Serial No. 09014

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant Bidart Brothers

34741 Seventh Standard Road of Bakersfield
Street and No. or P.O. Box No. City or town

California 93312-9452
State and Zip Code No.

(2) Source of water See Attachment
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)
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.

See Attachment
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 within 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 Attachment 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.....,
Date

was.....cattle.....horses.....sheep or wildlife (describe).....
Other

The watering was conducted during each of the following months.....

See Attachment

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

See Attachment

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 Attachment cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at Refer to Attached Supporting Map for Legal
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Description of Natural Channel

Remarks.....

Remarks

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

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.

Bidart Brothers

Claimant

Telephone No. (805) 399-9121

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.

Telephone No. (702) 747-8550

Subscribed and sworn to before me this 6TH day of March, 1998.

Suzan L. Allsopp

Notary Public in and for the County of Washoe

My commission expires Jan. 22, 2001

$50 FILING FEE MUST ACCOMPANY PROOF

SUZAN L. ALLSOPP
Notary Public - State of Nevada
Appointment Recorded in County of Washoe
My Appointment Expires Jan. 22, 2001
97-0014-2

ATTACHMENT

SERIAL NO._____

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

NAME OF CLAIMANT: **BIDART BROS.**

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

SOURCE: JERRITT CANYON CREEK AND TRIBUTARIES
JERRITT CANYON CREEK IS TRIBUTARY TO SOUTH FORK OF OWYHEE RIVER

POD #1: LOT 13 SECTION 3 T40N R53E, MDM.
POD #2: LOT 11 SECTION 3 T40N R53E, MDM.
POD #3: LOT 7 SECTION 3 T40N R53E, MDM.
POD #4: LOT 8 SECTION 3 T40N R53E, MDM.
POD #5: SE1/4 SW1/4 SECTION 2 T40N R53E MDM.
POD #6: SW1/4 SW1/4 SECTION 2 T40N R53E MDM.
POD #7: SW1/4 SE1/4 SECTION 3 T40N R53E MDM.
POD #8: NE1/4 SE1/4 SECTION 10 T40N R53E MDM.
POD #9: SE1/4 SW1/4 SECTION 3 T40N R53E MDM.
POD #10: NE1/4 SW1/4 SECTION 32 T41N R53E MDM. (SPRING)

USGS 7.5 MINUTE QUAD: JACKS PEAK, NEVADA, MAHALA CREEK WEST, NEVADA AND CALIFORNIA MOUNTAIN, NEVADA.

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

UNKNOWN

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

UNKNOWN

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 1250 HEAD OF SHEEP IS CALCULATED AS FOLLOWS:

4 GALLONS PER DAY X 1250 HEAD OF SHEEP X 180 OF DAYS = 900000 GALLONS PER YEAR.

4 GALLONS PER DAY X 1250 HEAD OF SHEEP = 5000 GALLONS PER DAY
5000 GALLONS PER DAY = 0.008 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.