

AMENDED

Filing Serial No. **R-07650**

STATE OF NEVADA

PROOF OF TRIBAL HOMELAND WATER RIGHT

SOURCE: Las Vegas Artesian Basin

THE WATER IS DIVERTED FROM ITS SOURCE the Las Vegas Artesian Basin **AT THE FOLLOWING POINTS:**

Well #1

Northing: 58,345.7492
Easting: 47,506.6004
Elevation: 2768.74 at casing
Description: Situated in the Southwest quarter of the Northeast quarter of Section 25, Township 18 South, Range 59 East, M.D.M., Clark County, Nevada being South 44° 37' 25" West, 3509.17 feet from the Northeast corner of said Section 25.

Well #2

Northing: 58,068.9863
Easting: 45,139.8728
Elevation: 2829.92 at casing
Elevation: 2831.45 at Pedestal
Description: Situated in the Southwest quarter of the Northwest quarter of Section 25, Township 18 South, Range 59 East, M.D.M., Clark County, Nevada being South 12° 50' 33" East, 2421.99 feet from the Northwest corner of said Section 25.

Well #3

Northing: 58,839.6434
Easting: 42,538.9225
Elevation: 2878.44 at casing
Elevation: 2879.93 at Pedestal
Description: Situated in the Southwest quarter of the Northeast quarter of Section 26, Township 18 South, Range 59 East, M.D.M., Clark County, Nevada being South 52° 21' 34" West, 2604.77 feet from the Northeast corner of said Section 26.

Well #4

Northing: 56,730.1421
Easting: 48,190.4520
Elevation: 2776.32 at casing
Description: Situated in the Northwest quarter of the Southeast quarter of Section 25, Township 18 South, Range 59 East, M.D.M., Clark County, Nevada being North 54° 11' 40" West, 2227.98 feet from the Southeast corner of said Section 25.

Well #5

Northing: 54,929.2781
Easting: 46,589.9257
Elevation: 2842.20 at casing
Description: Situated in the Northeast quarter of the Northwest quarter of Section 36, Township 18 South, Range 59 East, M.D.M., Clark County, Nevada being South 86° 08' 16" East, 1886.13 feet from the Northwest corner of said Section 36.

Well #6

Northing: 56,201.8969
Easting: 43,841.1867
Elevation: 2886.77 at casing
Description: Situated in the Southeast quarter of the Southeast quarter of Section 26, Township 18 South, Range 59 East, M.D.M., Clark County, Nevada being North 37° 06' 57" West, 1436.61 feet from the Southeast corner of said Section 26.

Pumping House at Existing Housing

Northing: 57,686.7048
Easting: 36,221.6145
Elevation: 3055.77 at the Northeast corner of the Transformer Pad at the Pump House
Description: Situated in the Northeast quarter of the Southwest quarter of Section 27, Township 18 South, Range 59 East, M.D.M., Clark County, Nevada being North 40° 48' 30" East, 3504.03 feet from the Southwest corner of said Section 27.

The United States and the Las Vegas Paiute Tribe expressly reserves the right to change points of diversion, purposes and places of all water herein claimed.

(1) NAME OF CLAIMANT	Las Vegas Paiute Tribe	
Address	#1 Paiute Drive, Las Vegas, Nevada 89106	County of Clark Telephone No. (702) 386-3926 State of Nevada

(2) THE MEANS OF DIVERSION EMPLOYED Groundwater pumps

(3) **THE NATURE AND DATE OF CLAIM** is time immemorial based on aboriginal (homeland) rights, 1911, and 1983 based on Winters v. United States, 207 U.S. 564, 52 L.Ed. 340 (1908), in amount totaling 43,000 acre feet of water per year limited by the successful implementation of the stipulation filed with this Form.

(4) - (9) are inapplicable.

(10) **THE NATURE OF THE TITLE TO THE LAND FOR WHICH THE WATER RIGHT IS CLAIMED IS** aboriginal and fee interest held in trust for the Tribe through an Act of Congress, P.L. 98-203, December 2, 1983, a copy of which is attached hereto for reference. This Act confirmed federal ownership in trust of two tracts of land. The first, the "Snow Mountain" Reservation is a 3,851 parcel of land located approximately 20 miles northwest of Las Vegas. The legal description for this land is included in the 1983 Act. The second parcel of land is 10 acres which was originally acquired by the United States through a deed dated December 30, 1911. The 1983 Act confirms that this land, known as the "Downtown Reservation," is held in trust for the Tribe by the United States. A copy of this deed is also attached hereto for reference. Finally, parcels adjacent to the Downtown Reservation totaling approximately 2.5 acres were confirmed as being held in trust for the Tribe through administrative action. Records concerning these lands are retained by the Land Title Records Office of the United States Bureau of Indian Affairs in Albuquerque, New Mexico, as Tracts, T100-648; T1001-648; and T1002-648, as evidence of which, the Tribe attaches the Final Title Opinion of the Phoenix Field Solicitor of the United States Department of Interior.

(11) - (17) are inapplicable.

(18) **WATER IS CLAIMED FOR THE FOLLOWING PURPOSES:**

Water uses include all uses associated with Tribal homeland and economic development purposes including but not limited to domestic, municipal, agricultural, commercial, recreational, and industrial uses.

(19) **THE CHARACTER OF THE SOIL IS** sandy loam.

(20) **REMARKS**

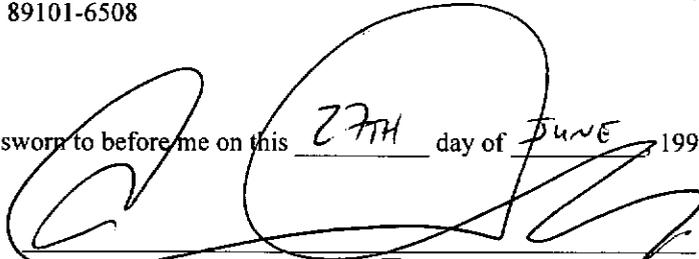
See stipulation filed with original Proof.

THE UNDERSIGNED, BEING FIRST DULY SWORN, DEPOSES AND SAYS THAT THE FACTS RELATIVE TO THE APPROPRIATION OF WATER BY the Las Vegas Paiute Tribe ARE FULL AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

Attorney for claimant

David A. Colvin
Attorney At Law
301 East Clark Avenue
Suite 870
Las Vegas NV 89101-6508
(702) 382-2111

Subscribed and sworn to before me on this 27TH day of JUNE 1996

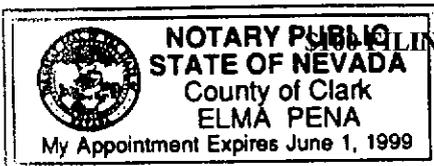


Signature

Elma Pena
NOTARY PUBLIC

Notary Public in and for the County of Clark

My commission expires June 1, 1999



NOTARY PUBLIC FEE MUST ACCOMPANY PROOF

ORIGINAL

Filing Serial **R 07650**

STATE OF NEVADA

PROOF OF TRIBAL HOMELAND WATER RIGHTS

Source: Las Vegas Artesian Basin

The water is diverted from its source, the Las Vegas Artesian Basin, at the following points*:

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The United States and the Las Vegas Paiute Tribe expressly reserve the right to change points of diversion, purposes and places of use of all water herein claimed.

(1) Name of claimant: United States of America, Bureau of Indian Affairs, on behalf of the Las Vegas Paiute Tribe.

Address: Phoenix Area Office
Bureau of Indian Affairs County of Maricopa
1 North First Street Telephone No. (602)
Phoenix, Arizona 85001 379-6600

(2) The means of diversion employed: Groundwater pumps

(3) The nature and date of claim: The basis of this claim is the federal Indian reserved water rights doctrine, as recognized by the Supreme Court in Winters v. United States, 207 U.S. 564 (1908), Arizona v. California, 373 U.S. 546 (1963), the United States v. Arizona v. Cappaert, 426 U.S. 128 (1976). The United

States claims a priority date of time immemorial or no later than 1911, 1978, and 1983, the dates, respectively, of the occupation and acquisition of the Las Vegas Paiute Reservation and each addition thereto. The United States claims sufficient water to maintain the subject lands as a permanent homeland, susceptible of economic development, for the Las Vegas Paiute Tribe. The quantity of water claimed is 2,000 acre-feet as set forth in the attached stipulation (Exhibit A) which is incorporated herein, together with the conditions and limitations set forth therein. Should the attached stipulation fail to be incorporated in a final decree, the United States herein claims a quantity of 11,326 acre feet per year.

(4)-(9) are inapplicable.

(10) The nature of the title to the land for which the water rights is claimed is a fee interest, legal title to which is held in trust by the United States of America for the benefit of the Las Vegas Paiute Tribe. This Act of December 2, 1983, 97 Stat. 1383 (Pub. L. No. 98-203) (attached), confirmed federal ownership in trust of two tracts of land. The first, the "Snow Mountain Reservation is a 3,851 acre parcel of land located approximately 20 miles northwest of Las Vegas, Nevada. The legal description for this land is set forth in the 1983 Act. The second parcel of land is 10 acres which was originally acquired by the United States, for the Paiute Indians, through a deed dated December 30, 1911 (attached). The 1983 Act confirms that this land, known as the "Downtown Reservation," is held in trust for the Las Vegas Paiute Tribe by the United States. Finally, parcels adjacent to the Downtown Reservation totaling approximately 2.5 acres were acquired by the United States in trust for the benefit of the Las Vegas Paiute Tribe by deeds dated May 17, 1978, and September 19, 1978 as set forth in the Final Title Opinion of the Field Solicitor dated May 6, 1983 (attached). (Records concerning these lands are retained by the Land Title Records Office, Bureau of Indian Affairs, United States Department of the Interior, Albuquerque, New Mexico as Tracts, T100-648; T1001-648; and T1002-648.)

(11)-(17) are inapplicable.

(18) Water is claimed for the following purposes: Water is claimed for all uses associated with Tribal homeland and economic development purposes including but not limited to domestic, municipal, agricultural, commercial, recreational, and industrial uses.

(19) The character of the soil is: sandy loam.

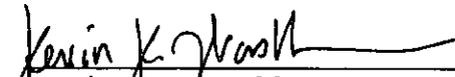
(20) remarks:

* See attached stipulation, Appendix A.

* The United States herein reserves the right to amend or otherwise modify this claim as permitted by law.

The undersigned, being first duly sworn, deposes and says that the fact relative the reservation of water by the United States on behalf of the Las Vegas Paiute Tribe are full and correct to the best of his knowledge and belief.

ATTORNEY FOR UNITED STATES OF AMERICA



Kevin K. Washburn
Attorney, Indian Resources Section
Environment and Natural Resources Division
United States Department of Justice
Post Office Box 44378
L'Enfant Plaza Station
Washington, D.C. 20026-4378
(202) 305-0265

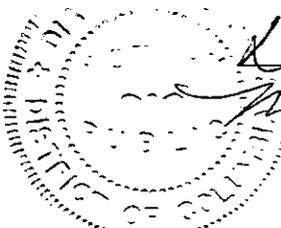
Notary Acknowledgment

Washington, District of Columbia.

This instrument was acknowledged before me on the 24th day of April, 1996, by Kevin Washburn, an attorney for the United States.

Witness my hand and official seal.



Notary Public

Diane Passero
Notary Public, District of Columbia
My Commission Expires July 14, 1997