AMENDED

Serial No. 05007

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant SMITH BROS. OX RANCH

OX RANCH (Street and No. or P.O. Box No.) of RUBY VALLEY (City or town)

NEVADA 89833 (State and Zip Code No.)

(2) Source of water UNDERGROUND (RIVER WELL NO. 2) (Name of natural water source.)

(3) The water is diverted by Drilled well, pump and pipelines to storage (Dam, ditch, pipe line, natural channel, spring area, etc.)

tank and troughs.

(4) The water is diverted at the following point(s) Lot 17 (SW 1/4 SE 1/4) of (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.)

Section 22, T. 30 N., R. 59 E., M.D.B. & M., or at a point from (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.)

which the SE Corner of said Section 22 bears S. 49° 52' E. for a

distance of 1,768 feet.

(5) The water is impounded in tank, 3 troughs and earthen pond. (Troughs, tanks, pools, reservoir, natural channel, etc.)

(6) The construction of the ditch or other works was begun 1933 (Date)

and completed 1933 (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 XXX (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 1934 (Date),

was 1,000 cattle 50 horses sheep and wildlife (describe) 300 wildlife (Other).

The watering was conducted during each of the following months May, June, July,

August, September, October, and November

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

1,000 cattle, 50 horses, and 300 wildlife from 1934 to present time

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

0.20 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at Lot 17 (SW 1/4 SE 1/4) of Section 22, T. 30 N.,

R. 59 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

Remarks

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 2nd day of May, 1990

Phyllis C. Naylor

Notary Public in and for the County of Elko

My commission expires 12/28/91

$50 FILING FEE MUST ACCOMPANY PROOF

PHYLLIS C. NAYLOR
Notary Public
State of Nevada
Elko County, Nevada
My Commission Expires 12/28/1991

Serial No. 05007

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

(1) Name of claimant SMITH BROS OX RANCH

OX RANCH (Street and No. or P.O. Box No.) of RUBY VALLEY (City or town)

NEVADA 89833 (State and Zip Code No.)

(2) Source of water RIVER WELL No. 2 (Name of natural water source.)

(3) The water is diverted by ~~pipeline to storage tank and trough~~ (Dam, ditch, pipe line, natural channel, spring area, etc.)

(4) The water is diverted at the following point(s) SW 1/4 SE 1/4 Section 22 T. 30 R 59E (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.)

(5) The water is impounded in ~~storage tank and three (3) troughs, pond~~ (Troughs, tanks, pools, reservoir, natural channel, etc.)

(6) The construction of the ditch or other works was begun 1933 (Date)

and completed 1933 (Date).

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(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 1934 (Date), was 1000 cattle 50 horses sheep ~~or~~ and 300 Wildlife AU+BUS (Other) The watering was conducted during each of the following months May, June, July, August, September, October, November

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

1000 cattle 50 horses 1300 Wildlife AUs + BUs

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.

from 1934 to the present

(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 SW 1/4 SE 1/4 Section 22

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

T.30N R.59E MDB M

Remarks

Remarks .....

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by SMITH BROS 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 BROS OX RANCH
Claimant

Telephone No. (702) 779 2293

By [signature]

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

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

Telephone No. (702) 779 2293

Subscribed and sworn to before me this 30th day of October, 19 89.

Wanda Lee Krenka

Notary Public in and for the County of Elko

My commission expires 4-17-93

WANDA LEE KRENKA
Notary Public-State of Nevada
Elko County-Nevada
Comm. Exp. 4-17-93

$50 FILING FEE MUST ACCOMPANY PROOF