

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

NAME OF CLAIMANT Bailey Family Trust and Sadler Ranch, LLC

Address see remarks: P.O. Box 29 City of Eureka County of Eureka

State of Nevada Telephone No. 775-237-5225 Email Address rangeriders@yahoo.com

1. Source of water Quaking 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 Spring and Natural channel

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

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

A point in the SE ¼ SW ¼ of Section 12, T27N, R53E, MDB&M from which the S ¼ Corner of Section 23, T27N, R53E, MDB&M bears S 22° 55' 51" W a distance of 11,767.81 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 1863

and completed _____

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

Public domain with grazing permit

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

0.500 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):

Point of Diversion thence Southerly along the stream

(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 1863 _____ was
900 _____ cattle _____ horses _____ sheep _____ other (describe in remarks) _____
Year

The watering was conducted during each of the following months: April through November

10. The approximate number of animals watered by the claimant in subsequent years was:
990 _____ cattle _____ horses _____ sheep _____ other (describe in remarks) _____

11. The water is impounded in Natural channel before improvements
Trough(s), tank(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)

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.)

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)

ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING

See supplement attached.

NAME OF CLAIMANT: Wilfred R. Bailey and Barbara Bailey, Trustees of the Bailey Family Trust
as to an undivided 50% interest.

ADDRESS: %Fred Bailey, P.O. Box 29, Eureka, Nevada 89316

Sadler Ranch, LLC., a Nevada limited liability company, as to an undivided 50%
interest.

ADDRESS: % Theodore Yednock Revocable Trust

Attn: Theodore Yednock

P.O. Box 831

Forest Knolls, CA 94933

cc: Mr. Michael Buschelman

P.O. Box 51371

Sparks, Nevada 89435

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

Bailey Family Trust and Sadler Ranch, LLC are full and correct to the best of their knowledge and belief.
(Name)

Deponent is agent for the claimant

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

Name Fred Bailey Signature *Fred Bailey*
(Please type or print name) (Please sign in the presence of a Notary Public)

Address P.O. Box 29, Eureka State of Nevada ZIP Code 89316

Telephone Number 775-237-5225 Email Address rangeriders@yahoo.com

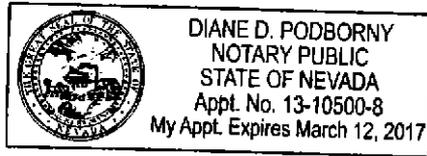
State of Nevada

County of Eureka

Subscribed and sworn to before me on May 25, 2016
(Date)

by Fred Bailey

Diane D. Podborny
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.

SUPPLEMENT TO AMENDED PROOF OF APPROPRIATION NO. 04159, QUAKING SPRING AND NATURAL CHANNEL

In 1984, a Proof of Appropriation was filed on the source of this Proof jointly with F. Donald Sokol and Wilfred or Barbara Bailey. The successors to that Proof are the Bailey Family Trust and the Sadler Ranch, LLC. Please refer to the Report of Conveyance previously submitted for both parties as to the chain of title.

This proof did not have a priority date which is not correct in that livestock were grazed in the area from a reported date of 1863, when the ranching operation of the Bailey Family Trust was initiated. The proof was clearly incomplete. Quaking Spring, located on Bailey Mountain, watered cattle from a Natural Spring and Channel starting in 1863. The manner of use from an open channel to the improvements described therein was originally filed jointly for a total of 1000 cattle.

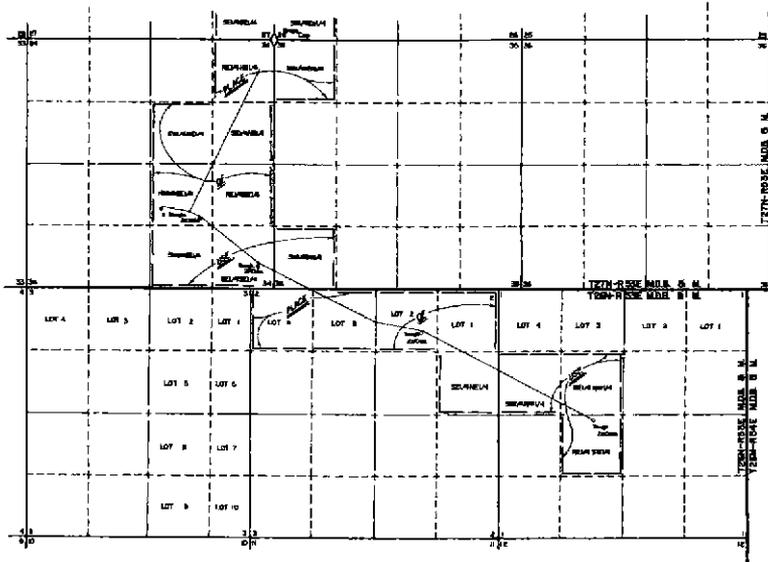
Application No. 37932 was denied in 2010 because the Bailey Ranch did not provide the State Engineer the requested evidence of ownership of the grazing permit. The Bailey Ranch grazed cattle on Bailey Mountain from 1863 until the BLM adjudication of that area in 1964. In 1984, the Bailey Ranch bought the BLM permit from Delbert Zunino at which time they were able to again graze Bailey Mountain as they had done for 102 years prior to the BLM adjudication and have since.

The streams that flowed from Quaking Spring continue down Bailey Mountain into other BLM allotments that were created in 1964 during commensurability. Bailey Ranch and Sadler Ranch have never been interrupted in their use of those other BLM allotments.

For evidence of the Bailey Ranch's historical grazing use, the BLM adjudication of the range, the mortgage to purchase Red Rock Allotment back and current BLM allotment usage, please refer to amended Proof V01104 where exhibits are already on file for the Bailey Ranch base property and to Reports of Conveyance to Sadler Ranch, LLC for chain of title and additional priority information. Please refer to the map that accompanied Application No. 80187 to accompany this proof.

The proof as filed was incomplete as it did not provide information as to the number of livestock using the source during the first year or subsequent years, the amount of water or complete description of the manner of use.

The place of use during the priority period was at the spring head and natural channel. However, due to the ability to complete pipelines with troughs to improve distribution of livestock, the place of use has been expanded to that shown on the attachment. Since this has been a major source of stockwater for the ranch operations, the expanded place of use is claimed under the Doctrine of Relation Back.



37934 CERTIFICATE NO. 2045 ISSUED 6/1/97

1997 10 14 2:15

SHEET 2 OF 2

80187 37934 37932

Handwritten notes and signatures in the bottom right corner, including the name 'J. J. ...' and other illegible text.

