Application No. Amended 05168

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant John Espil Sheep Co., Inc.

P.O. Box 150 of Gerlach
Street Address or PO Box — City or Town

Nevada 89412-0150
State and ZIP Code

(2) Source of water Willow Creek
Name of natural water source

(3) The water is diverted by:
Natural channel

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

(4) The water is diverted at the following point(s):
Upstream point of diversion located within the NE 1/4 of the SE 14/, unsurveyed Section 6, T 32N, R 19E, MDM and the downstream point of diversion located within the SE 1/4 of the SE 1/4, unsurveyed Section 11, T 32N, R 19E, MDM

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 natural channel
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun _____
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:
Public domain with grazing permit owned by John Espil Sheep Co., Inc.

Patented, deeded, public domain with grazing permit, etc.

(8) The claimant's water right 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 1897
Date

was 500 cattle 200 horses 4,500 sheep or wildlife (describe) _____

The watering was conducted during each of the following months:
January 1 thru December 31

Revised 07/09 - POA

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:
400 cows - March 1 thru December 31
2,000 sheep - March 1 thru December 31

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

.05 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second

(12) The works are located at:
Upstream point of diversion located within the NE 1/4 of the SE 14/, unsurveyed Section 6, T 32N, R 19E, MDM and the downstream point of diversion located within the SE 1/4 of the SE 1/4, unsurveyed Section 11, T 32N, R 19E, MDM

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

Remarks
John Espil Sheep Co., Inc. is the successor to the original ranching operation which was in this area on or before 1897.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by John Espil Sheep Co., Inc. are full and correct to the best of his/her knowledge and belief.
Attorney and agent for John Espil Sheep Co., Inc.

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

John Espil Sheep Co., Inc.
Name of Claimant

By Gordon H. DePaoli

Telephone No.

6100 Neil Road
Suite 500
Reno, Nevada 89511

Telephone No. (775) 688-3010

Subscribed and sworn to before me this 15th day of December, 20 11

Notary Public in and for the County of Washoe

My commission expires 5/26/2012

TOMMIE KAY ATKINSON
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 00-62686-2 - Expires May 26, 2012

Revised 07/09 - POA

$50 FILING FEE MUST ACCOMPANY PROOF

Serial No. 05168

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

(1) Name of claimant BRENT ESPIL for ESPIL SHEEP CO.

P. O. BOX 150 of GERLACH
Street and No. or P.O. Box No. City or town

NEVADA, 89412
State and Zip Code No.

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

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

(4) The water is diverted at the following point(s) N½ of SE section 6 SE of SW
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.
SW½ of SW and SW¼ of SE of section 5, NE¼ of NE¼ section 8, N½ of NW section 9, NW¼ of NE¼ section 9, SE¼ of NE¼ section 9, SW¼ of NW¼ section 10 NE¼ of SW section 10, S½ of SE section 10, S½ of SW section 11, T. 32 N., R. 19 E.

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

(6) The construction of the ditch or other works was begun .....
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 public domain with grazing permit owned by Espil Sheep Co
Patented, deeded, public domain with grazing permit, etc.

21 W.A.

(8) The claimant's water right ~~was~~ 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 1897 (Date), was 500 cattle 200 horses 4500 sheep or ..... (Other). The watering was conducted during each of the following months January 1 through december 31

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

400 COWS and 2000 SHEEP have used this water..

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.

BLM permit is march 1 through december 31.

(11) The amount of water which has been necessary to be diverted for this purpose has been .05 cubic feet per second.

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

(12) The works are located at NE 1/2, SE sec. 6, SW 1/2 of SW sec 5, SW of SE sec 5, NE of NE sec. 8, N 1/2 of NW sec 9, NW of NE sec. 9, SE of NE sec 9, SW of NW, sec. 10, NE of SW sec 10, S 1/2 of SE sec 10, S 1/2 of SE sec 11, T32N, R19E

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

Remarks ESPIL SHEEP CO. is the successor to the original ranching operation in this area prior to 1900....

Remarks .....

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

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

AGENT for ESPIL SHEEP CO.

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

BRENT ESPIL

Claimant

Telephone No. (702) 557-2522

By Brent Espil

P. O. BOX 150

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

Gerlach, NV. 89412

City, State, Zip Code No.

Telephone No. (702) 557-2522

Subscribed and sworn to before me this 13th day of July, 19 90

Beth Callahan

Notary Public in and for the County of .....

My commission expires .....

BETH CALLAHAN
NOTARY PUBLIC - NEVADA
CARSON CITY
My Appt. Expires June 22, 1991

$50 FILING FEE MUST ACCOMPANY PROOF