

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 Stud Creek, 7 Unnamed Springs #7, #8, #9, #10, #11, #12, & #13, & tributaries  
Name of natural water source.

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

(4) The water is diverted at the following point(s) (Map 2) Lot 1 Section 30, T. 42 N., R. 59 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 SW corner of said Section 30 bears S. 03°40' W., 4,673 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 the SE¼NW¼ Section 23, T. 42 N., R. 58 E., MDM, at a point from which the NE corner  
said Section 23 bears N. 48°00' E., 3,936 feet, and also the NE¼NW¼ Section 23, T. 42 N.,

R. 58 E., MDM, at a point from which the NE corner of said Section 23 bears N. 75°13' E., 3,844

feet, and also Lot 4, Sec. 18, T. 42 N., R. 59 E., MDM, at a point from which the SW corner of

Sec. 13, T. 42 N., R. 58 E., MDM, bears S. 79°08' W., 5,724 feet, and also the SE¼NW¼ Sec. 13,

T. 42 N., R. 58 E., MDM, at a point from which the SW corner of said Section 13, bears

S. 36°00' W., 4,239 feet.

(Map 3) and also the SE¼NE¼ Section 12, T. 42 N., R. 58 E., MDM, at a point from which the

SW corner of said Section 12 bears S. 55°57' W., 5,310 feet, and also the SW¼NW¼ Section 12,

T. 42 N., R. 58 E., MDM, at a point from which the SW corner of said Section 12 bears

S. 19°29' W., 3,446 feet, and also the SW¼SW¼ Section 11, T. 42 N., R. 58 E., MDM, at a point

3.011  
.0247  
38?  
EL



1/2SE1/4 of Section 16; NE1/4NE1/4 of Section 21; NW1/4, SE1/4NE1/4, W1/2NE1/4, NE1/4SW1/4 and the SE1/4 of Section 22; NW1/4, SW1/4SW1/4, N1/2SW1/4, N1/2NE1/4 and the SE1/4NE1/4 of Section 23; N1/2NW1/4, SW1/4NW1/4, NW1/4NE1/4, N1/2S1/2, SE1/4SW1/4 and the S1/2SE1/4 of Section 24; and the NE1/4NE1/4 of Section 25, all within T. 42 N., R. 58 E., MDM.

(Map 3) SW1/4SW1/4 and the E1/2SE1/4 of Section 11; SW1/4NW1/4, W1/2SW1/4, SE1/4SW1/4, SW1/4SE1/4, N1/2SE1/4 and the SE1/4NE1/4 of Section 12, all within T. 42 N., R. 58 E., MDM.

Unnamed Springs #7 and #8 (Map 2) the place of use is within the SW1/4NE1/4 Section 24, T. 42 N., R. 58 E., MDM.

Unnamed Spring #9 (Map 2) the place of use is within the NE1/4NE1/4 Section 24, T. 42 N., R. 58 E., MDM.

Unnamed Spring #10 (Map 2) the place of use is within the NW1/4NW1/4 Section 24, T. 42 N., R. 58 E., MDM.

Unnamed Springs #11 and #12 (Map 2) the place of use is within the NW1/4SE1/4 Section 14, T. 42 N., R. 58 E., MDM.

Unnamed Spring #13 (Map 2) the place of use is within the SE1/4NW1/4 Section 13, 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, statues 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 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 N½NE¼ Section 23, T. 42 N., R. 58 E., 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 Use Maps #2 and #3

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

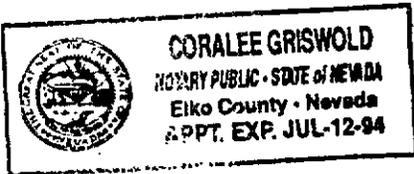
Telephone No. ( 702 ) 883-3200

By William A. Fisher 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**