Serial No. 07064

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant Jose Barinaga Trust, Marilyn R. Barinaga- Trustee & Marilyn R. Barinaga

854 E. 3600 North (Street and No. or P. O. Box No.) of Castleford (City or Town)

Idaho 83321 (State and Zip Code No.)

(2) Source of water Upper Coyote Spring (Name of natural water source)

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

(4) The water is diverted at the following point(s) A point located within the SW¼SE¼ of Section 3 (Describe as being within a 40-acre subdivision on public survey, and by course and distance to a section corner. If on unsurveyed land it should be stated.)

T.47N., R.60E. M.D.B.&M. from which the SE corner of Section 3, T.47N., R60E. M.D.B.&M. (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.)

bears ~~N~~ S 77°46'00" ~~W~~ E a distance of 1,510.0 feet.

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

(6) The construction of the ditch or other works was begun 1931 (Date)

and completed Present (Date)

(7) The nature of the claimant's title to the land upon which the source of water and place or use are located is BLM Allotment No. 01066 (Patented, deeded, public domain with grazing permit, etc.)

(8) The Claimant's water right xxx (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)

39-EL

07064

(9) The approximate number of animals watered by the claimant during the first year 1871 (Date)

was 10,000-15,000 cattle 5000-7000 horses >30,000 sheep or wildlife (describe) _____ (Other)

The watering was conducted during each of the following months April 1 through November 30

(10) The approximate number of animals watered by claimant in subsequent years was as follows:
3000 head of sheep or 300 head of cattle from June 1 - October 7

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 _____ cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at Same as POD location

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

Remarks See enclosed copies of the following affidavits and publications; original copies were submitted under Brackett Livestock Inc. Proofs 06955-06995:

1. Affidavit of Noy Elbert Brackett Jr. II
2. Affidavit of Clare N. Mahannah
3. "Sixty Years of Cooperation" published in 1977 by the "71" Livestock Association in cooperation with the U.S. Department of Agriculture, U.S. Forest Service and the U.S. Department of Interior, Bureau of Land Management.

Remarks

07064

The undersigned, being duly sworn, deposes and says that the facts relative to the appropriation of water by Jose Barinaga Trust, Marilyn R. Barinaga- Trustee & Marilyn R. Barinaga 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.

Jose Barinaga Trust, Marilyn R. Barinaga- Trustee & Marilyn R. Barinaga
Claimant

Telephone No. (208) 537-6645

By Clare N. Mahannah
Clare N. Mahannah, P.E.
P.O. Box 9066
Street and No., or P.O. Box No.
Reno, NV 89507
City, State, Zip Code No.

Telephone No. (747) 747-1100

BONNIE M. URBANCIC
Notary Public - State of Nevada
Appointment Recorded in Washoe County
MY APPOINTMENT EXPIRES JAN. 15, 1998

Subscribed and sworn to before me this 14TH day of JUNE, 19 95.

Bonnie M. Urbancic

Notary Public in and for the County of WASHOE

My commsision expires 1/15/98

$50 FILING FEE MUST ACCOMPANY PROOF