

STATE OF NEVADA

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

- (1) Name of Claimant Tabor Creek Cattle Company
502 North Division Street of Carson City
Street and No. or P.O. Box No. City or town
Nevada 89703
State and Zip code No.
- (2) Source of water Stag Creek, One Unnamed Spring #1 and tributaries
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) (Map 1) NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10, T. 41 N., R. 58 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.
MDM, at a point from which the SE corner of said Section 10 bears S. 16°15' E., 1,384 feet, and
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.
also in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1, T. 41 N., R. 58 E., MDM, at a point from which the NE corner of
said Section 1 bears N. 29°19' E., 5,805 feet, and also in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, T. 41 N.,
R. 58 E., MDM, at a point from which the SW corner of Section 11, T. 41 N., R. 58 E., MDM bears
S. 72°01' W., 5,777 feet, and also in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11, T. 41 N., R. 58 E., MDM, at a point
from which West quarter corner of said Section 11 bears S. 74°43' W., 5,422 feet, and also the
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1, T. 41 N., R. 58 E., MDM, at a point from which the west quarter corner of
Section 2, T. 41 N., R. 58 E., MDM, bears N. 88°17' W., 6,818 feet, also the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1
T. 41 N., R. 58 E., MDM, at a point from which the NE corner of said Section 1 bears
N. 51°54' E., 3,556 feet and also the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, T. 42 N., R. 58 E., MDM, at a point
from which the SE Corner of said Sec. 36 bears S. 81°25' E., 4,189 feet, and also the NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 36, T. 42 N., R. 58 E., MDM, at a point from which the SE corner of said Section 36 bears

S. 62°55' E., 4,662 feet, and also the SW¼SE¼ Section 35, T. 42 N., R. 58 E., MDM, at a point from which the west quarter corner of Section 2, T. 41 N., R. 58 E., MDM, bears S. 49°49' W., 4,413 feet, and also the SE¼NE¼ Section 3, T. 41 N., R. 58 E., MDM, at a point from which the SE corner of said Section 3, bears S. 03°49' E., 2,780 feet. All the above listed points follow the natural channels to a point in Lot 2, Section 4, T. 41 N., R. 58 E., MDM, from which the NE corner of said Section 4 bears N. 84°26' E., 1,708 feet.

(Map 2) Begins again in the SE¼SE¼ Section 29, T. 42 N., R. 58 E., MDM, at a point from which the south quarter corner of Section 28, T. 42 N., R. 58 E., MDM bears S. 79°41' E., 2,883 feet, and also the SE¼SE¼ Section 29, T. 42 N., R. 58 E., MDM, at a point from which the south quarter corner of Section 28, T. 42 N., R. 58 E., MDM, bears S. 73°52' E., 3,017 feet, and follows the natural channel to a point in the NE¼NE¼ of Section 29, T. 42 N., R. 58 E., MDM, from which the south quarter corner of Section 28, T. 42 N., R. 58 E., MDM, bears S. 33°16' E., 6,096 feet.

Spring #1 (Map 1) SE¼NE¼ Section 2, T. 41 N., R. 58 E., MDM, at a point from which the west quarter corner of said Section 2 bears S. 76°05' W., 4,289 feet.

(5) The water is impounded in natural channel (no impoundment) and spring area
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun none
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 deeded and public domain with grazing permit
Patented, deeded, public domain with grazing permit, etc.

(Map 1) The place of use is within Lot 4, S½NW¼, N½SW¼ and the SE¼SW¼ of Section 1; the N½, SE¼, E½SW¼ and the SW¼SW¼ of Section 2; Lots 2, 3, 4, S½N½, SE¼ and the E½SW¼ of Section 3; Lots 1, 2 and the SE¼NE¼ of Section 4; NE¼NW¼, N½NE¼, SE¼NE¼ and the NE¼SE¼ of Section 10; N½N½, SE¼NW¼, N½S½ and the SW¼SW¼ of Section 11; E½NW¼ and the SW¼ of Section 12; NW¼NW¼ of Section 13; NE¼NE¼, S½NE¼, SE¼NW¼ and the N½NW¼ of Section 14, all within T. 41 N., R. 58 E., MDM; SE¼SE¼ of Section 33; SE¼SW¼ and the

S¹/₂SE¹/₄ of Section 34; N¹/₂S¹/₂, SW¹/₄SW¹/₄, SW¹/₄SE¹/₄ and S¹/₂NE¹/₄ of Section 35; W¹/₂SW¹/₄ of Section 36, all within T. 42 N., R. 58 E., MDM.

(Map 2) W¹/₂W¹/₂ of Sec. 28, NE¹/₄NE¹/₄ and the SE¹/₄SE¹/₄ of Section 29, T. 42 N., R. 58 E., MDM.

(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 1904, was 3000 cattle 240 horses 4800 sheep or wildlife (describe) _____.

Date

Other

The watering was conducted during each of the following months April 1st thru October 31st

The State Water Engineer, under the Stock Watering Act (Chapter 201, statutes of 1925), accepted range claim maps upon which livestockmen depicted the area of range customarily used in their operation. John M. Marble and Robert E. Marble, predecessors, filed map 659-34, which included this area. They were, in turn, successors to the Union Land and Cattle Company, which were successors to the Nevada Land and Cattle Company, which were successors to the Marys River Land and Cattle Company, which was owned by N.H.A. Mason and Lewis L. Bradley. The Marys River Land and Cattle Company owned much of the private land in the drainage and for that reason, made grazing use of this area. In 1903, tax rolls of Elko County, Nevada, indicated this company owned 3,500 stock cattle and 240 horses; and in 1904, 3,000 stock cattle, 240 horses and 4,800 sheep. Therefore, it is on these basic facts that a 1904 vested water right is claimed within this drainage area.

(10) The approximate number of animals watered by the claimant in subsequent years was as follows: 4,000 head for one month or 2,000 head for two months or 800 head for five months.

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 0.0247 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at none

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

land, it should be stated.

Remarks Use Maps #1 and #2

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

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

The undersigned deponent is acting as Agent for the claimant

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

Tabor Creek Cattle Company

Claimant

Telephone No. (702) 883-3200

By William A. Fishet agent

421 Court Street

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

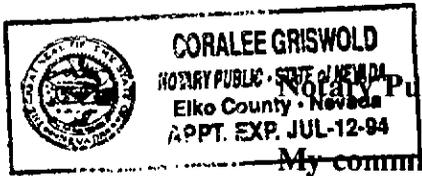
Elko, Nevada 89801

City, State, Zip Code No.

Telephone No. (702) 738-2121

Subscribed and sworn to before me this 12 day of October, 19 93.

Coralee Griswold



Notary Public in and for the County of Elko

My commission expires July 12, 1994

\$50 FILING FEE MUST ACCOMPANY PROOF