Serial No. 05189

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant August J. & Marjorie S. Vitale

127 West Pine Street of Elko
Street and No. or P.O. Box No. City or town

Nevada 89801
State and Zip Code No.

(2) Source of water Unnamed Springs
Name of natural water source

(3) The water is diverted by Pipeline to Troughs & Natural Spring Areas.
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) Spring No. 1 - NW¼ SE¼ of Section 26, T. 46 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.

M.D.B. & M. (Unsurveyed) or at a point from which the S¼ Corner of said Section 26 bears S 39° 15' 22" W,
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.

2,151.70 feet.

Spring No. 2 - SW¼ NW¼ of Section 25, T. 46 N., R. 53 E., M.D.B. & M., (Unsurveyed) or at a point from which the S¼ Corner of Section 26, T. 46 N., R. 53 E., M.D.B. & M. bears S 48° 27' 02" W, 4,498.08 feet.

Spring No. 3 - SW¼ NW¼ of Section 36, T. 46 N., R. 53 E., M.D.B. & M. (Unsurveyed) or at a point from which the N¼ Corner of Section 35, T. 46 N., R. 53 E., M.D.B. & M. bears N 64° 48' 18" W, 3,093.24 feet.

Spring No. 4 - SW¼ NE¼ of Section 35, T. 46 N., R. 53 E., M.D.B. & M. (Unsurveyed) or at a point from which the N¼ Corner of Section 35, T. 46 N., R. 53 E., M.D.B. & M. bears N 26° 30' 10" W, 2,053.32 feet.

Spring No. 5 - Lot 7 (SW¼ NE¼) of Section 3, T. 45 N., R. 53 E., M.D.B. & M. or at a point from which the S¼ Corner of Section 35, T. 46 N., R. 53 E., M.D.B. & M. bears N 45° 36' 17" E, 2,353.17 feet.

Spring No. 6 - Lot 5 of Section 2, T. 45 N., R. 53 E., M.D.B. & M. or at a point from which the S¼ Corner of Section 35, T. 46 N., R. 53 E., M.D.B. & M. bears N 46° 08' 43" W, 2,072.71 feet.

Spring No. 7 - Lot 10 of Section 2, T. 45 N., R. 53 E., M.D.B. & M. or at a point from which the SW Corner of Section 31, T. 46 N., R. 54 E., M.D.B. & M. bears S 88° 24' 55" E, 4,898.69 feet.

Spring No. 8 - NW¼ SW¼ of Section 1, T. 45 N., R. 53 E., M.D.B. & M. or at a point from which the SW Corner of Section 31, T. 46 N., R. 54 E., M.D.B. & M. bears N 69° 21' 26" E, 2,016.81 feet.

Spring No. 9 - NW¼ SE¼ of Section 30, T. 46 N., R. 54 E., M.D.B. & M. (Unsurveyed) or at a point from which the SE Corner of Section 36, T. 46 N., R. 53 E., M.D.B. & M. bears S 44° 25' 20" W, 4,198.07 feet.

Spring No. 10 - SW¼ SW¼ of Section 20, T. 46 N., R. 54 E., M.D.B. & M. (Unsurveyed) or at a point from which the SE Corner of Section 36, T. 46 N., R. 53 E., M.D.B. & M. bears S 37° 45' 10" W, 9,382.71 feet.

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

(6) The construction of the ditch or other works was begun 1870
Date

and completed 1896.
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:

Patented & Public Domain with Grazing Permits
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 1870, was_____ cattle, _____ horses, 2,500 sheep, and wildlife (describe) Wildlife.
Other

The watering was conducted during each of the following months April 1 through October 31 of each year

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

153 head of cattle & an unknown number of 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 0.045
448.83 gallons per minute equals 1 cubic foot per second.
cubic feet per second from each spring.

(12) The works are located at Spring No. 1 - NW¼ SE¼ Section 26, T. 46 N., R. 53 E., M.D.B. & M. (Unsurveyed)
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated

Private Land H.E.S. No. 72, Spring Area

SPRING NO. 2 - SW¼ NW¼ Section 25, T. 46 N., R. 53 E., M.D.B. & M. (Unsurveyed), Public Domain with Grazing Permit, Troughs

SPRING NO. 3 - SW¼ NW¼ Section 36, T. 46 N., R. 53 E., M.D.B. & M. (Unsurveyed), Private Land - Patented Mining Claim "PROTECTION" - Spring Area

SPRING NO. 4 - SW¼ NE¼ Section 35, T. 46 N., R. 53 E., M.D.B. & M. (Unsurveyed), Private Land - Patented Mining Claim "NEVADA" - Spring Area

SPRING NO. 5 - Lot 7 Section 3, T. 45 N., R. 53 E., M.D.B. & M., Public Domain with Grazing Permit - Troughs

SPRING NO. 6 - Lot 5 Section 2, T. 45 N., R. 53 E., M.D.B. & M., Public Domain with Grazing Permit - Troughs

SPRING NO. 7 - Lot 10 Section 2, T. 45 N., R. 53 E., M.D.B. & M., Public Domain with Grazing Permit - Troughs

SPRING NO. 8 - NW¼ SW¼ Section 1, T. 45 N., R. 53 E., M.D.B. & M., Public Domain with Grazing Permit - Troughs

SPRING NO. 9 - NW¼ SE¼ Section 30, T. 46 N., R. 54 E., M.D.B. & M. (Unsurveyed), Public Domain with Grazing Permit - Troughs

SPRING NO. 10 - SW¼ SW¼ Section 20, T. 46 N., R. 54 E., M.D.B. & M. (Unsurveyed), Public Domain with Grazing Permit - Troughs

Remarks It was reported in the Northern Nevada Historical Society - Quarterly for the 1981 summer issue that up to 2,500 pair of sheep grazed in this area as early as 1870.

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

August J. & Marjorie S. Vitale

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.

MARJORIE S. VITALE
Claimant

Telephone No. (_) (702) 763-6659

By Marjorie S. Vitale

128 West Pine St.
Street and No., or P.O. Box No.

Elko, Nevada 89801
City, State, Zip Code No.

Telephone No. (_) (702) 763-6659

Subscribed and sworn to before me this 21st day of SEPTEMBER, 19 90.

Rose Marie Yraguen

Notary Public in and for the County of ELKO

My commission expires 7-25-92

ROSE MARIE YRAGUEN
Notary Public - State of Nevada
Appointment Recorded In Elko County
MY APPOINTMENT EXPIRES JULY 25, 1992

$50 FILING FEE MUST ACCOMPANY PROOF

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