

STATE OF NEVADA

**PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING
OR WILDLIFE PURPOSES**

(1) Name of claimant Jackrabbit Properties, LLC, a Nevada limited liability company (successor claimant)
4005 Quail Rock Lane of Reno
Street Address or PO Box City or Town
Nevada 89511
State and ZIP Code

(2) Source of water Rotten Egg Spring
Name of natural water source

(3) The water is diverted by:
Spring discharge

Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s):
Lot 7, Section 2, T.28N., R.19E., M.D.B. & M., or at a point from which the S ¼ Corner of Section 12, said Township and Range, bears S. 14° 51' 51" E., a distance of 9,384.0 feet.

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.

(5) The water is impounded in Not Impounded
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun 1884
and completed 1884
Date 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:
Patented land now owned by Jackrabbit Properties, LLC, a Nevada limited liability company

(8) The claimant's water right was not recorded in the office of the County Recorder of
 County, at Page of Book of
Patented, deeded, public domain with grazing permit, etc.

(9) The approximate number of animals watered by the claimant during the first year 1884
was cattle 100 horses sheep or wildlife (describe)
Date

The watering was conducted during each of the following months:
January 1 through December 31, each year

STATE ENGINEERS OFFICE
2011 OCT 13 AM 8:16
RECEIVED

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:
Beginning in the year 1900 approximately 100 horses and 600 cattle utilized the water from this source

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

0.0219 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second

(12) The works are located at:

Lot 7, Section 2, T.28N., R.19E., M.D.B. & M. (Washoe County APN 74-271-01)

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

Remarks

The original Proof 02672 was filed by the Bonham Bros. in 1970. That original Proof incorrectly listed the location of Rotten Egg Spring and was amended by John Torvik in 1994. This 2nd Amended Proof is being filed to reflect a new tie based on more recent survey information. Jackrabbit Properties, LLC is the successor claimant to both Bonham Bros. and John Torvik.

The source is located on land patented by Albert E. Ross in 1884 under Nevada State Land Patent #2116. A copy of this patent is enclosed as Attachment "A" to this Proof. Nevada State Land Patent identifies the property as being Lot 1 of the NE Corner of Section 2, T.28N., R.19E., M.D.B. & M. The GLO resurvey of 1913 identifies this as being Lot 7, Section 2, T.28N., R.19E., M.D.B. & M.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Jackrabbit Properties, LLC, a Nevada limited liability company are full and correct to the best of his/her knowledge and belief.

Deponent is an employee of TEC Civil Engineering Consultants (TEC). TEC has been hired by Claimant to prepare and file this Proof and supporting map

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

Jackrabbit Properties, LLC, a Nevada limited liability company

Name of Claimant

By

Gregory M. Bilyeu - Agent
9480 Double Diamond Parkway, Suite 200
Reno, NV
Telephone No. (775) 352-7800

STATE ENGINEERING DEPT.
2011 OCT 13 AM 8:16
RECEIVED



Subscribed and sworn to before me this 11 day of October, 2011

Notary Public in and for the County of Washoe

My commission expires February 8, 2012

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant John Torvik
455 N. Harman Rd of Fallon
Street and No. or P.O. Box No. City or town
NEVADA 89406
State and Zip Code No.

(2) Source of water Rotten Egg Spring
Name of natural water source

(3) The water is diverted by Natural Spring Area
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) In the NE 1/4 NE 1/4 Sec 2, T28N
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.
R 19 E, M. D. B. 1/4 m at a point from which the 80th mile
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.
marker. A stone 17" x 16" x 12" and B.L.M. Brass cap,
~~be~~ bears S. 48° 21' W - 710 ft

(5) The water is impounded in natural Spring Area
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun (USE BEGAN 1887)
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 Private Ground
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 no way invalidates a water right, but if water right was so recorded, supply full information under (8).

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

The watering was conducted during each of the following months. YEAR AROUND

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

In the year 1900, 100 head horses and 500 head
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

0.0219 cubic feet per second.
448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at NE 1/4 NE 1/4 SEC 2 T28N R19E MDB9 M
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

land, it should be stated.

Remarks Ross Bonham and Rowland Bonham, the original Bonham Bros. are deceased, however Rowland's son Jack Bonham is still living and reference to previous history

Remarks.....
.....
.....
.....
.....
.....
.....
.....
.....

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

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

John Torvik

Claimant
Telephone No. (702.) 423-3926

By John Torvik

455 N. Harmon Rd

Street and No., or P.O. Box No.
FALLON, NV 89406

City, State, Zip Code No.
Telephone No. (702.) 423-3926

Subscribed and sworn to before me this 28th day of April, 1994.
Bonnie Kordonowy

Notary Public in and for the County of Lyon
My commission expires July 16, 1994

\$50 FILING FEE MUST ACCOMPANY PROOF



(9) The approximate number of animals watered by the claimant during the first year ^{1887,}_{Date} was.....cattle 100 horses.....sheep or....._{Other}..... The watering was conducted during each of the following months Year around.....

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

In the year 1900, 100 head horses and 600 head cattle......

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

0.0219.....cubic feet per second.
448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located at N.E. 1/4 S.E. 1/4 Sec. 35 T. 29 N., R. 19 E. M. D. B. & M.
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

land, it should be stated.

Remarks Ross Benham and Rowland Benham, the original Benham Bros. are deceased, however Rowland's son, Jack Benham is the present heir and manager......

Remarks.....
.....
.....
.....
.....

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

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

I am acting as claimant's agent.

Berham Bros.
Claimant

mail all corr. to me.

By *Joseph A. Coffey (J.A. Coffey)*
34 Pt. Box 695, Carson City, Nev. 89701
Street and No., or P.O. Box No.

City, State, Zip Code No.

Subscribed and sworn to before me this *9th* day of *April*, 19*70*
Mrs. Hilda Sherwood

Notary Public in and for the County of *Carson City*

My commission expires *July 1, 1973*



810 W. 8th St. 32

This part of form to be left blank by claimant.

Filing Serial No.....

02672

STATE OF NEVADA

**Proof of Appropriation of
Water for Stock Purposes**

Water Source.....

Through.....

Claimant.....

Filed in the office of the State Engineer

on....., 19.....

.....
State Engineer.

Certificate No..... issued hereunder

....., 19.....

Form Aa 6-69-1M



405

1970 APR 9 PM 2 33

OFFICE
STATE ENGINEER