

STATE OF NEVADA DOMESTIC/STOCK PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Unnamed Spring

The water is diverted from its source Concrete Spring box & Pipeline

at the following point(s) SE 1/4 SW 1/4, Section 24, T.32N., R.17E., M.D.B. & M., or at a point from which the SE Corner of Section 32, T.32N., R.18E., M.D.B. & M., bears S. 35° 41' 47" E., a distance of 13,892.9 feet

[Empty dotted lines for additional source or point information]

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- (1) Name of claimant Jackrabbit Properties, LLC, a Nevada limited liability company
Address 4005 Quail Rock Lane, Reno, County of Washoe
State of Nevada Telephone No. (775) 825-1888
(2) The means of diversion employed Improved Spring and pipeline to place of use
(3) The date of the survey of ditch, canal, or pipe line was April 27, 2009
(4) The construction of the ditch or other works was begun Approximately 1870 and completed 1870
(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom ... feet, width on top... feet, depth... feet, on a grade of ... feet per thousand feet.
(6) The conduit has not been enlarged.
(7) The work of enlargement of the ditch or canal was begun ... and completed ...
(8) The dimensions of the ditch or canal as enlarged are: Width on bottom ... feet, width on top ... feet, depth... feet, on a grade of ... feet per thousand feet.
(9) The claimant is owner in the above-described conduit.

Both spring diversion and pipeline are located on lands owned by Jackrabbit Properties, LLC

(10) The nature of the title to the land for which the water right is claimed is fee simple

(11) Crops of Garden vegetables
have been grown upon the land irrigated. (e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)

(12) The water has been used for irrigation from January 1 Day of month to December 31 Day of month of each year.

(13) List the year of priority for acreage's irrigated prior to March 1, 1905, from all points of diversion previously described, with corresponding subdivisions, appending extra sheets if necessary.

<u>1870</u> Year.	<u>1.0</u>	acres in the	<u>E 1/2 SW 1/4</u>	of Sec	<u>30</u>	, T. <u>32 N.</u>	, R. <u>18</u>	<u>E.</u>
.....	acres in the	of Sec	, T.	, R.	E.
.....	acres in the	of Sec	, T.	, R.	E.
.....	acres in the	of Sec	, T.	, R.	E.
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.....	acres in the	of Sec	, T.	, R.	E.

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(14) The maximum acreage irrigated in any year was 1.0 acre.

(15) The water claimed has been used for irrigation each and every year since the right was initiated.

(16) The years during which no water was used for irrigation of during which the full water right was not used

were: Water has been continuously used for Domestic and Garden use since establishment of the ranch

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, appending a sheet if necessary

(17) The claimant's water right was recorded in the office of the County Recorder of

Lassen County County, said record being at page 112 of Book _____ of

and being a claim for one (1) miner's inch

of water for the irrigation of _____

acres of land in the following legal subdivisions:

Section 30, T.32N., R.18E., M.D.B. & M.

RECORDED
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Note-Failure to record in the county in no way invalidates a water right, but if ditch or right was so recorded, supply full information under (17)

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation:

Domestic and Stockwater use

(19) The character of the soil is Gravelly loam A continuous flow of 0.10 cubic

(Sandy, gravelly, loam)

feet of water per second has been used to irrigate 1.0 acres of land and 4 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks Water has been diverted from an Unnamed Spring for Garden, Domestic & Stockwater use since approximately 1870 when the Smoke Creek Ranch was settled. Water is developed in an 8' x 8' x 4' concrete box with a 3" outlet pipe and was originally conveyed via a bolted steel pipe 6,500 feet to the Ranch Headquarters located within the E 1/2 SW 1/4, Sec. 30, T. 32N., R. 18E., M.D.B.&M. Water supplied three houses, outbuildings, stables and a garden plot. Total consumptive use is calculated as follows:

Houses: 1,800 GPD x 3 = 6.06 acre-feet

Garden: 1 acre x 4 af/acre = 4.00 acre-feet

Bunkhouse: 1,800 GPD = 2.02 acre-feet

Stock: 25 horses x 20 GPD = 0.56 acre-feet

Total: 12.64 acre-feet

Proof 09299 was originally filed by Rock Springs Ranches, LLC in 2001. Jackrabbit Properties, LLC is the successor in interest to Rock Springs Ranches, LLC. Although this water has been continuously used since the Smoke Creek Ranch was first settled around 1870, it was not until 1913 that the Nevada & California Land & Livestock Company filed a claim to this water in Lassen County, California. Water is developed from a source located in California but used in Nevada. A copy of this claim, citing use by the aforementioned Claimant and its predecessors in interest for more than ten years is included with this 2nd Amended Proof

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 PROOF

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Jackrabbit Properties, LLC, a Nevada limited liability company are full and correct to the best of his knowledge and belief. Deponent is an employee of TEC 1, Inc. TEC 1, Inc. has been hired by the Claimant to prepare this proof.

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

Gregory M. Bilyeu

9480 Double Diamond Pkwy, Suite 200, Reno NV, 89521

Telephone Number (775) 352-7800



Subscribed and sworn to before me this 16 day of May, 2009

Antonette K. Morrison

Notary Public in and for the County of Washoe

My commission expires February 8, 2012