

THE STATE OF NEVADA PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source: Reese River Name of natural water source (use separate proofs for each major source)

The water is diverted from its source As listed on attachment - See Item 1 Name of ditch, flume or pipe line NW NE

at the following point(s): See attachment #1 List all points of diversion from this source, appending a sheet if nec

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner.

SEC 19
19th 43E7

(1) Name of Claimant: Silver Creek Ranch, Inc., a Nevada corporation County of Lander

Address: HC61 Box 61230, Austin

State of: Nevada Telephone No. (775) 964-2541

(2) The means of diversion employed Dams and Ditches Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was: Unknown

(4) The construction of the ditch or other works was begun: See attachment #2
and completed: Unknown

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom: See attachment #2
feet, width on top: _____ feet, depth: _____ feet, on a grade of _____ feet per thousand feet.

(6) The conduit has not been enlarged.
[NOTE--If enlargement or extension of ditch was made, supply information under (7) and (8).]

(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 an owner in the above-described conduit.
100%
_____ is an owner in the conduit, state interest held on this line

16) The years during which no water was used for irrigation or during which the full water right was not used were To the best information and belief of claimant water used to the full extent available each year
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 Lander
County, said record being at page 234 of Book A of
Water Rights, and being a claim for 1,870 cubic inches of water
under pressure of 6 cubic inches of water for the irrigation of 1,870
acres of land in the following legal subdivisions: As per attached description and chain sheet on private
lands - attachment #4. Plus that irrigated on public lands under a grazing permit issued by the Bureau of
Land Management.

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 livestock water 1/1 through 12/31

(19) The character of the soil is ---
(Sandy, gravelly, loam). A continuous flow of --- cubic
feet of water per second has been used to irrigate --- acres of land and ---
acre-feet per acre per annum have been used to irrigate the crops. See attachment #5

(20) Remarks:

See Attachment #6

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Silver Creek Ranch, Inc. are full and correct to the best of his knowledge and belief.

Deponent is representing claimant as its attorney

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

GOICOECHEA, DI GRAZIA, COYLE & STANTON, LTD.

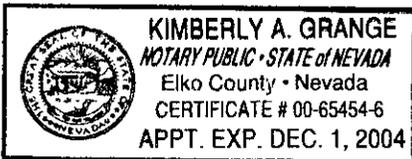
By: Robert B. Goicoechea

ROBERT B. GOICOECHEA

Telephone No. (775) 738-8091

STATE OF NEVADA)
)ss.
COUNTY OF ELKO)

Subscribed and sworn to before me this 9th day of August, 2002, by ROBERT B. GOICOECHEA



Kimberly A. Grange
NOTARY PUBLIC

\$100.00 FILING FEE MUST ACCOMPANY PROOF

ATTACHMENT #1 TO PROOF OF APPROPRIATION OF WATER FOR IRRIGATION
CLAIMANT: SILVER CREEK RANCH, INC.
ORIGINAL CLAIMANT: EMANUEL CATON
LOCATION OF POINTS OF DIVERSION

P.O.D.#	DITCH NAME	LOCATION			TIE TO SECTION CORNER	
		Subdivision	Sec.	T(N) R(E)		
2	Jones #1	NW ¹ / ₄ NE ¹ / ₄	19	19	43	N64° 46' 09"E - 2074.17' to NE corner Sec. 19, T19N, R43E
3	Fortuna #1	NW ¹ / ₄ SE ¹ / ₄	8	19	43	S64° 54' 09"W - 3,444.00' to SW corner Sec. 8, T19N, R43E
4	Jacobs	NW ¹ / ₄ SE ¹ / ₄	8	19	43	S62° 47' 51"W - 3702.37' to SW corner Sec. 8, T19N, R43E
5	Fortuna #2	NW ¹ / ₄ SW ¹ / ₄	9	19	43	S68° 22' 09"W - 6079.78' to SW corner Sec. 8, T19N, R43E
6	Caton	SW ¹ / ₄ NW ¹ / ₄	9	19	43	N73° 26' 57"E - 4691.70' to NE corner of Sec. 9, T19N, R43E
7	Fortuna #3	NW ¹ / ₄ NW ¹ / ₄	9	19	43	N81° 44' 08"E - 4170.74' to NE corner of Sec. 9, T19N, R43E
8	Henry Ditch	SE ¹ / ₄ SW ¹ / ₄	4	19	43	S73° 22' 40"E - 3579.63' to NE corner of Sec. 9, T19N, R43E
8	Henry Ditch #2	SE ¹ / ₄ SW ¹ / ₄	4	19	43	S73° 22' 40"E - 3579.63' to NE corner of Sec. 9, T19N, R43E
9	Henry Ditch #3	SE ¹ / ₄ NW ¹ / ₄	4	19	43	N48° 55' 43"E - 3883.23' to NE corner of Sec. 4, T19N, R43E
10	Jacobs #2	SW ¹ / ₄ SE ¹ / ₄	33	20	43	S78° 15' 19"E - 2405.89' to SE corner of Sec. 33, T20N, R43E
11	Jacobs #3	SW ¹ / ₄ SE ¹ / ₄	33	20	43	S65° 42' 30"E - 2317.65' to SE corner of Sec. 33, T20N, R43E
12	Davis #1	NW ¹ / ₄ NE ¹ / ₄	33	20	43	S27° 40' 42"E - 5302.64' to SE corner of Sec. 33, T20N, R43E
12	Davis #2	NW ¹ / ₄ NE ¹ / ₄	33	20	43	S27° 40' 42"E - 5302.64' to SE corner of Sec. 33, T20N, R43E
13	Gilman #1	SW ¹ / ₄ SE ¹ / ₄	20	20	43	S54° 50' 40"E - 2024.01' to SE corner of Sec. 20, T20N, R43E

14	Gilman #2	SE $\frac{1}{4}$ /SE $\frac{1}{4}$	18	20	43	S40°
15	---	SE $\frac{1}{4}$ /SE $\frac{1}{4}$	18	20	43	S40°
16	Davis & Sherman	NE $\frac{1}{4}$ /SE $\frac{1}{4}$	36	21	42	S43°
17	Davis & Sherman #2	Lot 4	30	21	43	S89°
18	---	Lot 1	30	21	43	S55°
19	---	Lot 4	19	21	43	N53°
20	---	NE $\frac{1}{4}$ /SE $\frac{1}{4}$	12	21	43	N61°
21	Crawford #1	NE $\frac{1}{4}$ /NE $\frac{1}{4}$	12	21	43	N79°
22	Crawford 2, 3 & 4, Mowlds & Mowlds 2	NE $\frac{1}{4}$ /SE $\frac{1}{4}$	1	21	42	S75°
23	Taber, Taber 2 & 3	SE $\frac{1}{4}$ /NE $\frac{1}{4}$	1	21	42	N10°

**ATTACHMENT #2
TO
PROOF OF APPROPRIATION FOR WATER FOR IRRIGATION
CLAIMANT: SILVER CREEK RANCH, INC.
ORIGINAL CLAIMANT: EMANUEL CATON
SOURCE: REESE RIVER**

Item 4:

There are twenty-five (25) ditches included in the ditch claim by Emanuel Caton associated with this proof with construction beginning on the following dates:

<u>Name of Ditch</u>	<u>Date</u>
Fortuna No. 1 Ditch	March 1, 1863
Jacobs Ditch	March 1, 1863
Fortuna No. 2 Ditch	April 1, 1863
Fortuna No. 3 Ditch	March 1, 1863
Caton Ditch	February 1, 1883
Henry Ditch	June 1, 1866
Henry No. 2 Ditch	June 1, 1866
Henry No. 3 Ditch	April 1, 1866
Jacobs No. 2 Ditch	March 1, 1863
Jacobs No. 3 Ditch	April 1, 1863
Davis No. 1 Ditch	May 10, 1867
Davis No. 2 Ditch	April 1, 1867
Gilman No. 1 Ditch	May 1, 1864
Gilman No. 2 Ditch	April 1, 1864
Davis & Sherman Ditch	May 1, 1864
Davis & Sherman No. 2 Ditch	April 1, 1863
Crawford No. 1 Ditch	May 1, 1864
Crawford No. 2 Ditch	April 1, 1864
Mowlds Ditch	June 1, 1864
Mowld's No. 2 Ditch	May 1, 1864
Crawford No. 3 Ditch	May 1, 1864
Crawford No. 4 Ditch	March 1, 1864
Taber No. 1 Ditch	June 1, 1864
Taber No. 2 Ditch	March 1, 1864
Taber No. 3 Ditch	May 10, 1864

Item 5:

Dimensions as originally constructed.

<u>Ditch Name</u>	<u>Width on Bottom</u>	<u>Width on Top</u>	<u>Depth</u>	<u>Grade¹</u>
Fortuna No. 1 Ditch	3'	---	.83'	1.25"
Jacobs Ditch	4'	---	.83'	1.0"
Fortuna No. 2 Ditch	4.6'	---	1.0'	0.75"
Fortuna No. 3 Ditch	4'	---	1.5'	1.75"
Caton Ditch	2.5'	---	1.25'	1.25"
Henry Ditch	5'	---	1.0'	1.75"
Henry No. 2 Ditch	3'	---	1.0'	2.0"
Henry No. 3 Ditch	3.5'	---	1.0'	1.75"
Jacobs No. 2 Ditch	5'	---	1.66'	2.5"
Jacobs No. 3 Ditch	5'	---	.83'	1.5"
Davis No. 1 Ditch	2'	---	.83'	2.5"
Davis No. 2 Ditch	2.5'	---	1.66'	1.75"
Gilman No. 1 Ditch	3.5'	---	1.66'	0.75"
Gilman No. 2 Ditch	5'	---	1'	2.5"
Davis & Sherman Ditch	5'	---	1'	1"
Davis & Sherman No. 2	4'	---	1'	1.5"
Crawford No. 1 Ditch	2'	---	.83'	1"
Crawford No. 2 Ditch	3'	---	.83'	2"
Mowlds Ditch	1.83'	---	.91'	1"
Mowld's No. 2 Ditch	2'	---	.83'	1"
Crawford No. 3 Ditch	2'	---	.83'	1.75"
Crawford No. 4 Ditch	2'	---	.83'	1.25"
Taber No. 1 Ditch	2'	---	.66'	1"
Taber No. 2 Ditch	2'	---	.66'	1"
Taber No. 3 Ditch	1.66'	---	0.5'	1.75"

¹All grade expressed in inches per rod

**ATTACHMENT #3
TO
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION
CLAIMANT: SILVER CREEK RANCH, INC.
ORIGINAL CLAIMANT: EMANUEL CATON**

Item 13:

The year of priority for acreage irrigated prior to 1905 from points of diversion described in Attachment #1.

<u>Year</u>	<u>Acres</u>	<u>Parcel</u>	<u>Section</u>	<u>Township(N)</u>	<u>Range(E)</u>
<u>Jones #1 Ditch (See Remarks) (P.O.D. 2)</u>					
<u>Private Land:</u>					
1867	19.63	SE $\frac{1}{4}$ NW $\frac{1}{4}$	17	19	43
1867	33.20	NE $\frac{1}{4}$ NW $\frac{1}{4}$	17	19	43
1867	20.92	SE $\frac{1}{4}$ SW $\frac{1}{4}$	8	19	43
1867	1.45	SW $\frac{1}{4}$ SE $\frac{1}{4}$	8	19	43
<u>Public Land:</u>					
1867	9.97	SW $\frac{1}{4}$ NW $\frac{1}{4}$	17	19	43
1867	0.65	NW $\frac{1}{4}$ NW $\frac{1}{4}$	17	19	43
1867	<u>6.5</u>	NE $\frac{1}{4}$ SW $\frac{1}{4}$	8	19	43
Total:	92.32 - Harvest				

Fortuna #1, 2 & 3, Jacobs Ditch (P.O.D. 3, 4, 5 &6)

<u>Year</u>	<u>Acres</u>	<u>Parcel</u>	<u>Section</u>	<u>Township(N)</u>	<u>Range(E)</u>
<u>Private Land:</u>					
1863	0.44	SE $\frac{1}{4}$ SE $\frac{1}{4}$	8	19	43
1863	27.94	NW $\frac{1}{4}$ SE $\frac{1}{4}$	8	19	43
1863	37.53	NE $\frac{1}{4}$ SE $\frac{1}{4}$	8	19	43
1863	28.70	SE $\frac{1}{4}$ NE $\frac{1}{4}$	8	19	43
1863	15.14	NW $\frac{1}{4}$ SW $\frac{1}{4}$	9	19	43
1863	35.88	SW $\frac{1}{4}$ NW $\frac{1}{4}$	9	19	43
1863	15.41	SE $\frac{1}{4}$ NW $\frac{1}{4}$	9	19	43
1863	17.72	NE $\frac{1}{4}$ NW $\frac{1}{4}$	9	19	43
1863	1.62	NW $\frac{1}{4}$ NE $\frac{1}{4}$	9	19	43
1863	21.20	SE $\frac{1}{4}$ SW $\frac{1}{4}$	4	19	43
1863	8.70	SW $\frac{1}{4}$ SE $\frac{1}{4}$	4	19	43

Public Land:

1863	1.66	NE $\frac{1}{4}$ SW $\frac{1}{4}$	8	19	43
1863	0.98	SW $\frac{1}{4}$ NE $\frac{1}{4}$	8	19	43
1863	<u>6.00</u>	SW $\frac{1}{4}$ SW $\frac{1}{4}$	4	19	43
Total:	194.66 - Harvest				
	<u>24.26</u> - Diversified Pasture				
	218.92				

<u>Year</u>	<u>Acres</u>	<u>Parcel</u>	<u>Section</u>	<u>Township(N)</u>	<u>Range(E)</u>
<u>Caton Ditch (P.O.D. 7)</u>					
<u>Private Land:</u>					
1883	16.35	NW $\frac{1}{4}$ NW $\frac{1}{4}$	9	19	43
1883	16.06	NE $\frac{1}{4}$ NW $\frac{1}{4}$	9	19	43
1883	<u>1.60</u>	SE $\frac{1}{4}$ SW $\frac{1}{4}$	4	19	43
Total:	34.01 - Harvest				
<u>Henry, Henry 2 & 3 Ditches (P.O.D. 8 & 9)</u>					
<u>Private Land:</u>					
1866	15.01	SE $\frac{1}{4}$ SW $\frac{1}{4}$	4	19	43
1866	11.32	SW $\frac{1}{4}$ SE $\frac{1}{4}$	4	19	43
1866	28.23	NE $\frac{1}{4}$ SW $\frac{1}{4}$	4	19	43
1866	35.38	NW $\frac{1}{4}$ SE $\frac{1}{4}$	4	19	43
1866	19.38	SE $\frac{1}{4}$ NW $\frac{1}{4}$	4	19	43
1866	40.25	SW $\frac{1}{4}$ NE $\frac{1}{4}$	4	19	43
1866	3.58	Lot 3	4	19	43
1866	40.57	Lot 2	4	19	43
1866	8.06	SE $\frac{1}{4}$ SW $\frac{1}{4}$	33	20	43
1866	16.20	SW $\frac{1}{4}$ SE $\frac{1}{4}$	33	20	43
<u>Public Land:</u>					
1866	4.79	SE $\frac{1}{4}$ NE $\frac{1}{4}$	4	19	43
1866	11.75	Lot 1	4	19	43
1866	<u>0.60</u>	SE $\frac{1}{4}$ SE $\frac{1}{4}$	33	20	43
Total:	196.47 - Harvest				
	11.79 - Pasture				
	<u>26.86</u> - Diversified Pasture				
	235.12				

Jacobs 2 & 3 Ditches (P.O.D. 10 & 11)Private Land:

1863	8.03	SE $\frac{1}{4}$ SW $\frac{1}{4}$	33	20	43
1863	23.89	SW $\frac{1}{4}$ SE $\frac{1}{4}$	33	20	43
1863	22.36	NE $\frac{1}{4}$ SW $\frac{1}{4}$	33	20	43
1863	31.92	NW $\frac{1}{4}$ SE $\frac{1}{4}$	33	20	43
1863	10.13	SE $\frac{1}{4}$ NW $\frac{1}{4}$	33	20	43
1863	38.62	SW $\frac{1}{4}$ NE $\frac{1}{4}$	33	20	43
1863	5.82	NE $\frac{1}{4}$ NW $\frac{1}{4}$	33	20	43
1863	19.49	NW $\frac{1}{4}$ NE $\frac{1}{4}$	33	20	43

Public Land:

1863	5.14	SE $\frac{1}{4}$ SE $\frac{1}{4}$	33	20	43
1863	0.22	NE $\frac{1}{4}$ SE $\frac{1}{4}$	33	20	43
1863	<u>2.54</u>	SE $\frac{1}{4}$ NE $\frac{1}{4}$	33	20	43

Total: 163.02 - Harvest
 -0- - Pasture
5.14 - Diversified pasture
 168.16

Davis 1 & 2 Ditches (P.O.D. #11)Private Land:

1867	4.20	NE $\frac{1}{4}$ NW $\frac{1}{4}$	33	20	43
1867	6.28	NW $\frac{1}{4}$ NE $\frac{1}{4}$	33	20	43
1867	31.63	SE $\frac{1}{4}$ SW $\frac{1}{4}$	28	20	43
<u>Year</u>	<u>Acres</u>	<u>Parcel</u>	<u>Section</u>	<u>Township(N)</u>	<u>Range(E)</u>
1867	16.08	SW $\frac{1}{4}$ SE $\frac{1}{4}$	28	20	43
1867	39.98	NE $\frac{1}{4}$ SW $\frac{1}{4}$	28	20	43
1867	6.89	NW $\frac{1}{4}$ SE $\frac{1}{4}$	28	20	43
1867	21.10	SW $\frac{1}{4}$ NW $\frac{1}{4}$	28	20	43
1867	18.11	SE $\frac{1}{4}$ NW $\frac{1}{4}$	28	20	43
1867	22.68	NW $\frac{1}{4}$ NW $\frac{1}{4}$	28	20	43
1867	1.81	NE $\frac{1}{4}$ NE $\frac{1}{4}$	29	20	43

Public Land:

1867	6.99	NW $\frac{1}{4}$ SW $\frac{1}{4}$	28	20	43
1867	<u>3.62</u>	NE $\frac{1}{4}$ NW $\frac{1}{4}$	28	20	43

Total: 179.37 - Harvest

Gilman # 1 & 2 (P.O.D. 13, 14 & 15)Private Land:

1864	3.68	SW $\frac{1}{4}$ SE $\frac{1}{4}$	20	20	43
1864	1.24	NE $\frac{1}{4}$ SW $\frac{1}{4}$	20	20	43
1864	10.02	NW $\frac{1}{4}$ SE $\frac{1}{4}$	20	20	43
1864	7.51	SE $\frac{1}{4}$ NW $\frac{1}{4}$	20	20	43
1864	4.28	NW $\frac{1}{4}$ NW $\frac{1}{4}$	20	20	43
1864	5.70	SE $\frac{1}{4}$ SE $\frac{1}{4}$	18	20	43
1864	3.91	NW $\frac{1}{4}$ SE $\frac{1}{4}$	18	20	43
1864	26.92	SW $\frac{1}{4}$ NE $\frac{1}{4}$	18	20	43
1864	21.67	NW $\frac{1}{4}$ NE $\frac{1}{4}$	18	20	43
1864	19.99	SE $\frac{1}{4}$ SW $\frac{1}{4}$	7	20	43
1864	30.50	NE $\frac{1}{4}$ SW $\frac{1}{4}$	7	20	43
1864	8.91	SE $\frac{1}{4}$ NW $\frac{1}{4}$	7	20	43
1864	2.55	Lot 1	7	20	43

Public Land:

1864	3.92	NE $\frac{1}{4}$ NW $\frac{1}{4}$	20	20	43
1864	3.81	NE $\frac{1}{4}$ NE $\frac{1}{4}$	19	20	43
1864	0.11	SW $\frac{1}{4}$ SW $\frac{1}{4}$	17	20	43
1864	0.32	SE $\frac{1}{4}$ NE $\frac{1}{4}$	18	20	43
1864	0.28	Lot 5	18	20	43
1864	10.36	NE $\frac{1}{4}$ SE $\frac{1}{4}$	18	20	43
1864	11.10	Lot 15	7	20	43
1864	6.55	Lot 13	7	20	43
1864	2.34	Lot 12	7	20	43
1864	21.01	Lot 8	7	20	43
1864	0.04	Lot 7	7	20	43

Total: 160.32 - Pasture
46.40 - Diversified pasture
206.72

Private Land: (P.O.D. 18 through 23, inclusive)

1864	10.01	NE $\frac{1}{4}$ SE $\frac{1}{4}$	36	21	42
1864	18.48	SE $\frac{1}{4}$ NE $\frac{1}{4}$	36	21	42
1864	25.69	NE $\frac{1}{4}$ NE $\frac{1}{4}$	36	21	42
1864	25.87	SE $\frac{1}{4}$ SE $\frac{1}{4}$	25	21	42
<u>Year</u>	<u>Acres</u>	<u>Parcel</u>	<u>Section</u>	<u>Township(N)</u>	<u>Range(E)</u>
1864	25.17	NE $\frac{1}{4}$ SE $\frac{1}{4}$	25	21	42
1864	26.60	SE $\frac{1}{4}$ NE $\frac{1}{4}$	25	21	42
1864	22.90	NE $\frac{1}{4}$ NE $\frac{1}{4}$	25	21	42
1864	26.11	SE $\frac{1}{4}$ SE $\frac{1}{4}$	24	21	42
1864	38.29	NE $\frac{1}{4}$ SE $\frac{1}{4}$	24	21	42
1864	40.41	SE $\frac{1}{4}$ NE $\frac{1}{4}$	24	21	42

1864	39.43	NE $\frac{1}{4}$ NE $\frac{1}{4}$	24	21	42
1864	31.85	SE $\frac{1}{4}$ SE $\frac{1}{4}$	13	21	42
1864	2.17	NE $\frac{1}{4}$ SE $\frac{1}{4}$	13	21	42
1864	7.98	NE $\frac{1}{4}$ SE $\frac{1}{4}$	12	21	42
1864	38.27	SE $\frac{1}{4}$ NE $\frac{1}{4}$	12	21	42
1864	8.07	SW $\frac{1}{4}$ NE $\frac{1}{4}$	12	21	42
1864	36.17	NE $\frac{1}{4}$ NE $\frac{1}{4}$	12	21	42
1864	12.20	NW $\frac{1}{4}$ NE $\frac{1}{4}$	12	21	42
1864	11.42	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1	21	42
1864	24.11	SE $\frac{1}{4}$ SE $\frac{1}{4}$	1	21	42
1864	8.60	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1	21	42
1864	27.84	NE $\frac{1}{4}$ SE $\frac{1}{4}$	1	21	42
1864	22.60	SE $\frac{1}{4}$ NE $\frac{1}{4}$	1	21	42
<u>Public Land:</u>					
1864	11.41	Lot 2	31	21	43
1864	20.18	Lot 1	31	21	43
1864	26.58	Lot 4	30	21	43
1864	32.39	Lot 3	30	21	43
1864	35.72	Lot 2	30	21	43
1864	38.43	Lot 1	30	21	43
1864	0.06	NE $\frac{1}{4}$ NW $\frac{1}{4}$	30	21	43
1864	40.27	Lot 4	19	21	43
1864	2.58	SE $\frac{1}{4}$ SW $\frac{1}{4}$	19	21	43
1864	40.28	Lot 3	19	21	43
1864	6.11	NE $\frac{1}{4}$ SW $\frac{1}{4}$	19	21	43
1864	40.31	Lot 2	19	21	43
1864	4.52	SE $\frac{1}{4}$ NW $\frac{1}{4}$	19	21	43
1864	39.76	Lot 1	19	21	43
1864	2.10	NE $\frac{1}{4}$ NW $\frac{1}{4}$	19	21	43
1864	24.57	Lot 4	18	21	43
1864	0.10	Lot 3	18	21	43
1864	8.61	Lot 3	7	21	43
1864	9.91	Lot 2	7	21	43
1864	1.62	Lot 1	7	21	43
1864	7.89	Lot 5	6	21	43
1864	1.33	Lot 4	6	21	43
1864	0.32	NW $\frac{1}{4}$ SE $\frac{1}{4}$	24	21	42
1864	3.07	SW $\frac{1}{4}$ NE $\frac{1}{4}$	24	21	42
1864	1.97	NW $\frac{1}{4}$ NE $\frac{1}{4}$	24	21	42
1864	<u>0.56</u>	Lot 1	1	21	42
Total:	763.96	- Harvest			
	93.66	- Pasture			
	<u>73.27</u>	- Diversified pasture			
	930.89				

Silver Creek - Caton

ATTACHMENT #4
EMANUEL CATON

The attached sheets are the chain of title for lands owned by Manuel, aka Emanuel Caton upon which the claim of water was filed in Book A of Water claims at Page 234, said lands described as follows:

Township 21 North, Range 42 East, M.D.M.

- Section 1: SE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$
- Section 12: E $\frac{1}{2}$ SE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$
- Section 13: E $\frac{1}{2}$ E $\frac{1}{2}$
- Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$
- Section 25: E $\frac{1}{2}$ E $\frac{1}{2}$
- Section 36: E $\frac{1}{2}$ NE $\frac{1}{4}$

Township 20 North, Range 43 East, M.D.M.

- Section 7: E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$
- Section 18: SE $\frac{1}{4}$ SE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$
- Section 20: W $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$
- Section 28: E $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ NW $\frac{1}{4}$
- Section 29: NE $\frac{1}{4}$ NE $\frac{1}{4}$
- Section 33: E $\frac{1}{2}$ W $\frac{1}{2}$; W $\frac{1}{2}$ E $\frac{1}{2}$

Township 19 North, Range 43 East, M.D.M.

- Section 4: E $\frac{1}{2}$ W $\frac{1}{2}$; W $\frac{1}{2}$ E $\frac{1}{2}$
- Section 8: SE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$
- Section 9: N $\frac{1}{2}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$
- Section 17: E $\frac{1}{2}$ NW $\frac{1}{4}$

SILVER CREEK - CATON

Grantor	Grantee	Inst.	Date	Bk.	Pg.
Emanuel Caton		Water Claim	8/21/89 8/31/89	A	234
Emanuel Caton	Samuel Crescenzo	GBS	8/30/90 8/30/90	47	715
Emanuel Caton	Samuel Crescenzo	GBS	8/30/90 8/30/90	48	189
Jose Luis de Vasconella	Emanuel Caton	QCD	8/21/89 8/30/90	48	192
William Easton, Sheriff	Samuel Crescenzo	GBS	1/23/94 1/23/94	48	579
Samuel Crescenzo	Malloy Brothers	GBS	01/04/00 11/29/10	52	527
J.J. Malloy	Michael W. Malloy	GBS	01/18/12 2/19/12	53	191
T.C. Malloy	Michael W. Malloy	GBS	02/02/12 02/19/12	53	194
Michael W. Malloy	Emmett A. Malloy	GBS	4/15/38 10/11/40	61	19
Emmett A. Malloy, Mary A. Malloy	W. W. Whitaker, Jessie B. Whitaker	GBS	4/1/45 1/15/48	63	210
W. W. Whitaker, aka Walter W. Whitaker, Jessie B. Whitaker, h/w	Emanuel Caton, DEF	Dec. QT	12/9/55 12/9/55	10 Misc.	326

W.W. Whitaker, aka Walter W. Whitaker, Jessie B. Whitaker, h/w	William J. Erich Carrie C. Erich, h/w	JTD	9/13/55 10/6/55	66	38
Bessie Hickison	W.W. Whitaker	QCD	5/27/55 12/13/55	66	106
W.J. Erich Carrie C. Erich	Dr. O.C. Helming, Jr. Barbara E. Helming, h/w	GBS	9/10/58 10/7/58	67	147
Pioneer Title Insurance Company of Nevada	W.J. Erich, Carrie Erich, h/w	Trustee's Deed	6/15/62 6/18/62	69	145
W.J. Erich Carrie C. Erich, h/w	Walter H. Todd, Venus E. Todd, h/w Gregg L. Todd, single	GBS	7/28/65 8/26/65	9	55A
Walter H. Todd, Venus E. Todd, h/w Gregg L. Todd, single by Walter H.	Magnuson Ranch, a partnership, Paul Inchauspe, Grace Inchauspe, h/w	GBS	11/5/68	31	319
Magnuson Ranch, a partnership Paul Inchauspe, Grace Inchauspe, h/w	Paul Inchauspe Grace Inchauspe, h/w	GBS	11/15/68 11/26/68	31	413
Magnuson Ranch, a partnership Paul Inchauspe, Grace Inchauspe	Magnuson Ranch, a partnership	GBS	11/15/68 11/26/68	31	424
Magnuson Ranch, a partnership	John C. Carpenter, Jr., Roseann S. Carpenter	GBS	4/21/72 5/30/72	115	331
Bertrand Paris, Jr., aka Bertrand N. Paris, Wendy Marie Paris, h/w; Pierre V. Paris and Mary Jean Paris, h/w; Paul Inchauspe & Grace Inchauspe, h/w	Bertrand Paris, Jr., Wendy Marie Paris, h/w; Pierre V. Paris, Mary Jean Paris, h/w; Paul Inchauspe, Mary Jean Inchauspe, h/w	QCD	1/29/87 2/2/87	281	117
Bertrand Paris, Jr., aka Bertrand N. Paris, Wendy Marie Paris, h/w; Pierre V. Paris and Mary Jean Paris, h/w; Paul Inchauspe & Grace Inchauspe, h/w	Paul Inchauspe, Grace Inchauspe, h/w	GBS	1/29/87 2/2/87	281	129
Paul Inchauspe Grace Inchauspe, h/w	Silver Creek Ranch, Inc.	GBS	12/9/87 1/7/88	306	202

**ATTACHMENT #5
TO
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION
CLAIMANT: SILVER CREEK RANCH, L.L.C.
ORIGINAL CLAIMANT: EMANUEL CATON**

Item 19:

The lands being irrigated are composed of a layer of topsoil of a clay or sandy loam lying over sands or gravels.

The continuous water flow requirements have not been determined as the normal stream flow is characterized by high water flows in the Spring season followed by severely reduced flows for the balance of the growing season. There has been no monitoring program which would give an indication as to the acre-feet of water required per acre of land to produce the existing culture. The best indication available is that shown in the recorded ditch claim which computes to be a continuous flow of 0.025 cfs per acre of land.

ATTACHMENT #6
TO
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION
CLAIMANT: SILVER CREEK RANCH, L.L.C.
ORIGINAL CLAIMANT: EMANUEL CATON

Item 20: Remarks

The Jones Ditch with a Point of Diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, T 19N, R 43E, MDM, serves the lands in the E $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, and the NW $\frac{1}{4}$ of Section 17, T 19N, R 43E. This ditch has a priority of 1867 pursuant to a ditch claim filed by William D. Jones in Book A of Water Rights at Page 270, Lander County, Nevada. the lands shown irrigated from Jones Ditch #1 in this proof receive water from that diversion.

The Fortuna 1, 2 & 3 Ditches, Jacobs Ditch, Caton Ditch, Henry and Henry 2 & 3 Ditches described in the ditch claim of Emanuel Caton are not sufficiently described to determine their exact location. However, their general description compares favorably to P.O.D.'s 3,4, 5, 6, 7, 8 & 9 on the culture map and the priority claimed by Emanuel Caton are used for those Points of Diversion.

Jacobs 2 & 3 Ditches are described as being located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T 20N, R 43E, MDB&M, in the claim of Emanuel Caton executed in 1889. The cadastral survey plat approved in 1867 locates the Reese River in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said section with diversions in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, T 19N, R 43E, MDB&M. It is apparent that the ditch claim mislocated the Points of Diversion. However, the cadastral survey locates diversions in the same area as the ditch claim and the culture map and the priority of 1863 is used for Points of Diversion 10 and 11 shown on the culture map.

The Davis 1 & 2 Ditches cannot be located from the ditch claim of Emanuel Caton as they are related to the Joaquin house and Railroad bridge. However, the cadastral survey plat approved in 1867 records the presence of ditches through portions of Sections 28, 29 and 33, T 20N, R 43E. Based upon a review of available information Davis 1 & 2 Ditches compare to Point of Diversion #12 and a priority of 1867 is claimed in conjunction from the lands irrigated from those diversions.

The Gilman No. 1 and Gilman No. 2 Ditches as set forth in the claim of Emanuel Caton and the original cadastral survey plat evidence diversion of water and irrigation through portions of Sections 7, 17, 18 and 20, T 20N, R 43E., MDB&M. Therefore, the priority claimed by Caton in the Ditch Claim of 1864 is claimed for the irrigated lands in the described sections and applied to Points of Diversion 13, 14 and 15 shown on the culture map.

Davis and Sherman Ditches, Crawford Ditches, Mowlds Ditches and Tabor Ditches as described in the ditch claim of Emanuel Caton would encompass the private lands and public lands of the claimant within Sections 1, 12, 13, 24, 25 and 36, T 21N, R42E and Sections 6,7, 18, 19, 30 and 31, T 21N, R 43E, MDB&M. The claim describes a total of 10 ditches but at the present time there are only 8 Points of Diversion in use (P.O.D. 16 through 23). Points of Diversion 18 and 19 do not appear to coincide with any described in the Ditch Claim. There are discrepancies as to the location of the Points of Diversion stated in the ditch claim and the present day culture map submitted with this proof. However, the cadastral surey maps for the area completed in 1875 show ditches and meadows in approximately the same configuration as exists on the culture maps. As the 1875 cadastral map shows Reese River to be approximately one-fourth mile west of its present location, the difference in the ditch locations is due to lack of surveys.

All of the above described ditches have a claimed priority of 1864 except for Davis and Sherman No. 2 with 1863.

It is apparent that Points of diversion may have changed from the time of the claim of Emanuel Caton but the total diversion of water and irrigated acres have remained essentially the same as the claim. This is particularly true as to the Davis and Sherman Ditches, one with a priority of 1863 and the other 1864. These two ditches were for a large area with each supplementing the other and supplemental diversions made. for that reason all of the private lands irrigated from Points of Diversion 16, 17, 18, 19 and 20 have a priority of 1864, with none claimed for 1863.

In the claim of priority it has been necessary to interpret the locations of diversions as set forth in the claim of Emanuel Caton and the diversions as exist on the culture map submitted with this proof. It is apparent that some diversions as set forth in the claim were not accurately located and the source, Reese River, has either moved eastward since the Ditch Claim and original cadastral land survey in some instances. This is evidenced by comparison of the original cadastral land survey and present day U.S.G.S. topography maps.

The priority for each of the present Points of Diversions and the acreage irrigated is supported by the claim of Emanuel Caton particularly as to the total amount of water diverted, acreage irrigated and priority. The total estimated acreage proposed to be irrigated in the claims is 1,870 acres which compares favorably to that presently irrigated of 1,543.61 on private land and 521.84 on public land.