

STATE OF NEVADA

**PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING  
OR WILDLIFE PURPOSES**

(1) Name of claimant John Espil Sheep Co., Inc.  
P.O. Box 150 of Gerlach  
Street Address or PO Box City or Town  
Nevada 89412-0150  
State and ZIP Code

(2) Source of water Lower Smoke Creek  
Name of natural water source

(3) The water is diverted by:  
Natural channel

Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s):  
Upstream point of diversion located within the SW 1/4 of the SE 1/4, Section 2, T 30N, R 19E, MDM, and the  
downstream point of diversion located within the NE 1/4 of the NE 1/4, Section 12, T 30N, R 19E, MDM

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.  
Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such.

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

(6) The construction of the ditch or other works was begun \_\_\_\_\_ 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:  
Public domain with grazing point owned by claimant

Patented, deeded, public domain with grazing permit, etc.

(8) The claimant's water right 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 1900  
Date  
was 1,000 cattle \_\_\_\_\_ horses 4,000 sheep or wildlife (describe) \_\_\_\_\_

The watering was conducted during each of the following months:  
January 1 thru December 31

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

1,000 cattle

4,000 sheep

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

1.0 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second

(12) The works are located at:

Upstream point of diversion located within the SW 1/4 of the SE 1/4, Section 2, T 30N, R 19E, MDM. and the downstream point of diversion located within the NE 1/4 of the NE 1/4, Section 12, T 30N, R 19E, MDM

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

Remarks

John Espil Sheep Co., Inc. is the successor to the original ranching operation which was in this area prior to 1900. Lower Smoke Creek is a perennial stream needed for livestock water.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by John Espil Sheep Co., Inc. are full and correct to the best of his/her knowledge and belief.  
Attorney and agent for John Espil Sheep Co., Inc.

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

John Espil Sheep Co., Inc.  
Name of Claimant

By [Signature]

Telephone No. \_\_\_\_\_

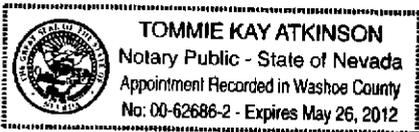
6100 Neil Road

Suite 500

Reno, Nevada 89511

Telephone No. (775) 688-3010

Subscribed and sworn to before me this 15<sup>th</sup> day of December, 20 11



Notary Public in and for the County of Washoe

My commission expires 5/26/2012

STATE OF NEVADA

**PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING  
OR WILDLIFE PURPOSES**

(1) Name of claimant Espil Sheep Co.  
P.O. Box 150 of Gerlach  
Nevada 89412  
Street and No. or P.O. Box No. City or town State and Zip Code No.

(2) Source of water lower Smoke Creek  
Name of natural water source.

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

(4) The water is diverted at the following point(s) T.30N, R.19E SW 1/4, SE 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 2  
Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such  
Creek runs - NW of SW sec 2, NE of SE sec. 2,  
NE of SE sec. 2, NW of SW of sec. 1, NE of SW  
sec. 2, SW SE sec 1, SE 1/4 of SE 1/2 sec. 1,  
NE 1/4 of NE 1/4 sec. 12 T.30.N, R.19E MDm

(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 \_\_\_\_\_ 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 public domain with 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 \_\_\_\_\_ 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).

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(9) The approximate number of animals watered by the claimant during the first year 1900  
Date  
was 1000 cattle \_\_\_\_\_ horses 4000 sheep or wildlife (describe) \_\_\_\_\_  
Other

The watering was conducted during each of the following months January through  
December.

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

1000 cattle and 4000 sheep  
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  
1 cu. ft. \_\_\_\_\_ cubic feet per second.  
448.83 gallons per minute equals 1 cubic feet per second.

(12) The works are located at T.30N, R.19E, SW 1/4 of SE 1/4  
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed  
Section 2  
land, it should be stated.

Remarks Espil Sheep Co. is the successor to  
the original ranching operation in this  
area prior to 1900.

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Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

\_\_\_\_\_  
\_\_\_\_\_

Claimant

Telephone No. ( ) \_\_\_\_\_

By *[Signature]*

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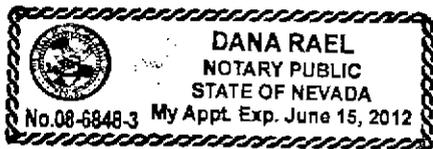
P.O. Box 150

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

Gerlach, NV. 89412

City, State, Zip Code No.

Telephone No. 775 221-3272



Dana Rael

Subscribed and sworn to before me this 7<sup>th</sup> day of October, 2008

Notary Public in and for the County of Carson City

My commission expires June 15, 2012

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