

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING  
OR WILDLIFE PURPOSES

(1) Name of claimant..... Patrick D. Fitzgerald

3157 Wagner Heights Road ..... of ..... Stockton  
Street and No. or P.O. Box No. ..... City or town  
California 95209

State and Zip Code No.

(2) Source of water..... Bally Mtn. Spring #8

Name of natural water source.

(3) The water is diverted by..... water emanating from spring and impounded in small earthen reservoir  
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s).....  $S\frac{1}{2}$  S $\frac{1}{2}$  Section 28, T. 47 N., R. 19 E., and NW $\frac{1}{4}$  NW $\frac{1}{4}$   
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.

Section 33, T. 47 N., R. 19 E. ..... and NW $\frac{1}{4}$  NE $\frac{1}{4}$   
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.

*7 MW per letter dated 10/24/2005*

*Section 33, near the North quarter corner of Section 33. MW per letter dated 2/13/2006.*

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

(6) The construction of the ditch or other works was begun..... Prior to 1890  
and completed..... prior to 1890  
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..... fee simple  
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  
..... 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.....1890, Date  
was.....250 cattle.....horses.....sheep or wildlife (describe).....  
Other

The watering was conducted during each of the following months...May 1...-October 31 of each year

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

Maximum number of cattle, approximately 1,200, spread over large area  
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

.....05.....cubic feet per second.  
448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at.....S½ S½ Section 28, T. 47. N., R. 19. E. and NW¼ NW¼ Section 33, T. 46. N.,  
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

.....R. 19. E.....  
land, it should be stated.

Remarks.....The undersigned visited the real property here involved on August 21 and 22, 2005

Remarks.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Patrick D. Fitzgerald

are full and correct to the best of his knowledge and belief.

Deponent is attorney and 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.

Patrick D. Fitzgerald  
Claimant

Telephone No. (.....)

By *Mr. Ed. L. ...*  
P.O. Box 2790  
Street and No., or P.O. Box No.  
Reno, Nevada 89505  
City, State, Zip Code No.  
Telephone No. ( 775 ) 323-1601

Subscribed and sworn to before me this 27<sup>th</sup> day of October, 2005

*Kathleen L. Morris*

Notary Public in and for the County of Washoe

My commission expires 12-16-08

**\$50 FILING FEE MUST ACCOMPANY PROOF**

RECEIVED  
2005 OCT 25 PM 3:49

