Serial No. 06415

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant Nevada First Corporation

Box 490 (Street and No. or P.O. Box No.) of Winnemucca (City or town)

Nevada 89446 (State and Zip Code No.)

(2) Source of water Capitol Peak Spring (Name of natural water source)

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

(4) The water is diverted at the following point(s) within the SE¼ NW¼ of Section 36, T.46N., R.41E., (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land is should be stated.) M.D.B. & M. or at a point from which the SE corner of Section 36 bears S 45°37'00" E a distance of (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.) 5502.8 feet.

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

(6) The construction of the ditch or other works was begun prior to 1905 (Date) and completed prior to 1905 (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 on public domain with grazing rights. The claimant holds the present and historic grazing rights for (Patented, deeded, public domain with grazing permits, etc.) this area. The claimant is the successor in interest to the ranching operations that used this spring dating back prior to 1905 (See Remarks).

(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).

34

06415

(9) The approximate number of animals watered by the claimant during the first year 1892
Date

was _____ cattle _____ horses _____ sheep or wildlife (describe) _____
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:
See Exhibit "A" attached hereto. The number of animals watered was taken from the tax assessment
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.

rolls of Humboldt County. For those years prior to 1892 the Humboldt County tax assessment rolls do not indicate the number of animals assessed.

(11) The amount of water which has been necessary to be diverted for this purpose has been

see attached sheet _____ cubic feet per second.
448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at the SE¼ NW¼ of Section 36, T.46N., R.41E., 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 This spring is on the present and historic grazing area controlled by the claimant. Refer to Exhibit "B" attached hereto listing the original patents and patentees of the ranching operations that used this spring prior to 1905.

06415

Remarks

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

by Nevada First Corporation

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

Proof is filed by John H. Milton III, P.L.S. 5271 and S.W.R.S. 573 as agent for Nevada First Corporation.

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

Nevada First Corporation
Claimant

Desert-Mountain Surveying as agent
By John H. Milton III, P.L.S., S.W.R.S.

Telephone No. (702) 623-2586

By John H. Milton III

146 West Second Street
Street and No., or P.O. Box No.

Winnemucca, NV 89445
City, State, Zip Code No.

Telephone No. (702) 623-4414

Subscribed and sworn to before me this 6th day of May, 19 94.

Doris A. Twichell
Doris A. Twichell

DORIS A. TWICHELL
NOTARY PUBLIC
HUMBOLDT Co. NEVADA
My Appointment Expires
MAY 28 1997

Notary Public in and for the County of Humboldt, State of Nevada

My commission expires May 28, 1997

$50 FILING FEE MUST ACCOMPANY PROOF

06415

Stockwater amount
Question 11

Historically large numbers of stock animals used this source for watering purposes. This point of diversion is on grazing land controlled by the Bureau of Land Management, and therefore the number of animals allowed on the range varies. A diversion rate of 0.124 cfs is being used to represent the maximum number of animals (4,000 head) that would be able to graze in this area.

06415

Nevada First Corporation

Exhibit "A"

10) The approximate number of animals watered by the claimant:

Year	Horses	Cattle	Sheep	Mules
1892	1171	5211	9000	3
1893	1174	3913	9500	
1894	1357	2793	10250	2
1895	1400	5524	12000	1
1896	1280	7149	13500	
1897	1384	7816	18050	4
1898	1334	8525	11900	
1899	1318	6120	16850	
1900	1291	4925	24800	4
1901	2323	5595	18100	4
1902	1007	5800	17500	4
1903	961	5120	15500	4
1904	820	4302	16600	4
1905	926	7505	15180	4

06415

Nevada First Corporation
Exhibit B

Patent	Patentee	Book/Page	Date	Remarks
1048504	Abel & Curtner Livestock Co.	59/418	07/27/1931	USA CC017243
4706	Abel, Henry	38/110	03/18/1902	NV
4726	Abel, Henry	38/111	03/19/1902	NV
101	Abel, J.F.	60/110	12/17/1869	
4340	Abel, Jacob F. Jr.	20/14	09/10/1875	NV
4845	Anderson, Benjamin F.	39/102	07/05/1902	NV
6049	Anderson, Benjamin F.	45/198	11/19/1907	NV
151481	Anderson, James P.			USA
4530	Anderson, James P.			NV
4651	Anderson, James P.	45/134	09/08/1904	USA CERT 723
159989	Anderson, James P.			USA
76	Anderson, James P.			NV
159990	Anderson, James P.			USA
240559	Anderson, James P.			USA
[illegible]157	Anderson, James P.	45/136	06/13/1908	NV
4531	Anderson, James P.			NV
4847	Anderson, Lizzie Jane	39/101	07/25/1902	NV
4562	Anderson, Mary Jane	38/635	08/21/1901	NV
4704	Ayer, Frank M.	38/107	03/19/1902	NV
4705	Ayer, Frank M.	38/109	03/19/1902	NV
170929	Aztec Land & Cattle Co.	45/600-60		
131	Aztec Land & Cattle Co.			
132	Aztec Land & Cattle Co.			
127	Aztec Land & Cattle Co.	45/602	01/16/1904	USA Sel 11648
133	Aztec Land & Cattle Co.	45/600	04/13/1906	USA Sel 12500
10953	Aztec Land & Cattle Co.	45/605	05/20/1904	USA Selection
11815	Aztec Land & Cattle Co.	45/601	01/16/1906	USA Selection
130403	Aztec Land & Cattle Co.			
[illegible]284	Barnum, Walter M.	26/239	04/06/1885	NV
[illegible]526	Bauman, Catherine	28/97	09-13-1886	NV
233	Beatty, WM. J.	17/193	04/30/1870	NV
7484	Beer, Joseph	49/266	04/08/1913	NV
7476	Blum, Annetta	49/257	04/08/1913	NV
3220	Bonnifield, Samuel J. JR.	36/537,	04/28/1886	NV
3597	Bradford, George			NV
527	Bradley, Edward G.			
3219	Bradley, Edwrd G.	37/462	05/03/1892	NV
12944	Bradshaw, Ernest D.	69/148	03/01/1954	NV
5736	Bradshaw, Jesse H.	45/135	09/18/1906	NV
12954	Bradshaw, Minnie M.	69/157	03/01/1954	NV
4736	Bray, John Edward	63/91	03/19/1902	NV
102	Brenchley, Richard	28/454	12/17/1869	NV
1633	Brenchley, Richard	25/413	10/09/1882	NV
2287	Brooks, Charles	26/242	04/06/1885	NV
30	Bryant, Alfonzo	18/504	11/14/1868	NV
3862	Burk, Milo A.	34/315	04/15/1898	NV

06915

4266	Butler, Frederick S.	36/218	05/29/1900	NV
2060	Button, Ellen	28/177	04/30/1884	NV
2062	Button, Issac V.	28/176	05/09/1884	NV
3598	Carrel, George H.	39/207	10/02/1895	NV
117	Carrel, George H.			NV
44	Carrel, George H.	47/87	04/24/1890	USA Desert Land
486	Carrel, George H.	20/126	09/30/1872	NV
487	Carrel, George H.	20/127	09/30/1872	NV
3387	Casey, Frank J.	38/536	02/21/1893	NV
3499	Casey, Frank J.	38/537	05/01/1894	NV
3388	Casey, Frank J.	38/539	02/01/1893	NV
53	Central Pacific R'Y Co.	30/204	06/15/1886	NV
24	Central Pacific R'Y Co.	30/213	12/05/1876	
55	Central Pacific R'Y Co.	33/193		
155	Central Pacific R'Y Co.	33/200-20	12/05/1876	
3868	Chamberlain, Delia	34/317	04/15/1898	NV
3863	Chamberlain, Maria T.	34/320	04/15/1898	NV
3859	Chamberlain, Delia	34/317	04/15/1898	NV
11218	Claire, Antone	59/328	11/12/1936	USA
11219	Claire, Pauline	59/329	11/13/1936	USA
239	Coleman, J.W.	17/191	04/30/1870	NV
236	Coleman, Owen	17/194	04/30/1870	NV
6257	Configliaco, Felix	44/417	01/21/1909	NV
3052	Crocker, Clark W.	30/50	04/09/1891	NV
3858	Crocker, Henry J.	34/321	04/15/1898	NV
12013	Crowell, Ray	64/398	08/30/1945	NV
3222	Crutcher, E.W.	37/463	05/05/1892	NV
3223	Crutcher, James G.	37/465	05/05/1892	NV
1295	Cummings, John	34/600	03/21/1879	NV Appl. No. 3
4728	Curtner, Wm. M.	38/113	03/19/1902	NV
3867	Cutter, Samuel M.	34/323	04/15/1898	NV
2288	DeHaven, J.S.	26/245	04/06/1885	NV
1949	DelBanco, N.	25/402	09/27/1883	NV
4729	Downing, Thos. B.	38/115	03/19/1902	NV
2275	Duffy, John	26/232	04/04/1885	NV
3865	Earl, D.W.	34/325	04/15/1898	NV
230	Estill, A.H.	17/184	04/30/1870	NV
4723	Evans, Aaron S.	38/121	04/09/1902	NV
4724	Evans, John A.			NV
4727	Evans, John A.	38/117	03/19/1902	NV
211774	Ewing, Hampton D.	65/576	06/26/1935	USA
114	Eyster, John T.	24/481	12/17/1869	NV
2272	Farrell, James	26/288	04/04/1885	NV
547	Farrell, James	20/442	07/25/1876	USA CERT
2270	Farrell, James			NV
2274	Farrell, John	26/231	04/04/1885	NV
2273	Farrell, Mathew	26/230	04/04/1885	NV
11686	Gallagher, Helen	63/444	07/20/1943	NV
4659	Giroux, Edward D.	37/535	01/01/1902	NV
344	Glasgow, James B.	54/264	04/29/1871	NV
3866	Gott, George A.	34/326	04/15/1898	NV

06415

2786	Grayson, George W.	28/602	10/14/1888	NV
3838	Grimes, John H.	42/5	02/16/1898	NV
980061	Gutches, Charles V.	58/164	05/29/1926	USA Elko 03061
12000	Hamilton, Wm. H.	64/401	08/27/1945	NV
235	Harris, Lew B.	17/195	04/30/1870	NV
9	Harvey, James R.	42/7	06/06/1890	USA Desert Land
4073	Harvey, Robert B.	42/7	07/15/1889	NV
3599	Hatcher, Preston H.	39/205	10/02/1895	NV
2295	Hedges, Cornelius	26/248	04/16/1885	NV
2649	Herman, Martin	28/601	07/14/1887	NV
1098	Hewlett, Wm.			
6856	Higgenson, James	46/159	08/17/1910	NV
639804	Hoffman, Owen S.	54/247	07/08/1918	USA
234	Howison, Edward M.	17/196	04/30/1870	NV
238	Hubbs, Anthony	17/188	04/30/1870	NV
4274	Hughes, Mary J.	37/466	06/07/1900	NV
4209	Hughes, Roland	37/468	06/01/1900	NV
227	Johnson, Grove L.	17/183	04/30/1870	NV
184	Johnson, Joseph G.	24/480	03/17/1870	NV
735	Joy, Helen E.	45/131	04/19/1902	NV
3386	Kemp, William	38/535	02/21/1893	NV
1632	Kitt, Edward John	25/412	10/09/1882	
11684	Laca, Antonia	63/442	07/20/1943	
6859	Lambert, Charles	46/161	08/17/1910	NV
3384	Layton, Aaron			NV
1891	Layton, Aaron	25/194	07/09/1883	NV
1970	Layton, Aaron	25/352	10/15/1883	NV
6302	Layton, Aaron	44/493	04/03/1909	NV
1913	Layton, Albert	25/191	08/11/1883	NV
3869	Layton, Mary	65/574	04/15/1898	NV
1914	Layton, Wm. Henry	25/192	08/11/1883	NV
11994	Levy, Soloman	64/406	08/27/1945	NV
9200	Lohijoy, Benost	53/451	04/29/1919	NV
292	Lyng, Edmond	25/567	03/21/1879	NV
293	Lyng, Edmond	25/566	03/21/1879	NV
1294	Lyng, Edmond	25/567	03/21/1879	NV
4273	Maddux, John P.	57/212	05/29/1900	NV
2283	Manning, James	26/247	04/06/1885	NV
231	Marshall, Thos.	17/189	04/30/1870	NV
33	Martin, Lewis R.			NV
342	McAllister, Archibald T.	19/181	05/02/1871	NV
1097	McAllister, Archibald T.	27/584	10/01/1877	NV
6858	McAninch, Harry	46/160	08/17/1910	NV
4425	McConnell, Charles	36/522	01/28/1901	NV
4633	McConnell, Charles	37/387	11/21/1901	NV
4094	McConnell, Thomas	40/409		NV
4632	McConnell, Thomas	37/385	11/21/1901	NV
1528	McLernon, John	40/20	11/03/1881	NV
3842	McLernon, John	40/14	04/12/1898	NV
4571	McLernon, John	50/643	10/06/1901	NV
2077	Middleton, George A.	25/564	06/05/1884	NV

157	Mitchell, Wm. R.	25/414	02/18/1870	NV
3217	Morse, L.H.	37/470	05/03/1892	NV
11986	Nesmith, Jenks F.	64/413	08/27/1945	NV
4863	Newby, Henry W.	45/133	09/20/1902	NV
3843	Nichols, Charles R.	41/640	04/12/1898	NV
2609	Nichols, Susan	42/3	05/21/1887	NV
11995	Nixon, George S.	64/405	08/27/1945	NV
152	O'Dell, Edwin	28/455	02/18/1870	NV
337	O'Dell, Edwin	28/456	04/25/1871	NV
3090	O'Donnell, Henry	38/531	09/19/1891	NV
2737	O'Donnell, Henry	29/273	07/30/1888	NV
74	O'Neal, George W.	19/509	07/22/1872	Land Office SC
97	O'Neal, George W.	25/561	06/30/1884	USA Homestead
2078	O'Neal, Robert	25/563	06/05/1884	NV
2079	O'Neal, Sarah G.	25/562	06/05/1884	NV
1983	Owen, Wilson J.	27/587	12/04/1883	NV
7481	Pateck, Frederick	49/263	04/08/1913	NV
7482	Pateck, Frederick	49/264	04/08/1913	NV
3046	Paul, Dier S.	30/44	04/09/1891	NV
734	Petree, Orin A.	45/130	04/19/1902	NV
1160	Phippeny, Charles L.	28/602	01/31/1878	NV
775	Phippeny, Charles L.	28/603	07/07/1874	NV
4636	Plant, Benjamin A.	37/383-4	11/21/1901	NV
3049	Pratt, Henry J.	30/47	04/09/1891	NV
3047	Pratt, Henry N.	30/45	04/09/1891	NV
3861	Pratt, Minnie E.	34/329	04/15/1898	NV
3048	Pratt, Morton A.	30/46	04/09/1891	NV
3864	Pratt, Nelson	34/328	04/15/1898	NV
6855	Purdy, James	46/157	08/17/1910	NV
2276	Ralls, W.J.	26/233	04/04/1885	NV
4341	Read, John T.	37/471	10/06/1900	NV
6223	Read, Walter	50/21	11/30/1908	NV
4804	Reil, Ottman	27/48		NV
285	Ritchie, James	26/240	04/06/1885	NV
480	Rosenberg, Charles	49/262	04/08/1913	NV
1141	Ross, John	20/620	12/12/1877	NV
524	Ross, Thomas A.	28/461	02/05/1875	USA Cert No. 524
1114	Ross, Thomas A.			
1101	Samples, E. M.	21/94	10/23/1877	NV
170929	Santa Fe Pacific RR Co.	50/398		
170934	Santa Fe Pacific RR Co.	65/581		
170933	Santa Fe Pacific RR Co.	65/577		
130403	Santa Fe Pacific RR Co.	45/560		
193	Santa Fe Pacific RR Co.	45/606	06/13/1906	USA Sel 14443
194	Santa Fe Pacific RR Co.	50/526		
4396	Schwartz, Robert Hugo	37/358	01/03/1901	NV
7486	Schweitzer, Jacob	49/268	04/08/1913	NV
7487	Schweitzer, Jacob	49/269	04/08/1913	NV
7475	Schweitzer, Moritz	49/258	04/08/1913	NV
3050	Scott, George W.	30/48	04/09/1891	NV
155	Scott, R.H.	28/482	02/18/1870	NV

06415

147	Scott, R.H.	28/481	02/05/1870	NV
2024	Sears, Wm. H.	38/532	02/16/1884	NV
11982	Shainwald, Ralph L.	64/416	08/25/1949	NV Appl. No. 6
237	Shore, John W.	17/190	04/30/1870	NV
11223	Siard, Auguste	59/333		NV
11224	Siard, Auguste	59/334	11/13/1936	NV
11217	Siard, Sylvain	59/326	11/12/1936	NV
738	Siard, Sylvain	45/608		NV
11216	Siard, Sylvain	59/331	11/12/1936	USA
6705	Sisson, Joseph H.	44/638	06/12/1909	NV
4721	Smith, Dudley	38/144	03/19/1902	NV
889953	St. Clair, Wm.	55/305	12/08/1922	USA
2282	Staunton, Michael B.	26/246	04/06/1885	NV
4722	Steele, John R.	38/142	03/19/1902	NV
1653	Stewart, Henry C.	28/427	12-06-1882	NV
1185	Stewart, Henry C.	24/568	04/13/1878	NV
3600	Stewart, John W.	39/204	10/02/1895	NV
3765	Stock, Wilhelmine Jr.			NV
377	Stock, Wm.	20/124	08/07/1871	NV
[illegible]8	Stock, Wm.			NV
3766	Stock, Wm.	34/168	12/03/1897	NV
3860	Strowbridge, Hannah M.	34/330	04/15/1898	NV
3051	Strowbridge, James H.	30/49	04/09/1891	NV
4650	Sullivan, J.M.	12/496	01/16/1950	7612 CON 69/67
1077	Trousdale, Atwell, F.	37/2	05/27/1877	NV
232	Twitchell, E.	17/192	04/30/1870	NV
2949	Vestal, James	46/601	07/01/1890	NV
2289	Walker, George R.	26/244	04/06/1885	NV
4717	Warren, H.	38/147	04/09/1902	NV
75	Watkins, John C.	16/296	08/13/1869	
2523	Weighel, Wm.	27/181	10/04/1886	NV
6292	Wilkinson, Carrie V.	45/137	04/15/1909	NV
6293	Wilkinson, Walter L.	45/138	04/15/1909	NV
[illegible]737	Willatt, Albert	45/132	04/19/1902	NV
[illegible]1985	Wood, Frank G.	64/414	08/25/1945	NV
11987	Wood, Fred B.	64/412	08/27/1945	NV
2286	Woods, Richard Wm.	26/241	04/06/1885	NV