

AMENDED  
STATE OF NEVADA

Serial No. 04998

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING  
OR WILDLIFE PURPOSES

(1) Name of claimant SMITH BROS. OX RANCH  
OX RANCH of RUBY VALLEY  
Street and No. or P.O. Box No. City or town  
NEVADA 89833  
State and Zip Code No.

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

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

(4) The water is diverted at the following point(s) Lot 3, NE 1/4 NW 1/4 of Section 1,  
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.  
T. 30 N., R. 58 E., M.D.B. & M., or at a point from which the NE  
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.  
Corner of said Section 1 bears N. 79° 24' E., 3,120 feet

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

(6) The construction of the ditch or other works was begun 1869  
Date  
and completed 1869  
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 grazing permit  
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).

(9) The approximate number of animals watered by the claimant during the first year 1869,  
Date  
was 200 cattle 10 horses 500 sheep <sup>and</sup> wildlife (describe) 900 deer 5  
300 wildlife

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

March to and including December

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

200 cattle, 10 horses, 500 sheep, 900 deer, and 300 winged wildlife.  
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

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

(12) The works are located at Lot 3 (NE 1/4 NW 1/4) Section 1, T. 30 N.,  
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

R. 58 E., M.D.B. & M.  
land, it should be stated.

Remarks.....

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

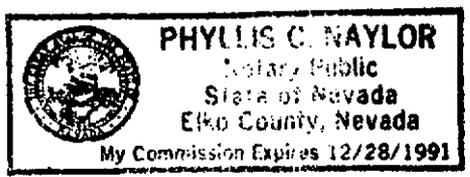
Partner in Smith Bros. OX RANCH  
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

SMITH BROS. OX RANCH  
Claimant  
Telephone No. (702) 779-2293

By *Paul W. Smith*  
OX RANCH  
Street and No., or P.O. Box No.  
RUBY VALLEY, NEVADA 89833  
City, State, Zip Code No.  
Telephone No. (.....)

Subscribed and sworn to before me this 2<sup>nd</sup> day of May, 19 90.  
*Phyllis C. Naylor*  
Notary Public in and for the County of Elko  
My commission expires 12/28/91

**\$50 FILING FEE MUST ACCOMPANY PROOF**



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

(1) Name of claimant SMITH BROS OX RANCH  
OX RANCH of RUBY VALLEY  
Street and No. or P. O. Box No. City or town  
NEVADA 89833  
State and Zip Code No.

(2) Source of water BATTLE CREEK NORTH SLOPE SEC 1 SPRING  
Name of natural water source.

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

(4) The water is diverted at the following point(s) NE 1/4 NW 1/4 SECTION 1 T. 30N  
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.  
R. 58 E MDB & M

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

(6) The construction of the ditch or other works was begun 1869 Date  
and completed 1869 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 grazing permit  
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).

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(9) The approximate number of animals watered by the claimant during the first year 1867,  
Date  
was 700 cattle 10 horses 500 sheep or 900 deer <sup>300</sup> wildlife <sub>Other</sub> The watering  
was conducted during each of the following months March, April, May, June  
July, August, September, October, November, December

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

700 cattle 10 horses 500 sheep 900 deer <sup>300</sup> wildlife <sub>Other</sub>  
If water was not used, or used in reduced quantity at any time, full information as to cause and duration of non-use should be given.  
from 1867 to present time (1989)

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

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

(12) The works are located at NE 1/4 NW 1/4 Section 1 T. 30 N.  
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

R. 58 E M.D.B. & M.  
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 SMITH BRAS OX RANCH 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.

SMITH BRAS OX RANCH  
Claimant

Telephone No. (702) 7792293

By [Signature]

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

Ruby Valley NV 89833  
City, State, Zip Code No.

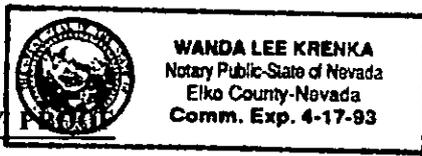
Telephone No. (702) 7792293

Subscribed and sworn to before me this 30 day of October, 1989

Wanda Lee Krenka

Notary Public in and for the County of Elko

My commission expires 4-17-93



**\$50 FILING FEE MUST ACCOMPANY**