute. 448.83 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 you know, the normal number of cubic feet per second flowing in the source at your point of diversion.

Answer: Not measured.

IF WATER IS USED FOR **IRRIGATION** ANSWER THE FOLLOWING:

Question 13. Upon how many acres have you beneficially used water?

Answer: NONE.

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 ..... of Sec. ....., 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.

Answer: .....

Question 16. Do you use the rotation system for irrigating?

Answer: .....

Question 17. What is the character of the soil irrigated?

Answer: .....

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: Dam approximately ten feet in diameter near the spring which dam is connected with troughs by means of 12 feet of 2 inch pipe. Troughs are constructed of lumber, and are nie in number; fourteen feet in length, each.

Question 19. Give approximate number and kind of animals watered.

Answer: 2000 head of sheep.

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?

Answer: Not so used.

Question 21. What are the dimensions of the cross-section of the pipe, flume, ditch or other conduit at each change in cross-section, and the length of each portion of the same size?

Answer: .....

.....

Question 22. What is the average grade or difference in elevation between the termini of the conduit? Give the grades of the different sections of conduit as shown above.

Answer: .....

.....

Question 23. Give any information concerning diversion and use of water for power or mining not covered above.

Answer: .....

.....

IF WATER IS USED FOR **ANY PURPOSE NOT HERETOFORE NAMED** DESCRIBE FULLY UNDER REMARKS:

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 authority, shows the actual conditions on the premises.

Signed: Marcos Legarza

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, and I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me at my office in Eureka, County of Eureka, State of Nevada, on this 6th day of February, A. D. 1924

Edna Eathie

Notary Public.

One Dollar filing fee must accompany affidavit.

ASSIGNED

AMENDED

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, (Name of applicant.)
of Eureka, County of Eureka,
State of Nevada, hereby makes application for 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 Unnamed Spring, (Name of stream, lake, or other source.) (Maggini No.1), unsurveyed ground, which when surveyed will be included in NE¼ of SE¼ of Section 12, Township 22, N.R.54, E.
2. The amount of water applied for is .3 (One second-foot equals 40 miners' inches.) second-feet.
3. The water to be used for Watering stock (Irrigation, power, mining, manufacturing, domestic, or other use.)
4. The water is to be diverted from its source at the following point: Near the spring in NE¼ of SE¼ of Section 12, Township 22, N.R.54.E (Describe 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 acres to be irrigated is

(b) 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 application is returned for correction.)

(c) Irrigation will begin about (Month.) and end about (Month.), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located Approximately NE¼ of SE¼, Sec.12, T.22N., R.54E. (Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.) M.D.B.& M., Water Collected and thence though pipe into Troughs and are now in use

(f) Point of return of water to stream Not returned to stream. (Describe in same manner as point of diversion.)

(g) Remarks Approximately 1500 to 2000 head of sheep will be watered and 200 head of cattle.

DESCRIPTION OF PROPOSED WORKS

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

Excavating so as to develop water, collecting and conducting the same through pipes to a trough or troughs near the spring where it will be used for watering stock.

5. Estimated cost of works $75.00

6. Estimated time required to construct works One year

7. Remarks

For use of applicant.

Clement Maggini, Applicant.

By William P.Wright,Agent.

Compared P.P.Jones

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 use of the water herein 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 0.025 cubic feet per second. (One fortieth)

Actual construction work shall begin on or before May 28, 1920.

Proof of commencement of work shall be filed before June 28, 1920.

Work must be prosecuted with reasonable diligence and be completed on or before May 28, 1921.

Proof of completion of work shall be filed before June 28, 1921.

Application of water to beneficial use shall be made on or before October 28, 1921. Proof of the application of water to beneficial use must be filed with State Engineer on or before November 28, 1921.

Approved JUN 25 1920

WITNESS MY HAND AND SEAL this 28th day of October, 1919.

Map approved 7/20/20

Notice of completion of work filed NOV 12 [illegible]

Proof of beneficial use filed FEB 11 1924

Certificate No. 1012 issued March 31st 1924 for .0125 c.f.s.

Book Appl. 7 1924 Page 172

State Engineer.

Beck Family Trust Exhibit 9 - Page 8

No. 7548

Indexed under

Name of applicant | Report No.

Map

Stream

Field Book

10-153
DIAMOND VALLEY

Township T. 22 N R 54 E
NE¼ NW¼ Sec. 24 → See affidavit in Explanation of Error in Point of Diversion Filed Nov. 17, 1927. in 150

Application filed Oct. 19 1925

Applicant Marcos Legarra

Source of Water Monroe Spring No. 2

Returned for correction

Corrected application received

Sent for publication Oct. 23, 1925 to the Eureka Sentinel

Proof of publication filed Feb. 27, 1926.

Investigated on ground by

Protested

Ready for action December 28, 1925.

Approved June 16, 1926 for 0.025 c.f.s. stock

Denied

Withdrawn by applicant

Canceled

		Due
Proof of labor filed	July 16, 1926	Sept. 16, 1926
Map filed	October 15, 1927	Sept. 16, 1927
Proof of completion of work filed	July 16, 1926	Sept. 16, 1927
Proof of beneficial use filed	July 16, 1926	Sept 16, 1928

Certificate No. 1471 issued December 31, 1928 → 0.025 - ok.
Recorded 1-4-29 - Book B Page 6 - Eureka Co. Rkds (#720 contains letter)

REMARKS

See "Affidavit in Explanation of Error in 'Point of Diversion'" Filed November 17, 1927.

Entered 7/21/08

Application No. 7548 Certificate Record No. 1471 Book 6 Page 1471

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS Marcos Legarra has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Monroe Spring No. 2, through reservoir, pipeline and trough for Stockwatering purposes. The point of diversion of water from the source is as follows: NE¼SE¼ Sec. 13, T. 22 N., R. 54 E., M.D.B.& M., or S. 35°48'E., 17744 feet from SE corner Sec. 34, T. 23 N., R. 54 E., M.D.B.& M., situated in Eureka County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Marcos Legarra

Post-office address Eureka, Eureka County, Nevada

Amount of appropriation 0.025 C.F.S. or sufficient to water 4000 head of sheep

Period of use, from April 1 to November 30 of each year

Date of priority of appropriation October 19, 1935

Description of works of diversion, manner and place of use:

An earthen reservoir 15 feet long, 8 feet wide, and 4 feet deep was constructed at the spring located in the NE¼NE¼ Sec. 13, T. 22 N., R. 54 E., M.D.B.& M., from where 15 feet of 2 inch pipe conveys water to 40 feet of galvanized iron stock watering troughs 28 inches wide, where it is used for the watering of 4000 head of sheep.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, Geo. W. Malone, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 21st day of Decmeber, A. D. 1938

Recorded 1-4-39, Bk. 6 Page 5 Eureka County Records

Geo. W. Malone
State Engineer.

By
Assistant State Engineer

FILED
JUL 10 1928
STATE ENGINEER'S OFFICE

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, 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, and your authority for acting in its behalf.

Answer: No.

Question 3. 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

Question 5. What is the name of the canal, conduit, or other works by which water is conducted to its place of use?

Answer: Monroe Spring No.2

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: Yes

(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 11.21 gallons per minute. 448.83 gallons per minute equals 1 cubic foot per second.)

Answer: One-tenth secondfeet

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. 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 measurement mad.

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

Answer: Do not know.

IF WATER IS USED FOR IRRIGATION ANSWER THE FOLLOWING:

Question 13. Upon how many acres have you beneficially used water?

Answer:

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.....of Sec....., 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.

Answer:

Question 16. Do you use the rotation system for irrigating?

Answer:

Question 17. What is the character of the soil irrigated?

Answer:

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)

See map for complete description. Fd 18

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?

Answer:

Question 21. What are the dimensions of the cross-section of the pipe, flume, ditch or other conduit at each change in cross-section, and the length of each portion of the same size?

Answer: .....

.....

Question 22. What is the average grade or difference in elevation between the termini of the conduit? Give the grades of the different sections of conduit as shown above.

Answer: .....

.....

Question 23. Give any information concerning diversion and use of water for power or mining not covered above.

Answer: .....

.....

IF WATER IS USED FOR ANY PURPOSE NOT HERETOFORE NAMED
DESCRIBE FULLY UNDER REMARKS:

Remarks:

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(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 authority, shows the actual conditions on the premises.

Signed: Marcos Legarra

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, and I believe him to be the person he represents himself to be, and that said testimony was subscribed 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.

Elgan Eardley

Notary Public

APPLICATION FOR PERMIT Serial No. 7548

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office OCT 19 1925
Returned to applicant for correction
Corrected application filed

The undersigned Marcos Negarra
Name of applicant.
of Eureka, County of Eureka,
State of Nevada, hereby makes application for 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 Monroe Spring No.2
Name of stream, lake, or other source.

2. The amount of water applied for is one-tenth second-feet.
One second-foot equals 40 miners' inches.

3. The water to be used for Stockwatering
Irrigation, power, mining, manufacturing, domestic, or other use.

4. The water is to be diverted from its source at the following point: NE¼ of the NW¼ of Section 24 Twp.22 N.R.54 E.
Describe 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 acres to be irrigated is

(b) 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 application is returned for correction.

Use of Water
(c) ~~Irrigation~~ will begin about April 1st and end about November 30th, of each year.
Month. Month.

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located NE¼ of the NW¼ of Sec.24 Twp.22 N.R.54 E.
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.

(f) Point of return of water to stream Not to be returned.
Describe in same manner as point of diversion.

(g) Remarks Map will be filed later.
Approximately 4000 head of sheep to be watered.

DESCRIPTION OF PROPOSED WORKS

One trough 40 feet long, 22 inches wide has already been installed,

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

and one reservoir 20 feet long and 8 feet wide will be built, 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 Legarza, Applicant.

By

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 prosecuted 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. 7549

Indexed under

Name of applicant X — Report No.

Map

Stream X

Field Book X

ID-153
DIAMOND VALLEY

Township 22, N.R. 54 E X → See "affidavit" Filed 11-17-27. "Explanation of Error in Point of Diversion"
SE 1/4 SW 1/4 Sec. 12

Application filed Oct. 19, 1925

Applicant Marcos Laguna

Source of Water Maggini Spring No. 2 ASSIGNED

Returned for correction

Corrected application received

Sent for publication Oct. 23, 1925 to Eureka Sentinel.

Proof of publication filed Feb. 27, 1926.

Investigated on ground by

Protested

Ready for action December 28, 1925.

Approved June 16, 1926 for a .025 c.f.s. c stock

Denied

Withdrawn by applicant

Canceled

		Due
Proof of labor filed	July 16, 1926	Sept. 16, 1926
Map filed	October 15, 1927	Sept. 16, 1927
Proof of completion of work filed	July 16, 1936	Sept. 16, 1927
Proof of beneficial use filed	July 16, 1936	Sept. 16, 1928

Certificate No. 1472 issued December 31, 1928 — .025 — Irr.
Recorded - 1-4-29. Book B. Page 5 - Eureka Co. Deeds. (See #2210 for Affid.)

REMARKS

See "Affidavit in Explanation of Error in Point of Diversion." Filed November 17, 1937.

ASSIGNED = To = Clement Maggini = Eureka County - Nevada
Filed 7-7-29 = By = Marcos Legarra = Eureka = Nevada. = 7-5-29.

Send copy of all correspondence & notices
to: Roy E. Hubbard P.O. Box 241
Eureka, Nevada 89316
Letter filed in # 7549 6/17/68

Application No. 7549 Certificate Record No. 1472 Book 6 Page 1472

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Marcos Legarra has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Maggini Spring No. 2, through reservoir, pipeline and troughs for Stockwatering purposes. The point of diversion of water from the source is as follows: NW¼SW¼ Sec. 12, T. 22 N., R. 54 E., M.D.B.& M., at S.39°15'E., 10265 feet from the SE corner Sec. 34, T. 23 N., R. 54 E., M.D.B.& M.

situated in Eureka County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Marcos Legarra

Post-office address Eureka, Eureka County, Nevada

Amount of appropriation 0.025 C.F.S. or sufficient to water 4000 head of sheep.

Period of use, from April 1 to November 30 of each year

Date of priority of appropriation October 19, 1925.

Description of works of diversion, manner and place of use:

An earthen reservoir 15 feet square, and 3 feet deep was constructed at the spring located in the NW¼SW¼ Sec. 12, T. 22 N., R. 54 E., M.D.B.& M., from where water is conveyed by 20 feet of 2 inch pipe to 40 feet of 12 inch iron troughs where it is used for the watering of 4000 head of sheep.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, Geo. W. Malone, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 21st day of December, A. D. 1926

Recorded 1-4-27 Bk B Page 5 Eureka County Records

Geo. W. Malone
State Engineer.

By [signature]
Assistant State Engineer

FILED
JUL 16 1926
STATE ENGINEER'S OFFICE

Under Permit No. 7549

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, and your authority for 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

Question 5. What is the name of the canal, conduit, or other works by which water is conducted to its place of use?

Answer: Maggini Spring No.2

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: Yes.

(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 11.21 gallons per minute. 448.83 gallons per minute equals 1 cubic foot per second.)

Answer: One-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. 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 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?

Answer: .....

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.....of Sec....., 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.

Answer: .....

Question 16. Do you use the rotation system for irrigating?

Answer: .....

Question 17. What is the character of the soil irrigated?

Answer: .....

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: 400 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?

Answer: .....

Question 21. What are the dimensions of the cross-section of the pipe, flume, ditch or other conduit at each change in cross-section, and the length of each portion of the same size?

Answer: .....

.....

Question 22. What is the average grade or difference in elevation between the termini of the conduit? Give the grades of the different sections of conduit as shown above.

Answer: .....

.....

Question 23. Give any information concerning diversion and use of water for power or mining not covered above.

Answer: .....

.....

IF WATER IS USED FOR ANY PURPOSE NOT HERETOFORE NAMED
DESCRIBE FULLY UNDER REMARKS:

Remarks:

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(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 authority, shows the actual conditions on the premises.

Signed: Marcos Legarza

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, and I believe him to be the person he represents himself to be, and that said testimony was subscribed 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.

Notary Public

APPLICATION FOR PERMIT Serial No. 7549

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office OCT 19 1925
Returned to applicant for correction
Corrected application filed

The undersigned Marcos Legarra
Name of applicant.
of Eureka, County of Eureka,
State of Nevada, hereby makes application for 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 Maggini Spring No.2
Name of stream, lake, or other source.

2. The amount of water applied for is One-tenth second-feet.
One second-foot equals 40 miners' inches.

3. The water to be used for Stockwatering
Irrigation, power, mining, manufacturing, domestic, or other use.

4. The water is to be diverted from its source at the following point: SE¼ of the SW¼ of Section 12, TWP.22 N.R.54 E.M.D.B.& M.
Describe 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 acres to be irrigated is

(b) 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 application is returned for correction.

(c) Use of Water ~~Irrigation~~ will begin about April 1st and end about November 30th, of each year.
Month.

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located SE¼ of the SW¼ of Sec.12 Twp.22 N.R.54 E.
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.

(f) Point of return of water to stream Not to be returned.
Describe in same manner as point of diversion.

(g) Remarks Map will be filed later on.
Approximately 4000 head of sheep will be watered.

Beck Family Trust Exhibit 11 - Page 6

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE $1.9995

FOR THE YEAR 1920

NAME	STATEMENT NUMBER	DESCRIPTION OF PROPERTY	LOT OR SECTION	BLOCK OR TOWNSHIP	RANGE	ACRES	VALUE OF REAL ESTATE OR POSSESSORY CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	POLL TAX
D, FRANK		Patented mines, Eagle Pass					$	$	500	$	$
		Auto. Dodge 1917							543		
		Poll tax. receipt issued								1043	1
J. O.		Frame houses at Beowawe, Eureka County						150			
										150	
AIRD		Patented mines, Rambler							500		
										500	
MINING CO.		Buildings						1000			
		Patented mines, Champion 500									
		Curtis & Keller 500									
		Mill Site 50							1050		
										2050	
O SIX MNG. CO.		Personal Property, Wagon 50									
		Harness 30									
		4 Work horses 320									
		Machinery 800									
		Hoist 200									
		Cars 50									
		Tools 50									
		Auto, Ford (old) 150									
		Furniture 50							1700		
										1700	
URRY TRANSIT CO.		Public Utility, Eureka County's portion							79		
										79	
, JOHN		Land on Kelly Creek				160					
		Land on Willow Creek				160					
		320 Acres Cras.4th @ 5					1600				
										1600	
AIR? JOHN		Frame house on Ruby Hill						75.			
										75	
ra, Marcos & Co.		Possessory interest in and to a tract of									
rco Legarra		land in Diamond Valley about 1 mile south									
		from Maggini Ranch consisting of 80 acres									
		80 A cres Cras. 4th @ 5. $ 400					400				
										400	
										7597	

NO. ___

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

RATE, $1.86 ...

FOR THE YEAR 1921

NAME	ASSESSMENT NUMBER.	DESCRIPTION OF PROPERTY	LOT OR SUBDIV.	BLOCK OR TOWNSHIP	RANGE	ACRES	VALUE OF REAL ESTATE OR PERSONAL PROPERTY CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	POLL TAX
G SIX M. CO		Buildings					$	$ 1400	$	$	$
		Patented mine, Big Six No 3							500		
		Wagon 30									
		Harness 30									
		3 Work Horses 240									
		Machinery 2000							2300		
										4200	
, WM. M.		NW¼ of SW¼	15	27	52	40					
		SW¼ " SE¼	32	25	50	40					
		80 Acres Gras. @ 4					320				
										320	
MNG. CO.		Buildings						1000			
		Patented mines, Champion 500									
		Curtis & Keller 500									
		Mill Site 50							1050		
										2050	
MRS. A.		Patented mine, Rambler 500							500		
		Widows Exemption $ 1000.								500	
, FRANK		Patented mine, Eagle Pass 500							500		
		Auto. Dodge 1917 417							417		
		Poll Tax, receipt issued								917	3
J. S.		Frame houses at Beowawe						150			
										150	
ROER, W.F.		House and fencing						100			
		W½ of NW¼	28	34	51	80					
		80 Gras @ 5					400				
										500	
'AER, JOHN		Frame hpuse on Ruby Hill						75			
		Poll Tax, receipt issued								75	3
LEGARRA & CO.		Possessory interest in and to a tract of land situated in Diamond Valley, about one mile south from Maggini Ranch.									
		Containing				80					
		80 Acres Gras. @ 5					400			400	
										961	

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE, S.1.84

FOR THE YEAR 1922

NAME	SUPP. SENT NOTICE	DESCRIPTION OF PROPERTY	LOT OR SECTION	BLOCK OR TOWNSHIP	RANGE	ACRES	VALUE OF REAL ESTATE OR PREEMPTORY CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	TOTAL TAX	
A. YARROS & CO Marco Legarra		Possessory interest in and to a tract of land situated in Diamond Valley, about one mile S. from the Clement Maggini Ranch 80 Acres Gran. 2nd, @ 5 400				80	400			400		
										4.80		

PAGE No._____

ASSESSMENT ROLL OF General DISTRICT, EUREKA COUNTY, NEVADA

RATE, $2.24 FOR THE YEAR 1923

NAME	Poll or Personal Property	DESCRIPTION OF PROPERTY	Lot No. or Section	Block or Township	Range	Acres	Value of Real Estate or Improvements Claim	Value of Improvements on Real Estate	Value of Personal Property	Total Valuation	Poll Tax
							$	$	$	$	$
LINCOLN MFG. CO.		Buildings & Machinery.						2000			
		Patented mines, Champion 500									
		Curtis & Keller 500									
		Mill site 50							1050		
										2050	
LAIRD, MRS ABRAM		Patented mine, Rambler							500		
		Auto, Ford old							175		
		Widows exemption $ 525.								150	
LEGARRA, MARCOS		Possessory interest ins and tract of land situated in Diamond Valley				80					
		80 Acres Gras. 2nd. @ 5 400					400				
										400	
LEVY, MRS. M.S.		Patented mine, Red Bird 500							500		
										500	
LATTA, J. O.		Houses at Beowawe						150			
										150	
LYNN BIG-SIX MIN. CO.		Mill Building 800									
		Bunk House 200									
		Boarding house 200						1200			
		Patented mine, Big Six # 3 500							500		
		Furniture 100									
		Wagons 90									
		2 Work horses 180									
		Machinery 2000									
		Tools 200							2570		
										4270	
LINKREUTER, W. F.		House and fencing						100			
		W½ of NW	28	34	51	80					
		80 Acres Gras. 2nd, @ 5 400					400				
										500	
LITTLEFAIR, JOHN		Frame house on Ruby Hill						75			
										75	
LEONARD, FRANK		Patented mines, Eagle Pass							500		
		Dodge. 1917							300		
		Poll tax receipt issued								800	3
							800	2525	6695	~~9020~~ 8973	

PAGE No.____

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

RATE, 5.0.24 — FOR THE YEAR 1924

NAME	Sec. and Number	DESCRIPTION OF PROPERTY	Lot or Section	Block or Township	Range	Acres	Value of Real Estate or Patented Mining Claim	Value of Improvements on Real Estate	Value of Personal Property	Total Valuation	Poll Tax
							$	$	$	$	$
Lynn Big Six Mng. Co.		Mill Building 600									
		Bunk House 200									
		Boarding House 200						1200			
		Patented Mine							500		
		Furniture 50									
		Wagon 75									
		3 Work horses 225									
		Machinery 2000									
		Mine Cars 150							2525		
										4225	
Leonard, Frank		Patented Mine, Eagle Pass 500							500		
		Auto, Old Dodge 200							200		
		Poll tax, receipt issued								700	3
Lineberger, W.F.		Improvements						100			
		W½ of NW¼	28	34	51	80					
		80 Acres Cras. 2nd.@ 5 .400					400				
										500	
Littlefair, John		Frame house on Ruby Hill						75			
										75	
Lotta, J.O.		House at Browns						150			
										150	
Lutz, Mrs. M.E.		Patented Mine, Red Bird							500		
										500	
Lagorra, Marcos		Possessory interest in and to a tract of land situated in Diamond Valley about one mile South from the Clement Maggini Ranch				80	80				
		80 Acres Cras. 2nd.@ 5					400			400	
Lincoln Mng. Co.		Buildings & Mach'y						500			
		Patented Mines, Champion 500									
		Curtis & Keller 500									
		Mill Site 50									
									1050	1550	
Laird, Mrs. Abram		Patented Mine, Bamblem							500		
		Widows exemption 500								500	
										8,700	

Beck Family Trust Exhibit 12 - Page 5

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ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE, 5.2.26 FOR THE YEAR 1925

NAME	STATEMENT NUMBER	DESCRIPTION OF PROPERTY	LOT OR SUBDIV.	BLOCK OR TOWNSHIP	RANGE	ACRES	VALUE OF REAL ESTATE OR POSSESSORY CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	POLL TAX
LINNEBERGER, W. F.		House and fencing						100			
		W½ of NW¼	28	34	51	80					
		80 Acres Gras.2nd,@ 5					400				
										500	
LEGARRA, MARCOS		Possessory interest in and to a tract of land situated in Diamond Valley about one mile S. from the Clement Maggini Ranch.				80					
		80 Acres Gras. 2nd,@ 5					400				
										400	
LYNN BIG SIX MIN.CO.		Mill Building 800 Bunk House 2# 200 Boarding House 200						1200			
		Patented Mines, Big Six #1 500 July Lode 500 Great Divide Lode 500 Bald Eagle Lode 500							2000		
		Wagon 75 2 Work horses 160 Machinery & Tools 2000							2235		
										5435	
LEONARD, FRANK		Patented Mine, Eagle Pass							500		
		Old Dodge							100		
		Poll tax, receipt issued								600	3
LAIRD, MRS.M.J.		Patented Mine, Rambler							500		
		Widows exemption 500									
LINCOLN MNG. CO.		Buildings & machinery						500			
		Patented Mines, Champion 500 Curtis & Keller 500 Mill site 50							1050		
										1550	
LATTA, J.C.		Houses at Beowawe						150			
										150	
LITTLEPAIR, JOHN		Home at Ruby Hill						75			
										75	
LEVY, MRS.M.S.		Patented Mines, Central Hill 500 4/5 Golden Rule 800 4/5 Blue Bird 400 4/5 Clipper 400 Sentinel 500 Water Jacket 500 Red Bird 500 Golden Rule M.S. 50							3250		
										3250	
										11940	

PAGE No.

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE, $2.80½ FOR THE YEAR 1926

NAME	POLL TAX	DESCRIPTION OF PROPERTY	LOT OR SECTION	BLOCK OR TOWNSHIP	RANGE	ACRES	VALUE OF REAL ESTATE OR PATENTED OR CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	FULL TAX	
LEONARD? FRANK		Patented Mine,					$	$	$	$	$	
		Eagle Nest							500			
		Dodge Tour. 1917							100			
		Poll tax receipt issued								600	3	
LEGARRA, MARCOS.		Possessory interest in and to a tract of land situated in Diamond Valley about 1 mile from the Clement Maggini Ranch				80						
		80 Cres. 2nd, @ 5				400	400					
		Buick Sedan 1926							1495	1895		
LYNN BIG SIX MIN. CO.		Mill Building					500					
		Bunk House					200					
		Boarding House					200		900			
		Wagon					50					
		Machinery and tools					2000		2850			
		Patented Mines,										
		Big Six #3					500					
		July Lode					500					
		Great Divide Lode					500					
		Bald Eagle Lode					500		2000			
										5950		
LITTLEFAIR, JOHN		House at Ruby Hill						75				
		Ward Road 1922							75			
										150		
LEVY, MRS ANNIE		Patented Mines,										
		Central Hill					500					
		4/5 Golden Rule					400					
		4/5 Blue Bird					400					
		4/5 Clipper					400					
		Sentinel					500					
		Water Jacket					500					
		Red Bird					500					
		Golden Rule M.E.					50					
									3250			
										3250		
LATTA, J. C.		House at Reduane						150				
										150		
LINCOLN MIN. CO.		Buildings and Machinery						500				
		Patented Mines,										
		Chevnion					500					
		Curtis & Keller					500					
		Mill Site					50		1050	1550		
LAIRD, MRS. MARY		Patented Mine, Rambler							500			
										66		
		Widows exemption										
										12545		

PAGE No.____

ASSESSMENT ROLL OF General DISTRICT, EUREKA COUNTY, NEVADA

RATE, S.R.16 — FOR THE YEAR 1927

NAME	STATE-MENT FURNISHED	DESCRIPTION OF PROPERTY	LOT OR SECTION	BLOCK OR TOWN-SHIP	RANGE	ACRES	VALUE OF REAL ESTATE AS RETURNED BY OWNER	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	POLL TAX	
ARCARBA MARCOS		Possessory interest in and in a tract of land situated in Diamond Valley about one mile S. from the Clement Maggini ranch 80 Acres Grss.Pnd,@ 5				80	400			400		
LYNN BIG SIX MNG. CO.		Mill Building 400 Bunk House 150 Boarding House 150 Patented Mines Big Six #3 500 Daly Lode 500 Great Divide Lode 500 Bald Eagle Lode 500 Machinery and Tools						700	2000 1500	4200		
LITTLEFAIR JOHN		House on Ruby Hill Pond						75	50	125		
LEVY MRS ANNIE		Patented Mines Central Hill 500 4/5 Golden Rule 400 4/5 Blue Bird 400 4/5 Clipper 400 Sentinel 500 Water Jacket 500 Red Bird 500 Golden Rule M.S. 50							3250	3250		
LINCOLN MNG. CO.		Building and Machinery Patented Mines Champion 500 Curtis & Keller 500 Millsite 50						500	1050	1550		
LYTLE MRS. MARY		Patented Mine Rambler							[illegible]	[illegible]		
LINDERMAN W. F.		Holmes & Kimpton Fees House and Fencing W½ of NW¼	28	34	51	80		300		500		
LEONARD FRANK		80 Acres Grss.Pnd.@ 5 Patented Mine, Eagle Fraction 500 Old Dodge Tour 50 Poll tax receipt issued					400		500 50	950 10675	3	

PAGE No._____

ASSESSMENT ROLL OF General DISTRICT, EUREKA COUNTY, NEVADA

RATE, 5.28 FOR THE YEAR 1928

NAME	TOWN-SHIP NUMBER	DESCRIPTION OF PROPERTY	LOT OR SECTION	BLOCK OR TOWN-SHIP	RANGE	ACRES	VALUE OF LAND EXCLUSIVE OF IMPROVEMENTS NOT TAXED	VALUE OF IMPROVEMENTS NOT TAXED	VALUE OF PERSONALTY	TOTAL VALUATION	NOT TAX
Ingram, Horace		Possessory interest in and to a tract of land situated in Diamond Valley, about 1 Mile S. from the Diamond Ranch, in Eureka County, Nevada.				80					
		80 Acres Grss.2nd,@ 5					400				
										400	
Littlefair, John		House on Ruby Hill						75			
		Ford Truck							50		
										125	
Maynard, Frank		House at Beowawe						100			
		Dodge Touring old							50		
		Patented Mine, Eagle Pass							500		
										650	
Minchorgar, W.F.		Improvements						100			
		Wt of NW¼	28	34	51	80					
		80 Acres Grss.2nd,@ 5					400				
										500	
Levy, Mrs Anna		Patented Mines:									
		Central Hill 500									
		4/8 Golden Rule 400									
		4/8 Blue Bird 400									
		4/8 Clipper 400									
		Sentinel 500									
		Water Jacket 500									
		Red Bird 500									
		Golden Rule M.S. 50							3850		
										3850	
Lincoln Mng. Co.		Buildings						100			
		Patented Mines,									
		Champion 500									
		Curtis & Keller 500									
		Mill Site 50							1050		
										1150	
Laird, Mrs M. J.		Patented Mine, Rambler							500		
		Widows Exemption 1/100								300	
Lynn Big Six Mng. Co.		Buildings						1000			
Quarter Central Coal Mng Co		Patented Mines									
c/o Templeton Blk		Big Six No.5 500									
Salt Lake City		July Lode 500									
		Great Divide Lode 500							2000		
		Bald Eagle Lode 500								5000	
Links, S. E.		House, Stable, Corral						400			
		Wagon 300									
		1 Saddle Horse 50									
		8 Stock Cattle 800									
		Furniture 50							400		
		Soldiers Exemption 1/100								300	
										4015	

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ORIGINAL

ASSESSMENT BOOK OF THE PROPERTY OF EUREKA

ASSESSED TO ALL OWNERS, WHEN KNOWN

FOR THE YEAR 1913

1160 455

TAXPAYER'S NAME	Real Number	School Number	DESCRIPTION OF PROPERTY — REAL ESTATE, OTHER THAN CITY AND TOWN LOTS	Sections	Twp. North	Range East	Fractions	Lot	Block	Division	Number Acres of Real Estate	Symbol Tax	Value of Real Estate or Improvements Only
Beckley Trust	1		Personal Prop: & Work Animals										$
			2 Saddle										
			10 Range										
			2 Ht. Cows										
			2 Yr. Old Colts										
			1000 Sheep										
			40 Goats										
			Wagon										
			The single & premises in the following Lands.										
			32 NW NW	5	21	NW					40		
			SE SE	9							40		
			NE NW	4							40		
			NE SW	9							40		
			SW NW	17							40.00		
			Supp.: Water Right Cont.										
			Also interest in Ditch & Canal for										
			use on E. Side of Dreamer Valley, Nev:										
			12 miles Northerly from Eureka,										
			Nev: as per Water Right Deed										
			Also one 1913 Wheeler Disc Drill								.60	Sheet	
			Supp. Steam Water Tank										
Beckley, Earl	1		Personal Prop: & Work Animals										
			4 Saddle										
			7 Ht. Cows										
			130 Sheep Cash										
			Wagon										
			The single & following patented Lands.										
			29 NE	8	22	NW					320		
			NW SE	8							40		
			29	16							320		
			NE SW	16							40		
			N½	17							320		
			SE	17							160		
			NE SW	17							80		
			NW NE	20							80		
			NW	21							160		
			SW NE	21							40		
			SE NE	21							80		
			NE SE	21							40		
			SW	22							80		
			Supplies:										
			Horses, Stable, Corrals & general Use Barn										
											7763.16		5501

Beck Family Trust Exhibit 13 - Page 1

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE { GENERAL DISTRICT . . . $1.75
EUREKA DISTRICT . . . $1.75

FOR THE YEAR 1914

NAME	State-ment Number	DESCRIPTION OF PROPERTY	Lot or Section	Block or Town-ship North	Range East	Acres	Value of Real Estate or Possessory Claim	Value of Improvements on Real Estate	Value of Personal Property	Total Valuation by Assessor	Poll Tax
C. K.	169	Fee Simple to Patented Lands;									
Pallands,		W ½ of	8	28	52	320					
		S ½ SE¼	8			80					
		W ½	16			320					
		SW¼ SE¼	16			40					
		N ½	17			320					
		SE¼	17			160					
		NE¼ SW¼	17			40					
		NE¼ NE¼	20			40					
		NW¼	21			160					
		W ½ NE¼	21			80					
		SE¼ NE¼	21			40					
		N ½ SE¼	21			80					
		N ½ SW¼	22			80	13440				
		560 Acres Meadow					5600				
		1200 Acres Grazing					1500				
		House, stables, corrals & Tel. Line						500			
		Wagons & Tools							100		
		22 Work horses 800									
		7 Saddle horses 150									
		1 Stallion 150.									
		22 Mules 1000.									
		300 Stock cattle 6000.							8100		
										15800	
Handley Bros.,	170	Fee Simple & Poss. int. in and to Patented,									
Eureka,		State Contract and Poss. Lands;									
Handley Bros.		W ½ of SW¼	5	20	54	80					
		S ½ NE¼	9			80					
		SE¼ NW¼	9			40					
		NE¼ SW¼	9			40					
		S ½ NW¼	10			84.16					
		"The Windmill" Approximately in	3	21	53	160	1100				
		40 Acres Alfalfa					1200				
		10 Acres Meadow					240				
		434.16 Acres Grazing					100				
		House, stables, corrals, Home Ranch 300.					1743				
		House, stables, corrals Windmill 100.					1100				
		Wagon 50.						400			
		Automobile 250.							100		
		3 Work Horses 150.									
		3 Saddle Horses 50.									
		15 Stock Horses 50.									
		39 Stock cattle 780.									
		3 Milch cows 60.									
		2325 Sheep 4650.									
		52 Bucks 260.							6000		
										9100	3.
							9560	900	14100	24460	

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE $_____ FOR THE YEAR 1915

NAME	State-ment Number	DESCRIPTION OF PROPERTY	Lot or Section	Block or Town-ship	Range	Acres	Value of Real Estate or Possessory Claim	Value of Improvements on Real Estate	Value of Personal Property	Total Valuation	Poll Tax
id, Chris.	57	Fee Simple & Poss. int. to Patented and State Contract Lands;									
		W ½ of SW¼	15	20	54	80					
		E ½ SE¼	16			80					
		NW¼ NW¼	22			40					
		NE¼ NW¼	22			40					
		S ½ NE¼	22			80					
		SW¼ NE¼	23			40					
		NW¼ SW¼	24			40					
		30 Acres Cult @ 20.					600				
		70 Pasture 10					700				
		300 Grazing 3					900				
		House, stables, corrals						100			
		Wagons & Tools							100		
		4 Work horses 145.									
		1 Saddle horse 25.							185		
		2 Range horses 15									
		32 Stock cattle 960.									
		7 Beef cattle 210.									
		1 Bull 10.									
		5 Milch cows 150.							1350		
		3 Pigs							15		
		Poll Tax, receipt issued,								1950	3
Iron. Handley Bros.	G-101	Fee Simple & Poss. int to Patented & State Contract Lands;									
		W ½ of SW¼	5	20	54	80					
		S ½ NE¼	9			80					
		SE¼ NW¼	9			40					
		NE¼ SW¼	9			40					
		S ½ NW¼	10			84.16					
		Poss. int. to "Windmill", approximately in	3	21	53	160.					
		40 Acres Cult. @ 25.					1000				
		64 Pasture 10					640				
		380 Grazing 5					1900				
		Houses, stables, corrals						400			
		Fur. wagons & Tools 150. Ford '14 Auto 250.							400		
		4 Work horses 140.									
		3 Saddle horses 75.									
		4 Range horses 40.									
		1 Stallion 100, Mule 25. 125.							380		
		60 Stock cattle 1800.									
		2 Bulls 60.									
		1 Milch cows 90.							1950		
		3200 Sheep 11200.									
		900 Lambs 900. Total off Ely N.P.R.							12100		
		6 Pigs 30. 2 Burros 20.							50		
		7 Poll Taxes, receipts issued,								18820	21
						884.16	5740	500	16520	22776	

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE $. FOR THE YEAR 1916

NAME	Statement Number	DESCRIPTION OF PROPERTY	Lot or Section	Block or Township	Range	Acres	Value of Real Estate or Possessory Claim	Value of Improvements on Real Estate	Value of Personal Property	Total Valuation	Poll Tax
and, Chris.	126	Patented & State Contract Lands:									
		W ½ of SW¼	15	20	54	80					
		E ½ SE¼	16			80					
		NE¼ NW¼	22			40					
		SE¼ NW¼	22			40					
		S ½ NE¼	22			80					
		SW¼ NE¼	23			40					
		NW¼ SW¼	24			40					
		4 Acres Cult. 1. @ 50. 200.									
		26 " " 3. 30 780									
		70 Past. 2 10 700.									
		300 Graz 2, 3. 900.					2580				
		House, stables, corrals						120			
		Piano 100.									
		Wagons & Tools 150.							250		
		40 Cattle 1320.									
		2 Work horses 160.									
		3 Saddle horses 120.									
		1 Stock mule 30.									
		2 Hogs 16.							1646		C
		Poll tax, receipt issued								4596	3
Bros.	127	Patented, State Contract & Possessory Lands									
Randley Bros.		W ½ of SW¼	5	20	54	80					
		S ½ NE¼	9			80					
		SE¼ NW¼	9			40					
		NE¼ SW¼	9			40					
		S ½ NW¼	10			84.16					
		"The Windmill"				160.					
		Randley Spring & Hog Back Spring									
		44 Acres Cult, 3, @ 30. 1320.									
		60 " Past. 1, 15 900.									
		280.14 " Graz. 1, 5 1900.					4120				
		Springs					200				
		House, stables, corrals						500			
		Furniture & Pianc 150.									
		Wagons & Tools 150.									
		Auto, Ford ' 14 250.							550		
		2610 Sheep (2,610)							10440		8
		38 Cattle 1254.									
		4 Work horses 320.									
		2 Saddle horses 80.									
		2 Burros 20.									
		4 Hogs 32.							1706		C
		5 Poll taxes, receipts issued.								17516	15
						5544.16	6900	620	11592	23112	65

PAGE NO.

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE $ 1.6935 FOR THE YEAR 1917

NAME	Statement Number	DESCRIPTION OF PROPERTY	Lot or Section	Block or Township	Range	Acres	Value of Real Estate or Possessory Claim	Value of Improvements on Real Estate	Value of Personal Property	Total Valuation	Tax
Humboldt Land & Cattle Co., Beowawe	105.	All	19	32	49	632.58					
		All	20			640					
		W ½	21			320					
		W ½ of E ½	21			160					
		W ½	28			320					
		N ½ of NE¼	28			80					
		All	29			640					
		All	30			632.70					
		E ½	31			316.64					
		E ½ of SE¼	31			80					
		N ½ of	32			320					
		SW¼	32			160					
		NE¼ of SE¼	32			40					
		W ½ of SE¼	32			80					
		W ½ of NW¼	33			80					
		NE¼ of NW¼	33			40					
		SW¼ of NW¼	7	31	50	39.87					
		NE¼ of SW¼	7			40					
		N ½ of SE¼	7			80					
		N ½ of SW¼	8			80					
		NW¼ of NE¼	10			40					
		N ½ of NW¼	18	33	50	76.13					
		S ½ of NE¼	18			80					
		SW¼ of SW¼	6	31	52	40.30					
		Total Acres				15194.56					
		Less R.R. R/W, Est.				155.23					
		Total assessed				14839.33					
		4 Ac. Alfalfa 1st. @ 50				210 200					
		360 Ac. " 3rd. @ 30				10800					
		636 Ac. Wild H. 2nd. @ 20				11430 12720					
		1000' Past. 1st. @ 15				12,600 15000					
		6000' Irrigable Land @ 10				60000					
		6839.33 Grss. 1st. @ 5				27356 34196					
		Furniture				300		132915			
		Piano				100					
		Wagons				1000					
		4 Work Horses				320					
		Houses, Stables, Corrals							1720		
								8500			
Handley Brothers	10.4	W ½ of SW¼	5	20	54	80					143135
		S ½ of NE¼	9	20	54	80					
		SE¼ of NW¼	9	20	54	40					
		NE¼ of SW¼	9	20	54	40					
		S ½ of NW¼	10	20	54	84.16					
		Windmill	3	21	53	160					
		Handley Spring Diamond Range About 5 miles									
		E. of Maggini Ranch									
		Hog Back Spring Black Point									
		House, Stables, Corrals (Home Ranch)						200			
		House, Stables, Corrals (Windmill)							500		

PAGE NO. _____

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE $ 1.6935 FOR THE YEAR 1917

NAME	State-ment Number	DESCRIPTION OF PROPERTY	Lot or Section	Block or Town-ship	Range	Acres	Value of Real Estate or Possessory Claim	Value of Improvements on Real Estate	Value of Personal Property	Total Valuation	Poll Tax
Handley Brothers---	104	44 Ac. Alfalfa 3rd. @ 30							$ 1320		
Continued		60 Ac. Past. 1st. @ 15							900		
		380 Ac. Graz. 1st. @ 5							1900		
		Auto. Dodge 1917							628		
		38 Cattle							1330		
		2 Work Horses							160		
		2 Saddle Horses							80		
		2 Burros							20		
		Poll Tax, Receipt issued (2)									6
		2650 Sheep 3.00								7038	
Hinckley, Grayson W.	105	W½ of NE¼	6	34	51	80.67					
Beowawe		NE¼ " NE¼	12	31	49	40					
		SW¼ " NW¼	34	33	50	40					
		NW¼ " SW¼	34	33	50	40					
		SE¼ "	28	32	49	160					
		S½ " NE¼	28	32	49	80					
		100 Ac. Past. 2nd. @ 10							$ 1000		
		100 Ac. " 1st. @ 15							1500		
		100 Ac. Graz. 1st. @ 5							500		
		240.67 " 2nd. @ 3							723		
		Auto. Ford. 1916							274		
		144 Cattle							5040		
		3 Saddle Horses							120		
		15 Stock Horses							150		
										9307	
Hildebrand, Chris.	106	W½ of SW¼	15	20	54	80					
		E½ " SE¼	16	20	54	80					
		NW¼ " NW¼	22	20	54	40					
		SE¼ " NW¼	22	20	54	40					
		S½ " NE¼	22	20	54	80					
		SW¼ " NE¼	23	20	54	40					
		NW¼ " SW¼	24	20	54	40					
		4 Ac. Vegetable @ 50							$ 200		
		26 Ac. Alfalfa 3rd. @ 30							780		
		70 Ac. Past. 2nd. @ 10							700		
		300 Ac. Graz. 2nd. @ 3							900		
		House, Stables, Corrals					2580				
		Piano						120			
		Vehicles							100		
		10 Cattle							150		
		1 Work Horses							240		
		2 Saddle Horses							80		
		Poll Tax, Receipt issued								920	1
										3620	

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE, $ 1.6905 FOR THE YEAR 1919

NAME	STATEMENT NUMBER	DESCRIPTION OF PROPERTY		LOT OR SECTION	BLOCK OR TOWNSHIP	RANGE	ACRES	VALUE OF REAL ESTATE ON PUBLIC DOMAIN OR CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	POLL TAX
								$	$	$	$	$
Cattle Co.		8 Saddle Horses	$ 320									
		16 Stock Horses	480									
		725 Stock Cattle	27500									
		20 Bulls	1000									
		4 Hogs	48									
		Autos. Reo 1917	542									
		Ford	75							31245		
Cracker)		Improvements Frame House							50		33688	
		Poll Tax, Receipt Issued									50	3
H, "Estate of"		Patented Mines										
		½ Sunset	$ 250									
		½ Dead Broke	250									
		½ New Year	250									
		½ Valk & Pinnions	250					1000			1000	
: Pine		Patented Mines										
		~~Horizontal~~	$ ~~500~~									
		~~Herculean~~	~~500~~									
		~~Minerva~~	~~500~~									
		~~Production~~	~~500~~									
		~~Silver Dick & Bobby Burns~~	~~500~~									
		~~Vera Cruz & California~~	~~500~~					3000				
Will		Frame House							150		3000	
		Auto. Ford 1915	$ 98							98		
Brothers Handley Bros.		House, Stables, Corrals at Home Ranch									248	
		House, Stables, Corrals at Windmill							500			
		Houses, Stables, Corrals at Minoletti Place							1500			
		W½ of SW¼		5	20	54	80±					
		S½ " NW¼		9			80					
		SE¼ " NW¼		9			40					
		NW¼ " SW¼		9			40					
		S½ " NW¼		10			84.15					
		Windmill		3	21	53	160					
		Handley Spring										
		Hog back "										
		SW¼ of NW¼		3	20	54	49.54					
		S½ " NW¼		4			80					
		S½ " NW¼		34	21	54	80±					
											3% 6/3	

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE, $ 1.6905

FOR THE YEAR 1919

NAME	STATEMENT NUMBER	DESCRIPTION OF PROPERTY	LOT OR SECTION	BLOCK OR TOWNSHIP	RANGE	ACRES	VALUE OF REAL ESTATE OR POSSESSORY CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	POLL TAX
Brothers							$	$	$	$	$
Handley Bros.		S½ of SW¼	35	21	54	80					
Continued		N½ " SE¼	35			80					
		SW¼ " NW¼	36			40					
		NW¼ " SW¼	36			40					
		Furniture $ 50									
		Wagons 100									
		3 Work Horses 240									
		3 Saddle Horses 120									
		2 Stock Mules 60									
		25 Stock Cattle 850									
		1 Bull 50									
		2500 Sheep and Lambs 22500									
		6 Hogs 72									
		2 Burros 20									
		Auto, Dodge 1917 459							24521		
		71 Acres W. Hay 1st @ 30 $ 2130									
		160 " " " 2nd @ 18 2880									
		550 " Gras. 3d @ 5 2750									
		150 " " 5th @ 2 300					8060				
		7 Poll Taxes, Receipts issued.					1227			34581	9
and, Chris		House, Stable, Corrals						120			
		W½ of SW¼	15	20	54	80					
		E½ " SE¼	16			80					
		NW¼ " NW¼	22			40					
		SE¼ " NW¼	22			40					
		S½ " NE¼	22			80					
		SW¼ " NE¼	23			40					
		NW¼ " SW¼	24			40					
		4 Acres Cultivated 3d @ 50 $ 200									
		20 " " 4th @ 35 700									
		76 " Past. 3d @ 11 836									
		300 " Graz. 4th @ 3 900					2636				
		Piano 100					402				
		Wagons 150									
		2 Work Horses 160									
		1 Saddle Horse 40									
		12 Stock Cattle 456									
		Auto. Ford 1917 180							1086		
		Poll Tax. Receipts issued								3843	3
Land & Cattle		Houses, Stables, Corrals						8500			
		S½ of SE¼	8	31	48	80					
		NW¼ "	17			160					
		E½ " NE¼	18			80					
		E½ " NE¼	1	32	48	80.11					
		SE¼ "	1			160					
		E½ " E½	12			160					
		W½ " NE¼	13			80					
		SW¼ " NE¼	13			40					
		SW¼ "	13			160					
										34792	

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE $1.9995

FOR THE YEAR 1920

NAME	STATEMENT NUMBER	DESCRIPTION OF PROPERTY	LOT OR SECTION	BLOCK OR TOWNSHIP	RANGE	ACRES	VALUE OF REAL ESTATE OR POSSESSORY CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	FULL TAX
(BROTHERS		House, Stables, Corrals (Home ranch)					$	$	$	$	$
Handley Bros.		" " " (Windmill)									
		" " " (Minoletti)					2892	2000			
		W½ of SW¼	5	20	54	80					
		S½ " NE¼	9			80					
		SE¼ " NW¼	9			40					
		NE¼ " SW¼	9			40					
		S½ " NW¼	10			80					
		Windmill	3	21	53	160					
		SW¼ " NW¼	3	20	54	42.54					
		S½ " NE¼	4			80					
		S½ " SE¼	34	21	54	80					
		S½ " NE¼	35			80					
		N½ " SE¼	35			80					
		SW¼ NW¼	36			40					
		NW¼ " SW¼	36			40					
		Handley Spring									
		Hog back Spring									
		231 Acres Wild hay 2nd @ 24 5544									
		700 " Gras. 4th @ 4 2800					8344				
		Furniture 50									
		Wagons 100									
		4 Work horses 360 ✓									
		4 Saddle " 220 ✓									
		6 Fuartaile 60 ✓									
		4 Stock mules 120 ✓									
		35 " Cattle 1295 ✓									
		3000 Sheep 24000 -									
		3 Pigs 15 ✓									
		1 Burros 30 ✓									
		Dodge, 1919 873							27123		
		Machinery 250							250		
		6 Poll taxes, receipt issued								37717	18
J.W.		SE¼ of NE¼	20	29	52	40					
		40 Acres Gras 4th @ 5 200					200				
										200	
FREDERICK M.		½ of SE¼	22	20	52	80					
		W½ " SW¼	23			80					
		160 Acres Gras. 4th @ 5					800				
										800	
OTON & DIAMOND		SW¼ of SE¼	10	27	52	40					
& LAND CO.		SE¼ " SW¼	10			40					
		NW¼ " NW¼	11			40					
		NW¼ " NE¼	15			40					
		SW¼ " NW¼	15			40					
		NE¼ " SW¼	15			40					
		120 Acres Gras. 4th @ 5					600				
		120 " " 5th @ 3					360			960	
										39677	

NO. ...

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

RATE, $1.86 ..

FOR THE YEAR 1921

NAME	DESCRIPTION OF PROPERTY	Lot or Section	Block or Township	Range	Acres	Value of Real Estate or Possessory Claim	Value of Improvements on Real Estate	Value of Personal Property	Total Valuation	Poll Tax
BROTHERS	Improvements at the Home Ranch, Windmill,					$	$	$	$	$
Handley Bros.	Minoletti Place, and Pedriola Place						2350			
	W½ of SW¼	5	20	54	80					
	S½ " NE¼	9			80					
	SE¼ " NW¼	9			40					
	NE¼ " SW¼	9			40					
	S½ " NW¼	10			84.15					
	Windmill Place	3	21	53	160					
	SW¼ " NW¼	3	20	54	47.54					
	S½ " NE¼	4			80					
	S½ " SE¼	34	21	54	80					
	S½ " SW¼	34			80					
	E½ " SE¼	35			80					
	SW¼ " NW¼	36			40					
	NW¼ " SW¼	36			40					
	N½ " S½	23			160					
	Handley Spring					50				
	Hogback "					50				
	231 Acres Wild Hay 2nd @ 24 5544									
	20 Past. 2nd @ 18 360									
	140 Graz @ 5 700									
	700 " @ 4 2800					9404				
	Wagons 100									
	4 Work Horses 320									
	3 Saddle " 165									
	12 Furstails 120									
	4 Pack Mules 120									
	34 Stock Cattle 1088									
	1 Bull 100	177 3								
	2500 Sheep 15000									
	65 Bucks 780									
	2 Burros 20									
	2 Pigs 10									
	Machinery 250									
	Dodge 1919 868	8	Poll taxes, receipt issued					18941	30735	24
. MNG. CO.	Patented mine, Maud C 500								500	
ROBERT	Frame House on Ruby Hill						75		75	
MRS. ANNIE	Frame house on Ruby Hill						75		75	
									31485	

PAGE No. ...

ASSESSMENT ROLL OF General DISTRICT, EUREKA COUNTY, NEVADA

RATE, $...

FOR THE YEAR 1924

NAME	Stock Book Number	DESCRIPTION OF PROPERTY	Sec or Survey	Map or Township	Range	Acres	Value of Real Estate or Possessory Claim	Value of Improvements on Real Estate	Value of Personal Property	Total Valuation	Poll Tax	
Handley Brothers		House, stables, corrals (Home ranch)						$ 500				
		" " " (Windmill)						250				
		" " " (Minoletti)						1500				
		" " " (Pedricia)						100				
		W½ of SW¼	5	20	54	80						
		SE¼ " NE¼	8			80						
		SW¼ " SW¼	9			40						
		NW¼ " SW¼	9			40						
		SE¼ " NE¼	10			54.15						
		Windmill NE¼ " NW¼	3	21	53	160.36						
		SE¼ " NW¼	24	20	54	47.54						
		E½ " NE¼	24	21	54	80						
		E½ " SE¼	34	21	54	80						
		W½ " SE¼	34			80						
		W½ " SW¼	35			80						
		NW¼ " SW¼	36			40						
		E½ " SE¼	36			40						
		Handley Spring	23	21	54	160	50					
		Hogback "					50					
		251 Acres W.Hay 2nd,@ 25 6275										
		140 " Grass 2nd,@ 5 700										
		700 " " 3rd,@ 4 2800					9775					
		Wagons 100										
		4 Work-horses 320										
		3 Saddle " 150										
		12 Furniture 120										
		4 Sack Mules 200										
		40 Stock cattle 920										
		1 Bull 90										
		3000 Sheep 18000										
		60 Bucks 480										
		2 Hogs 20										
		2 Burros 20										
		Machinery 300										
		Dodge 1922 704							21424	33649	12	4 Poll tax
										33649		

PAGE No._____

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE, $2.26 FOR THE YEAR 1925

NAME	STATE-MENT RETURNED	DESCRIPTION OF PROPERTY	LOT OR SECTION	BLOCK OR TOWNSHIP	RANGE	ACRES	VALUE OF REAL ESTATE OR IMPROVEMENT CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	POLL TAX	
							$	$	$	$	$	
HUNTER, JAMES		House, stables, corral						400				
		SW¼ of SW¼	5	19	54	40						
		SE¼ " SW¼	8			80						
		SW¼ " SE¼	8			40						
		SE¼ " SE¼	8			40						
		W½ " NE¼	8			80						
		W½ " SW¼	9			80						
		W½ " SW¼	10			80						
		Lots 2, 3, of	31	20	54	75.20						
		3 Acres Cult. 2nd, @ 60 180										
		80 " W'Hay 1st, @ 40 1600										
		157 " Past 3rd, @ 15 2355										
		355 @ " Grss. 2nd, @ 5 1775					5910					
		Wagons 150										
		4 Work horses 320 ✓										
		2 Saddle " 100 ✓										
		6 Fusstails 80 ✓										
		65 Stock cattle 1300 ✓										
		2 Bulls 160 ✓										
		2 Hogs 20 ✓							2110			
		Poll tax, receipt issued								8420	3	
HANDLEY BROTHERS		House, stable, corral (Home ranch)										
		" " " (Windmill)										
		" " " (Minoletti)										
		" " " (Pedrioli)						2350				
		W½ of SW¼	5	20	54	80						
		SE¼ " SW¼	9			80						
		SW¼ " SE¼	9			40						
		SE¼ " SE¼	9			40						
		E½ " NE¼	10			84.15						
		Windmill										
		SW¼ of NW¼	3	21	53	160						
		E½ " NW¼	3	20	54	47.54						
		E½ " SW¼	4			80						
		E½ " SE¼	34	21	54	80						
		W½ " SW¼	34			80						
		W½ " NW¼	35			80						
		NW¼ " SW¼	36			40						
		W½ " SE¼	36			40						
			23			160						
		Handley Spring 850										
		Hog Bank " 50							200			
		251 Acres W'Hay 2nd, @ 25 6275										
		140 " Grss. 2nd, @ 5 700										
		700 " " 3rd, @ 3 2800					9775					
		Machinery 300										
		Wagons 100										
		4 Work Horses 320 ✓										
		3 Saddle " 150 ✓										
		12 Fusstails 120 ✓										
		50 Stock cattle 1000 ✓										
		1 Bulls 80 ✓										
		3000 Sheep 18000										
		60 Bucks 480										
		2 Hogs 20 ✓										
		2 Burros 20 ✓										
		4 Stock Mules 200 ✓							21268	33493	12	4Poll taxes
		Taxes Year 1924 [illegible]										
HOLLAND, JOHN P.		SW¼ of SE¼	10	27	52	40						
		SE¼ " SW¼	10			40						
		NW¼ " NW¼	11			40						
		NW¼ " NE¼	15			40						
		SW¼ " NW¼	15			40						
		NE¼ " SW¼	15			40						
		120 Acres Grss. 2nd, @ 5 600										
		120 " " 3rd, @ 3 360					960			960		
HOUGH, M. J.		House at Mill Canyon						100				
										100		
										42973		

PAGE No. ____

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE, $2.20 FOR THE YEAR 1926

NAME	DESCRIPTION OF PROPERTY	Lot or Section	Block or Township	Line	Acres	Value of Real Estate or Possessory Claim	Value of Improvements on Real Estate	Value of Personal Property	Total Valuation	Poll Tax	
HOPE CON. MIG. CO	Patented Mines,					$	$	$	$	$	
	Maud C 500										
	½ Hope 250							750			
									750		
HANKINS, NAT	Lot in Palisade					50					
Palisade Dist.	Frame house.						100				
	Piano							100			
									250		
HODGE, THOS. J.	House, stable, corral						100				
	Land situated in	37	18	49							
		28			79						
	20 Acres W.Hay 1st,@ 40 800										
	10 " " 2nd,@ 25 250										
	29 " Gras. 3rd.@ 3 87					1637					
	Wagon 75										
	2 Work horses 150										
	3 Saddle " 150										
	5 Fussetails 50										
	1 Stock Mule 50										
	50 Stock cattle 1000										
	1 Bull 80 1481										
	Old Ford 50							1685			
	Poll tax receipt issued								3342	3	
HOUGH, M. J.	House at Mill Canyon						100				
	Maxwell Spt. Tour.							205			
									305		
HANDLEY BROTHERS	House, stables, corrals (Roma ranch)										
	" " " (Windmill)										
	" " " (Mineletti)										
	" " " (Pedriola)						2350				
	W½ of SW¼	5	20	54	80						
	S½ " NW¼	9			80						
	NE¼ " SW¼	9			40						
	S½ " SW¼	9			40						
	S½ " NW¼	10			80						
	Windmill	3	21	53	160						
	SW¼ of NW¼	3	20	54	47.5						
	S½ " NE¼	4			80						
	S½ " SW¼	34	21	54	80						
	S½ " SW¼	34			80						
	W½ " SE¼	35			80						
	SW¼ " NW¼	36			40						
	NW¼ " SW¼	36			40						
	W½ " SE¼	23			160						
	Handley Spring					50					
	Hogback "					50					
	251 W.Hay 2nd,@ 25 6275										
	140 Gras. 2nd,@ 5 700										
	700 " 3rd.@ 4 2800					9775					
	Wagons 100										
	4 Work horses 320										
	1 Saddle " 150										
	13 Fussys 130										
	4 Stock mules 200										
	50 Stock cattle 1000										
	1 Bull 80										
	1000 Sheep 24000										
	60 Bucks 600										
	2 Hogs 20										
	2 Burros 20										
	Machinery 100										
	Dodge Truck 375, Buick Sedan 1495 1870							28780	44005	12	4 poll taxes
HIGH, E. A.	Improvements.						100				
	W½ of NW¼	33	24	48	40						
	E½ " NW¼	32			80						
	120 Acres Gras. 2nd,@ 5					600					
	Wagon 25										
	1 Saddle horse 50										
	6 Stock cattle 120							195			
									895		
									46547		

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ASSESSMENT ROLL OF General DISTRICT, EUREKA COUNTY, NEVADA

RATE, $ 2.16 FOR THE YEAR 1927

NAME	TOWN LOT NUMBER	DESCRIPTION OF PROPERTY	LOT OR SECTION	BLOCK OR TOWN. SHIP	RANGE	ACRES	VALUE OF REAL ESTATE EXCLUSIVE OF IMPROVEMENTS	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	POLL TAX
HODGE THOMAS J.		House, stable, corral						100			
		Land situated in	NW	18	49	79					
		20 Acres W.Hay Lot 6 40 800									
		30 " " 2nd.@ 25 750									
		29 " Graz. 3rd.@ 3 87					1637				
		Wagons 75									
		2 Work horses 150									
		3 Saddle " 150									
		5 Pinetails 50									
		1 Stock Mule 50									
		50 " Cattle 1000									
		1 Bull 80									
		Machinery 60									
		Ford Conver. 50							1655		
		Poll tax receipt issued								3392	3
HOOPER W. J.		Patented Mines									
		½ Harlem & Eureka Belle 250									
		½ Patroon & G.Delivery 250									
		½ Star of the West 250									
		½ Pride of the West 250									
		½ Jefferson 125									
		South Wales 500									
		Adolph 500									
		Colonel 500							2625	2625	
HARRIS-LEE		Patented Mines									
		Black Cat 500									
		Krish Embassador 500									
		" " 50									
		Santa Maria 500									
		½ Hope Con paid 1 Here 250							1800		
		Poll tax receipt issued								1800	3
HAWKINS. NAT.		Lot in Palisade				22	50				
		House in Palisade						150			
		Piano							100		
										300	
HAWKINS WILL		Lot in Palisade					50				
		Frame house						150			
		Furniture 50									
		Piano 100									
		Ford Touring 1926 " 183							333	683	
HUBBARD A.		Lot	7	11			100				
		Frame hotel Building at Beowawe						1200			
		Merchandise 200									
		Studebaker 1926 800									
		Ford Truck 175							875		
		Poll tax receipt issued								2175	3
HAWKINS BROTHERS		Houses, Stables, corrals at Home Ranch.									
		Windmill place, Minoletti, & Pedriola						2350			
		NE¼ of NE¼	8	20	54	40					
		SE¼ " NE¼	9			40					
		NE¼ " SW¼	9			40					
		S½ " NW¼	10			82.2					
		Windmill	3	21	53	160					
		SW¼ of SW¼	3	20	54	37.5					
		S½ " NE¼	4			80					
		SE¼ " SE¼	34	21	54	80					
		S½ " SW¼	34			80					
		NE¼ " SE¼	35			80					
		SW¼ " NW¼	36			40					
		NW¼ " SW¼	36			40					
		E½ " S½	23			160					
		Hawkley Spring					50				
		Hogback "					50				
		851 W.Hay 2nd.@ 25 8275									
		160 Graz. 2nd.@ 5 700									
		700 " 3rd.@ 4 2800					9775				
		Wagons 100, 4 W.Horses 320, 2 Saddle Horses 130, 2 Pack Mules 100, 70 Stock cattle 1400 2 Bulls 160, 2000 Sheep 16000, 45 Bucks 450, 2 Burros 20; 2 Pigs 8, Machinery 800, Dodge truck 1924 250.							19268		
		Four Poll tax receipts issued								31485 41300	12

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ASSESSMENT ROLL OF General DISTRICT, EUREKA COUNTY, NEVADA

RATE, $ 2.28 FOR THE YEAR 1928

NAME	STATE, CITY, TOWNSHIP	DESCRIPTION OF PROPERTY	LOT OR SUBDIV.	BLOCK OR TOWN.	RANGE	ACRES	VALUE OF REAL ESTATE EXCLUDING IMPROVEMENTS AND BUILDINGS	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	MILL TAX	
Handley Brothers		House, Stable, Corral (Home Place)										
		" " " (Windmill)										
		" " " (Mineloft)										
		" " " (Pedriola)						2350				
		N½ of SW¼	5	20	34	80						
		S½ " NE¼	9			80						
		SE¼ " NW¼	9			40						
		NE¼ " SW¼	9			40						
		S½ " SW¼	10			80 ~~15~~						
		Windmill	3	21	22	160						
		~~SW¼ of NW¼~~	~~3~~	~~20~~	~~34~~	~~41.04~~						
		S½ " NE¼	4			80						
		S½ " SE¼	34	21	24	80						
		S½ " SW¼	34			~~80~~						
		N½ " SE¼	35			80						
		SW¼ " NW¼	36			40						
		SW¼ " SW¼	36			40						
		E½ " E½	25			160						
		Handley Spring										
		Hogback "										
		251 Acres W.Hay End.@ 25 6275										
		140 " Grss.2nd.@ 5 700										
		700 " " 3rd.@ 4 2800					9775					
		Wagons 100										
		4 Work Horses 300										
		3 Saddle " 150										
		2 Mules 100										
		70 Stock Cattle 1750										
		2 Bulls 140 246										
		2000 Sheep 16000										
		30 Hogs 300										
		2 Burros 20										
		Machinery 200										
		Dodge Truck 150							19330			
										31455	72 ¢	Poll taxes
										31455		

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ASSESSMENT ROLL OF General DISTRICT, EUREKA COUNTY, NEVADA

RATE, $_____ FOR THE YEAR 1929

NAME	WATER RIGHT OWNER	DESCRIPTION OF PROPERTY	LOT OR SECTION	BLOCK OR TOWNSHIP	RANGE	ACRES	VALUE OF REAL ESTATE EXCLUSIVE OF IMPROVEMENTS ASSESSED BY CLASS	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	MILL TAX	
Handley Brothers		House, Stables, Corral (Home)					$	$	$	$	$	
		" " " (Windmill)										
		" " " (Minoletti)										
		" " " (Pedriola)						2350				
		W½ of SW¼	5	20	54	80						
		E½ " NE¼	9			80						
		SE¼ " NW¼	9			40						
		NE¼ " SW¼	9			40						
		~~E½ " NW¼~~	~~10~~			~~80.15~~						
		Windmill	3	21	53	160						
		SW¼ of NW¼	3	20	54	47.54						
		E½ " NE¼	4			80						
		S½ " SE¼	34	21	54	80						
		S½ " SW¼	34			80						
		N½ " NE¼	35			80						
		~~SW¼ " NW¼~~	~~36~~			~~40~~						
		NW¼ " SW¼	36			40						
		N½ " E½	32			160						
		Handley Spring										
		Hogback "										
		251 Acres W.Hay 2nd @ 25 6275										
		140 " Grax. 2nd @ 5 700										
		700 " Grax. 3rd @ 4 2800					9775					
		~~Dodge Truck 1927 140~~										
		Wagons 100										
		4 Work Horses 300										
		3 Saddle " 150										
		2 Stock Mules 100										
		75 Stock Cattle 2100										
		2 Bulls 160 2710										
		1800 Sheep 14400										
		30 Bucks 300, 2 Burros 20, May 300, [illegible]							18070	30195	4	Poll taxes
Will Mathews		Lot at Palisade					$2	50				
		Frame House							150			
		Furniture 50										
		Piano 100										
		Ford Four 50							200			
										400		
Nat Hawkins		Lot at Palisade					$2	50				
		Frame House							150			
		Piano 100										
		Ford Truck 50							150			
										350		
Thomas J. Hodge		House, Stable, Corral							100			
		Land situated in Sections 27 &	28	18	49	79						
		20 Acres W.Hay 1st, @ 40 800										
		30 " " 2nd, @ 25 750										
		29 " Grax. 3rd, @ 3 87					1637					
		Wagons 25										
		~~3 Work Horses 150~~										
		2 Saddle " 100										
		45 Stock Cattle 1260										
		1 Bull 80 1590										
		Machinery 50										
		Chev Road 50							1765			
		Poll tax receipt issued								1502	1	
Hope Con Mng. Co.		Patented Mines,										
		Maud C 500										
		½ Hope 250							750			
										750		
Lue Harris		Patented Mine,										
		½ Hope Con							250			
										250		
										85447		

PAGE No. ____

ASSESSMENT ROLL OF Gamsey DISTRICT, EUREKA COUNTY, NEVADA

RATE $2.18 FOR THE YEAR 1930

NAME	STATE UNIT OWNED	DESCRIPTION OF PROPERTY	NO. OF SECTION	PLACE OF TOWN LOT	BLOCK	ACRES	VALUE OF LAND EXCLUSIVE OF REAL ESTATE	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	TAX	
Hope Con. Eng. Co.		Patented Mines.										
		Maud C 500										
		½ Hope 250							750			
										750		
Lee Harris		Patented Mine.										
		½ Hope Con.							250			
										250		
W. J. Hooper		Patented Mines.										
		½ Harlem & Eureka Belle 250										
		½ Patrock & C.Delivery 250										
		½ Bridge of the West 250										
		½ Star of the West 250										
		½ Jefferson 125										
		South Wales 500										
		½ Adelphi 500										
		Connell 500							2625			
		paid on South Wales								2625		
Will Hawkins		Lot in Palisade					50					
		Frame House						150				
		Furniture 50										
		Piano 100										
		Ford Touring 60							210			
										410		
Nat Hawkins		Lot at Palisade					50					
		Lot at Palisade					50					
		House						150				
		Piano 100										
		Ford Truck 50							150			
										400		
Handley Bros.		House, Stables, Corrals (Home)										
		" " " (Minoletti)										
		" " " (Pedriola)						2150				
		W½ of SW¼	5	20	54	80						
		S½ " NW¼	9			80						
		SE¼ " NE¼	9			40						
		NE¼ " SW¼	9			40						
		S½ " NW¼	10			80.15						
		SW¼ " NW¼	1	20	54	47.54						
		S½ " NE¼	4			80						
		S½ " SE¼	14	21	54	80						
		N½ " SE¼	15			80						
		Handley Spring										
		Hogback										
		N½ of NW¼	15	21	54	80						
		S½ " SW¼	23			80						
		W½ " SE¼	23			80						
		150 Ac. W. Hay 2nd @ 25 3750										
		150 " Past 2nd @ 10 1500										
		350 " Grain 2nd @ 5 750										
		397 " " 3rd @ 3 1191					7191					
		6 Wagons 100										
		4 W. Horses 300										
		3 S. " 150										
		1 Mule 100										
		75 Stk Cattle 2100										
		2 Bulls 160										
		2000 Sheep 16000										
		30 Bunks 300										
		2 Burros 200										
		Machinery 300										
		Chevrolet Inter 1929 370										
		Dodge Other 1927 150							20050	20050		
										29631	12	Roll Sec
										34026		



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
Town
District 4.0 - Eureka County General District
Subdivision Lot Block
Property Name

Add'l Addresses
Legal Description

Ownership

Assessed Owner Name ARC DOME PARTNERS, LLC
Mailing Address 289 LA COSTA AVE DAYTON, NV 89403
Legal Owner Name ARC DOME PARTNERS, LLC
Vesting Doc #, Date 226521 12/26/2013 Year / Book / Page 13 / 561 / 82
Map Document #s

Ownership History
Document History

Description

Total Acres 80.000
Ag Acres 80.000
Square Feet 0
W/R Acres .000

Improvements

Single-family Detached 0
Single-family Attached 0
Multiple-family Units 0
Mobile Homes 0
Total Dwelling Units 0
Improvement List

Non-dwelling Units 0
Mobile Home Hookups 0
Wells 0
Septic Tanks 0
Buildings Sq Ft 0
Residence Sq Ft 0
Basement Sq Ft 0
Finished Basement SF 0

Bedrooms / Baths 0 / .00
Stories .0
Garage Square Ft... 0
Attached / Detached
Basement
Bedrooms / Baths 0 / .00

Appraisal Classifications

Current Land Use Code 600 Code Table
Zoning Code(s)
Re-appraisal Group 3 Re-appraisal Year 2013
Original Construction Year Weighted Year

Assessed Valuation

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			
Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

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

Legal Description	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.

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Banner Page | Go

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ALLOTMENT MASTER REPORT
NV10032 BLACK POINT

DATE PRINTED: 10/28/2015

Office:	LLNVB01000	MOUNT LEWIS FO
Allotment Number & Name:	10032	BLACK POINT
Allotment Group:		
Management Plan Type:	A	AMP IMPLEMENTED
Management Plan Implemented Date:	01/07/2000	
Management Status Code:	I	IMPROVE CATEGORY
Ephemeral Ecosystem:		
Grazing Availability:	Y	YES
Decision:		

Land Information

Ownership	Acres	AUMS
Public Land:	59,430	4,312
Other Federal:	0	0
State:	0	0
Private:	0	0
Total:	59,430	4,312

Internal Office Use

Field 1:	AREA 4	Field 5:	
Field 2:		Field 6:	
Field 3:		Field 7:	NV0609
Field 4:		Field 8:	
Distribution:	OKAY		

Pastures

1	COTTONWOOD	2	MINOLETTI	3	DEER
4	POISON	5	DRY	6	SEEDINGS
7	NORTH	8	WEST	9	MINOLETTI/DEER

Type Land Summary

Code	Description	Level	Acre %	AUMS %	Fund Symbol	Exec Order	Office Acres	Office %	State Acres	State %	County Acres	County %
01	PL 03		100	100	145032	0						
NV069	MOUNT LEWIS FO	Office						100				
NV	NEVADA	State								100		
NV011	EUREKA	County										100

Authorization Cross Reference

Authorization Office	Authorization Number	Operator Name	Active AUMS	Suspended AUMS	Permitted Use
LLNVB01000	2704073	HIGH COUNTRY RANCHES, LLC	4,312	2,307	6,619
			4,312	2,307	6,619

Allotment Terms and Conditions

The terms and conditions displayed below are printed on selected documents for permittees or lessees authorized grazing use of this allotment. Mandatory and other terms and conditions are also included on grazing authorizations for this allotment. The documents on which these terms and conditions may be printed include permits, leases, exchange-of-use agreements, applications and bills.

Terms and Conditions

END OF REPORT

Form 4130-1
(February 2012)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

GRAZING SCHEDULE
GRAZING APPLICATION

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

FOR BLM USE ONLY

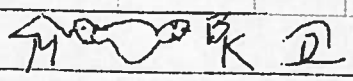
State NV
Office LLNVB01000
Authorization No
Schedule No
Billing Code
Special Bill Code

Name *(last, first, middle initial)*
HIGH COUNTRY RANCHES, LLC.

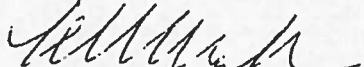
Address *(include street, city, State, and zip code)*
289 LA COSTA AVE.
DAYTON, NV 89403

I hereby apply for the following grazing use on the public lands and/or other lands administered by the Bureau of Land Management (BLM).

(1) ALLOTMENT NAME	(1) ALLOTMENT NO.	(2) PASTURE NO.	(3) LIVESTOCK NUMBER	(3) LIVESTOCK KIND	(4) PERIOD BEGIN	(4) PERIOD END	(5) % PL USE	(6) TYPE USE	(7) AUMS
BLACK POINT	10032	1-7	1751	SHP	05/01/2017	10/31/2017	99	ACT	2,097
WEST-NORTH	10032	6-8	318	CTL	05/01/2017	05/312017	99	ACT	321
MINOLETTI	10032	2	318	CTL	06/01/2015	08/15/2017	99	ACT	787
DEER-POISON	10032	3-4	318	CTL	08/16/2017	10/31/2017	99	ACT	797
MINOLETTI/BUCK/COTTON	10032	2-3	318	CTL	11/01/2017	11/30/2017	99	ACT	476

Show your recorded brands, earmarks, and wattles 

Show reason for nonuse, if requested: ☐ conservation and protection of the public lands; ☐ annual fluctuation of livestock operations; ☐ financial or other reasons beyond control of the operator; or ☐ livestock disease or quarantine.

Signature 

Date
04/10/2017

Reason for nonuse: ☐ Approved ☐ Disapproved *(Decision Required)*

Signature of 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.

(See terms and conditions on page 2)

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

Dear Grazing Operator: HIGH COUNTRY RANCHES, LLC

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.

Allotment (Name and Number)
BLACK POINT NV 10032

FOR BUREAU OF LAND MANAGEMENT (BLM) USE ONLY

ACTUAL GRAZING USE				CALCULATION OF AUM'S GRAZING USE				
PASTURE	DATE mm/dd/yyyy	NUMBER AND KIND OR CLASS OF LIVESTOCK		NO. AND KIND OF LIVE-STOCK	GRAZING PERIOD		% PL USE	AUM'S
		TURNED IN	TAKEN OUT		BEGIN	END		
BLACK POINT	5/01/2017	1751 SHEEP						
	10/31/2017		1751 SHEEP					
WEST-NORTH	5/01/2017	318 CATTLE						
	05/31/2017		318 CATTLE					
MINOLETTI	6/01/2017	318 CATTLE						
	08/15/2017		318 CATTLE					
DEER-POISON	8/16/2017	318 CATTLE						
	10/31/2017		318 CATTLE					
MINOLETTI/BUCK/COTT	11/01/2017	318 CATTLE						
	11/30/2017		318 CATTLE					

I CERTIFY That this is a complete and accurate report of my grazing use.

Signature of Permittee/Lessee [signature] | Printed Name of Permittee/Lessee Robert Beck | Date 02/05/2018

Title 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 statement or presentations as to any matter within its jurisdiction.

(Continued on page 2)