

STATE OF NEVADA **AMENDED**

**PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING
OR WILDLIFE PURPOSES**

(1) Name of claimant ELKO LAND AND LIVESTOCK COMPANY

1655 MOUNTAIN CITY HIGHWAY

of

ELKO

Street Address or PO Box

City or Town

NV, 89801

State and ZIP Code

(2) Source of water

unnamed spring

Name of natural water source

(3) The water is diverted by:

Natural spring pools

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

(4) The water is diverted at the following point(s):

Within the NE1/4 of the NW1/4 of Section 33, T35N, R66E, MDM, at a point from which the south quarter corner of Section 22, T35N, R66E, bears approximately N43°52'E 7725 feet (per original Proof).

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

Spring pool and natural channel

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

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

1849

and completed

before 1881

Date

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:

Private land in fee title (Deeded)

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

Elko

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

1849 not known - 1873 as follows:

Date

was 225 cattle 230 horses 4700 sheep or wildlife (describe) Stock numbers/dates from E.C. Hardy Homestead File

The watering was conducted during each of the following months:

January 1 through December 31 of each year.

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:
1880 - at least 1500 Sheep, 115 Cattle, 51 Horses; 1885 - at least 1850 sheep, 315 Cattle, 169 Horses; 1895 - at least 5500 Sheep 375 Cattle, 121 Horses. This use has been continuous to the modern era. ELLCo and its predecessors utilize this same stream with the equivalent of up to 1870 cattle on a combination of private and public land.

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

1 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second

(12) The works are located at:

Within the NE1/4 of the NW1/4 of Section 33, T35N, R66E, MDM, at a point from which the south quarter corner of Section 22, T35N, R66E, bears approximately N43°52'E 7725 feet (per original Proof).

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

Remarks

The first use of this water for livestock was in 1849 when a branch of the California Trail passed through the area. Numbers are difficult to establish but they would have been significant, and commensurate with the well documented uses that began in 1873 (E.C. Hardy homestead file). These uses, in turn, comport very well with the modern livestock numbers (grazing permits for 1100 to 1584, plus more livestock on private land).

This spring is used in conjunction with the Big Springs Ranch and Hardy Creek operations described in other Proofs. Livestock totals are for the entire operation, as was the case historically.

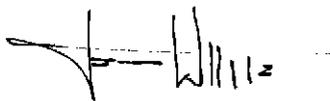
The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by ELKO LAND AND LIVESTOCK COMPANY are full and correct to the best of his/her knowledge and belief.

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

ELKO LAND AND LIVESTOCK
COMPANY

Name of Claimant

By



Telephone No. (775) 778-2519

Jeff White, Vice President

State of Nevada

1655 Mountain City Highway

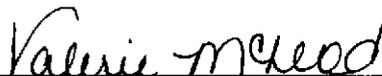
County of ELKO

Elko, NV 89801

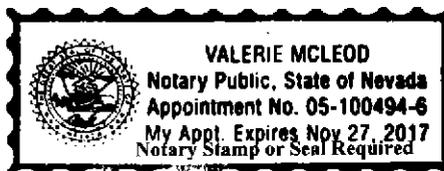
Subscribed and sworn to before me on July 30th, 2014

Telephone No. (775) 778-2519

by Jeff White



Signature of Notary Public Required



(9) The approximate number of animals watered by the claimant during the first year 1889,
Date
was 1000 cattle 100 horses.....sheep or..... The watering
Other
was conducted during each of the following months.....

January 1st through December 31st

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

1000 Cattle and 100 Horses

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

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

(12) The works are located at NE¹/₄ NW¹/₄, Section 33, T.35N., R.66E., 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 Claimant, Nevada Big Springs, Inc. and predecessors in interest are full and correct to the best of his knowledge and belief.

Deponent is acting as the agent for Claimant, Nevada Big Springs, Inc.
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

NEVADA BIG SPRINGS, INC.
Claimant

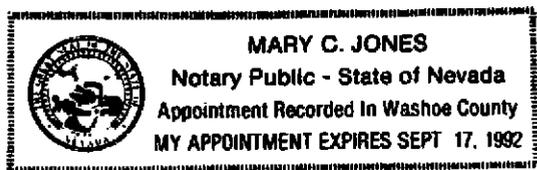
M.B. L...
By THIEL, WINCHELL & ASSOCIATES, INC.
34 Lakes Boulevard, Suite 101
Street and No., or P.O. Box No.
Dayton, Nevada 89403
City, State, Zip Code No.

Subscribed and sworn to before me this 27th day of August, 1992

Mary C. Jones

Notary Public in and for the County of Washoe

My commission expires 9/17/92



\$50 FILING FEE MUST ACCOMPANY PROOF

STATE ENGINEERS OFFICE
RECEIVED

'92 SEP 29 A9:22