

AMENDED
STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING
OR WILDLIFE PURPOSES

(1) Name of Claimant Byington Steel Treating, Inc.

HC 35, Box 30 of Mountain City
Street and No. or P.O. Box No. City or town
Nevada 89831 (see attached affidavit)
State and Zip code No.

(2) Source of water Spring Creek and Spring Creek Spring #1 and #2
Name of natural water source.

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

(4) The water is diverted at the following point(s) (Map 2) NE¼NE¼ Section 8, T. 44 N., R. 53 E.,
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.

MDM, at a point from which the NE corner of Section 4, T. 44 N., R. 53 E., MDM, bears
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.
N. 44°19' E., 7,970 feet and follows the natural channel to a point in Lot 2, Section 10, T. 44 N.,

R. 53 E., MDM, from which the NE corner of Section 3, T. 44 N., R. 53 E., MDM, bears
N. 08°26' E., 7,287 feet.

Spring Creek Spring #1 - NW¼NE¼ Section 9, T. 44 N., R. 53 E., MDM, at a point from which
the NE corner of Section 4, T. 44 N., R. 53 E., MDM, bears N. 22°13' E., 5,803 feet.

Spring Creek Spring #2 - SW¼NE¼ Section 10, T. 44 N., R. 53 E., MDM, at a point from which
the NE corner of Section 3, T. 44 N., R. 53 E., MDM, bears N. 14°59' E., 6,986 feet.

(5) The water is impounded in Natural channel and spring area (pond at springs)
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun none
Date
and completed _____

Date

037
E2

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

0.0155 cubic feet per second.
448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at None
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

land, it should be stated.

Remarks Use Maps 1 and 2

The 500 cows and calves listed in this proof are the same as listed in proofs within 04132, 04135, 04136, 04137, 04139, 04141, and the proof filed under Van Duzer Creek. A copy of Affidavit of Identity attached.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Byington Steel Treating, Inc.

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

The undersigned deponent is acting as agent for the claimant

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

Byington Steel Treating, Inc.

Claimant

Telephone No. (702) 763-6644

By William C. Nield (Agent)

421 Court Street

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

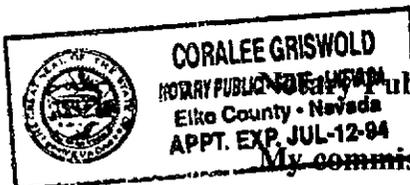
Elko, Nevada 89801

City, State, Zip Code No.

Telephone No. (702) 738-2121

Subscribed and sworn to before me this 13 day of June, 19 94.

Coralee Griswold



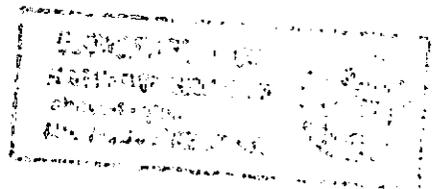
Public in and for the County of Elko

My commission expires July 12, 1994

\$50 FILING FEE MUST ACCOMPANY PROOF

STATE ENGINEERS OFFICE
RECEIVED

94 JUN 15 P2:28



THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR
STOCK WATERING PURPOSES

(1) Name of claimant Byington Ranch
Attn: Jim Connelley of Mountain City
Street and No. or P.O. Box No. City or town
Nevada 89831
State and Zip Code No.

(2) Source of water Spring Creek Spring
Name of natural water source.

(3) The water is diverted by refer to Item #5
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) NW 1/4 NE 1/4 Sec. 9, T.44N., R.53E., M.D.M.
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
at a point from which the NE corner of Sec. 4, T.44N., R.53E., M.D.M. bears
be stated.
N.22°21'E., 5803 feet.

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

(6) The construction of the ditch or other works was begun prior to 1888
Date
and completed prior to 1888
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 public domain with a private grazing allotment which
Patented, deeded, public domain with grazing permit, etc.
surrounds this water source

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

(9) The approximate number of animals watered by the claimant during the first year....., Date
was.....cattle.....horses.....sheep or.....Other..... The watering
was conducted during each of the following months.....
.....
.....
.....

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

The claimant presently waters 250 cattle within this grazing allotment
.....
.....
.....
.....
.....
.....
.....
.....
.....

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

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

(12) The works are located at.....
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

land, it should be stated.
.....
.....

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

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

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

Deponent has been authorized to act as the claimant's agent.....
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

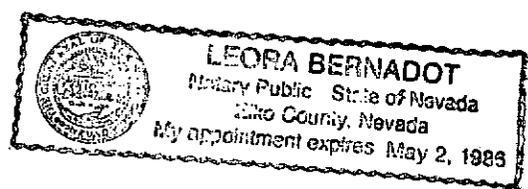
.....
Claimant

By..... William A. Nisbet.....
421 Court.....
Street and No., or P.O. Box No.
Elko, Nevada 89801.....
City, State, Zip Code No.

Subscribed and sworn to before me this 30th day of Jan, 1984.
Leora Bernadot

Notary Public in and for the County of Elko

My commission expires May 2, 1986



This part of form to be left blank by claimant.

Filing Serial No.

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.....

STATE ENGINEER
704 PM-8 PMM