Serial No. 09702

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant Horgan - 1996 Family Limited Partnership

6055 Sage Flats Road of Reno
Street and No. or P.O. Box No. City or town

Nevada 89510
State and Zip Code No.

(2) Source of water Spring #9
Name of natural water source.

(3) The water is diverted by Spring
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) within the NE 1/4 of the NW 1/4 of Section 20, T.24N., R.21E.,
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.

M.D.M., or at a point from which the West 1/4 corner of said Section 20 bears South 59°37' West a distance of 2608'.
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 Natural Channel.
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun Prior to January 1, 1884. See Remarks.
Date

and completed _____.
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 Title and Hard Scrabble Allotment & Grazing Permit No. 3027.
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 Washoe County, at Page 601 of Book A of Patents

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).

81-WA

(9) The approximate number of animals watered by the claimant during the first year Prior to January 1, 1884.
Date

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

The watering was conducted during each of the following months January 1st to December 31st of each year.

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

175 head of cattle, per allotment and grazing permit, 30 head of horses and 15 sheep are the maximum number of animals

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.

utilizing this source of water. See Remarks.

(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 feet per second.

(12) The works are located at Works are located at spring.

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

Remarks Refer to Attachment.

Remarks

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Horgan - 1996 Family Limited Partnership

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

This proof is being made by Michael D. Buschelman, PLS/WRS, 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.

Horgan - 1996 Family Limited Partnership

Claimant

Telephone No. (775) 475-0215 (Mike Horgan)

By Michael D. Buschelman

P.O. Box 51371

Street and No., or P.O. Box No.

Sparks, NV 89435 - 1371

City, State, Zip Code No.

Telephone No. (775) 355-9628

Mary Roth

MARY ROTH
Notary Public, State of Nevada
Appointment No. 02-76479-2
My Appt. Expires Jun 19, 2010

Subscribed and sworn to before me this 26th day of December, 2007

Notary Public in and for the County of Washoe

My commission expires June 19, 2010

$50 FILING FEE MUST ACCOMPANY PROOF

Michael D. Buschelman Consulting, Inc.
Post Office Box 51371
Sparks, Nevada 89435
(775) 355-9628 Office
(775) 355-9629 Fax

Attachment -- Remarks
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Priority:

The US General Land Office official survey plat for Township 24 North, Range 21 East signed January 19, 1888 documents cultivated fields on properties owned by the Claimant. The field survey for this township was conducted on May 15 & 16, 1884 confirming the existence of cultivated fields along Harscabble Creek and within properties now owned by the Claimant. The existence of cultivated fields in May of 1884 also confirms the existence of livestock and their use of water from this source.

Refer to the affidavit signed by Jack Horgan to further describe the historical events associated with the Hardscrabble Ranch and the use of water from spring souces for livestock.

Stock Water Estimated Demand:

The amount of water utilized from this source for stock watering purposes is calculated as follows:

- Cattle (175 head) and horses (30 head) consume approximately 20 gallons per day per animal for a total daily demand of 4,100 gallons per day per year.
- Sheep (15 head) consume approximately 4 gallons per day per animal for a total daily demand of 60 gallons per day per year.
- The annual volume of water estimated for stock watering purposes is 4.7 acre feet per year.

Quasi-Municipal Estimate Demand:

The House Spring provides water service to four homes. In addition to the four homes, there were 16 cabins occupied by divorcees and/or ranching staff. The cabins do not have water or bathroom facilities. A centralized kitchen, laundry, toilet and bath house facility was utilized by the occupants of the cabins. The amount of water utilized for quasi-municipal purposes is calculated as follows:

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- Each of the four homes utilizes approximately 1,000 gallons of water per day for inside domestic uses and outside landscaping. The House Springs provides water to four homes for a total daily demand of 4,000 gallons of water per day per year.
- The 16 cabins do not have water service. The occupants utilize the centralized laundry, toilet and bath house. Meals are provided by a kitchen facility. The estimated demand for water is based on single occupancy or 16 people times a demand of 50 gallons per day per person for meal preparation and cleanup, laundry, toilet and bathing needs. This totals 800 gallons per day per year.
- Landscaping surrounding the cabins and centralized convenience facility is estimated to require 1,000 gallons per day for approximately 180 days each year.
- The annual volume of water estimated for quasi-municipal purposes is 6.0 acre feet per year