

THE STATE OF NEVADA  
PROOF OF APPROPRIATION OF WATER FOR  
STOCK WATERING PURPOSES

(1) Name of claimant. NORTH FORK CATTLE COMPANY (ATTN: GILBERT AQUIRRE)  
P.O. BOX 9 of SAN JUAN CAPISTRANO  
Street and No. or P.O. Box No. City or town  
CALIFORNIA 92675  
State and Zip Code No.

(2) Source of water. SEE ATTACHED  
Name of natural water source.

(3) The water is diverted by. THE NATURAL CHANNEL, AND SPRING AREAS  
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s). SEE ATTACHED  
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  
reach.

(5) The water is impounded in. THE NATURAL CHANNEL  
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun UNKNOWN  
Date  
and completed UNKNOWN  
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.

(8) The claimant's water right was (was not) recorded in the office of the County Recorder of  
SEE ATTACHED 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 (3).

Sheets 249/A  
037  
EL

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

SEE ATTACHED

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

SEE ATTACHED

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.....

SEE ATTACHED cubic feet per second.  
448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located at...REFER TO ATTACHED SUPPORTING MAP FOR LEGAL DESCRIPTION...  
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

OF NATURAL CHANNEL  
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---NORTH FORK CATTLE COMPANY .....  
are full and correct to the best of his knowledge and belief.

..DEPONENT IS ACTING AS AUTHORIZED AGENT FOR CLAIMANT.....  
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

NORTH FORK CATTLE COMPANY (ATTN: GILBERT AQUIRRE)  
Claimant

*Michael D. Buschelman*  
By MICHAEL D. BUSCHELMAN, P.L.S.

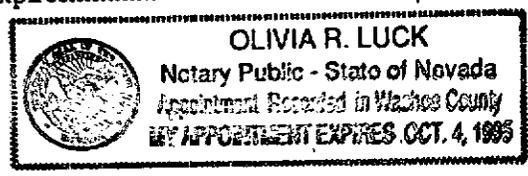
5405 MAE ANNE AVENUE  
Street and No., or P.O. Box No.  
RENO, NEVADA 89523  
City, State, Zip Code No.

Subscribed and sworn to before me this *14th* day of JUNE 1994

*Olivia R. Luck*

Notary Public in and for the County of WASHOE, NEVADA

My commission expires *Oct. 4, 1995*



**\$10 FILING FEE MUST ACCOMPANY PROOF**

ATTACHMENT  
2nd AMENDED  
SERIAL NO. 06588

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

NAME OF CLAIMANT: NORTH FORK CATTLE COMPANY

ITEM NO. 2, ITEM NO. 4 - SOURCE OF WATER, POINT OF DIVERSION

SOURCE: WARM CREEK AND TRIBUTARIES  
POD #1: SE1/4 SW1/4 SECTION 32 T45N, R55E, MDM (WARM & CHICKEN CR.)  
POD #2: SE1/4 SW1/4 SECTION 21 T45N, R55E, MDM (CHICKEN & EAST FORK CHICKEN CR.)

USGS 7.5 MINUTE QUAD: MERRIT MOUNTAIN & WILD HORSE, NEVADA

ITEM NO. 6 - CONSTRUCTION OF DITCH OR OTHER WORKS

BEGUN 1872; COMPLETED 1872

ITEM NO. 8 - RECORDATION OF CLAIMANT'S WATER RIGHT

UNKNOWN

ITEM NO. 9 - LIVESTOCK WATERED BY CLAIMANT IN FIRST YEAR

524 HEAD OF CATTLE - STOCKWATERING SEASON BEGINNING MARCH 15, ENDING OCTOBER 15 OF EACH YEAR.

ITEM NO. 10 - LIVESTOCK WATERED BY CLAIMANT IN SUBSEQUENT YEARS

REFER TO ITEM NO.11

ITEM NO. 11 - AMOUNT OF WATER DIVERTED

THE TOTAL VOLUME OF WATER REQUIRED TO SATISFY THE NEED OF 524 HEAD OF CATTLE IS CALCULATED AS FOLLOWS:

$20 \text{ GALLONS PER DAY} \times 524 \text{ HEAD OF CATTLE} \times 215 \text{ DAYS} = 2,253,200 \text{ GALLONS}$

$20 \text{ GALLONS PER DAY} \times 524 \text{ HEAD OF CATTLE} = 10480 \text{ GALLONS PER DAY}$   
 $10480 \text{ GALLONS PER DAY} = 0.016 \text{ CFS}$

THE RATE OF FLOW WILL BE CONSIDERABLY SMALLER THAN IS NEEDED TO PROVIDE WATER FOR STOCKWATERING PURPOSES, THEREFORE A VOLUME OF WATER IS MORE REPRESENTATIVE OF THE NEEDS OF THE ANIMALS.

**SUPPLEMENT TO PROOF OF APPROPRIATION OF  
WATER FOR STOCK WATERING PURPOSES  
FOR SERIAL NOS.**

**04060, 04061, 04062, 04064, 04071,  
04073, 04074, 04079, 04081, 04082, AND 04083**

The following is to supplement the subject serial number filings by **RANCHO GRANDE, INC.** dated January 27, 1983, being filed in the State Engineer's office on February 11, 1983.

Since the filing of the subject proofs, the waters described therein have been acquired by the undersigned, together with certain improved ranch property which was the winter base for the cattle which established the vested right and the Forest Service grazing permit which encompasses the place of use of the waters.

This supplement is for the purpose of documenting the year of priority claimed in the proofs, the numbers of livestock, and a chain of title to the undersigned.

Year of Priority: The first year of use in the proofs is shown as 1872. This year is documented on Page 354 of that publication entitled, "Nevada's Northeast Frontier" by Patterson, Ulph and Goodwin, which presents a biographical sketch of Daniel Murphy. In that publication, it states:

"As people pressed in, he (Dan Murphy) sought new range and in 1872 he trailed 2500 head of cattle from California to North Fork Country... His vaqueros, driving cattle east along the Humboldt, turned north at the North Fork and established the Rancho Grande. His stock ranged from Rancho Grande to Gold Creek to Lower Diamond A Desert."

Further evidence of numbers of livestock is in the Decree of Distribution of the Estate of Daniel Murphy dated June 15, 1885 and recorded in Book 11 of Miscellaneous Records at Page 547, Elko County, Nevada, which distributes as a portion of his estate Diamond A cattle, being 2600 head, together with lands which were the nucleus of the present Rancho Grande. The portion of that base property is described as follows:

Township 40 North, Range 54 East, MDM

Section 1: S $\frac{1}{2}$ N $\frac{1}{2}$   
Section 2: N $\frac{1}{2}$ N $\frac{1}{2}$ ; S $\frac{1}{2}$ NE $\frac{1}{2}$

Township 40 North, Range 55 East, MDM

Section 5: SW $\frac{1}{2}$ NW $\frac{1}{2}$   
Section 6: N $\frac{1}{2}$ SE $\frac{1}{2}$ ; NE $\frac{1}{2}$ SE $\frac{1}{2}$

Township 41 North, Range 54 East, MDM

Section 15:  $W\frac{1}{2}$   
Section 22:  $W\frac{1}{2}W\frac{1}{2}$   
Section 25:  $SE\frac{1}{4}$ ;  $E\frac{1}{2}SW\frac{1}{4}$   
Section 27:  $W\frac{1}{2}NW\frac{1}{4}$ ;  $SW\frac{1}{4}$   
Section 35:  $SW\frac{1}{4}$

Township 41 North, Range 55 East, MDM

Section 30:  $S\frac{1}{2}SW\frac{1}{4}$

Over the years, the nucleus of that ranch property was added to and ownership of the above-described property came to Rancho Grande, Inc., along with the grazing area within the Gold Creek area previously referred to, which is now situate within the Humboldt National Forest in that parcel known as the Sunflower Flat Allotment. The permit of Rancho Grande, Inc. within that area was acquired by the undersigned and ANTHONY R. MOISO by waiver of grazing permits executed by Rancho Grande, Inc., a successor to Daniel Murphy, of 367 head of cattle to the undersigned and 157 head of cattle to Anthony R. Moiso. Anthony R. Moiso has assigned any interest which he acquired in said sources to the undersigned by document submitted herewith.

The numbers claimed in the original submission of the proofs were for the total priority as established by Daniel Murphy within the Gold Creek area. As the undersigned acquired that portion of the total priority, or 524 head of cattle, the claim of the undersigned is 524 head of cattle on each of the sources for the period of March 15 to October 15 of each year, and .016 cubic feet per second.

The actual use on each source varies according to a grazing management plan in effect during any particular grazing season.

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**ITEM NO. 2, ITEM NO. 4 - SOURCE OF WATER, POINT OF DIVERSION**

**SOURCE: WARM CREEK AND TRIBUTARIES  
POD #1: XX1/4 XX1/4 SECTION X TXXN, RXXE, MDM.**

**ITEM NO. 11 - AMOUNT OF WATER DIVERTED**

**THE TOTAL VOLUME OF WATER REQUIRED TO SATISFY THE NEED OF XXX HEAD OF CATTLE, XXX HEAD OF HORSES, XXX HEAD OF SHEEP IS CALCULATED AS FOLLOWS:**

**20 GALLONS PER DAY X # OF CATTLE X # OF DAYS =**

**20 GALLONS PER DAY X # OF HORSES X # OF DAYS =**

**4 GALLONS PER DAY X # OF SHEEP X # OF DAYS =**

**THE RATE OF FLOW WILL BE CONSIDERABLY SMALLER THAN IS NEEDED TO PROVIDE WATER FOR STOCKWATERING PURPOSES, THEREFORE A VOLUME OF WATER IS MORE REPRESENTATIVE OF THE NEEDS OF THE ANIMALS.**

**INFORMATION IS NOT AVAILABLE AT THIS TIME BUT WILL BE PROVIDED IN THE NEAR FUTURE**

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

**NAME OF CLAIMANT: NORTH FORK CATTLE COMPANY**

**ITEM NO. 8 - RECORDATION OF CLAIMANT'S WATER RIGHT**

INFORMATION IS NOT AVAILABLE AT THIS TIME BUT WILL BE PROVIDED IN THE NEAR FUTURE IF DOCUMENTATION CAN BE LOCATED.

**ITEM NO. 9 - LIVESTOCK WATERED BY CLAIMANT IN FIRST YEAR**

INFORMATION NOT RESEARCHED AS OF THIS DATE

**ITEM NO. 10 - LIVESTOCK WATERED BY CLAIMANT IN SUBSEQUENT YEARS**

INFORMATION NOT YET RESEARCHED, BUT WILL BE PROVIDED UPON REQUEST