Application No. 09860

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant David G. and/or Jackie A. Holmgren

Box 401 Finger Rock Wash (Street Address or PO Box) of Luning (City or Town)

NV 89420 (State and ZIP Code)

(2) Source of water Middle Spring (Name of natural water source)

(3) The water is diverted by:
Spring area, natural channel, dugout and pipeline.

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

(4) The water is diverted at the following point(s):
In Sec 17, T9N R34E MDB; See attached TOPO! Map, Point #012, for coordinate point and description.

(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 channel and pools/seeps, and trough. (Troughs, tanks, pools, reservoir, natural channel, etc.)

(6) The construction of the ditch or other works was begun 1880's (Date) and completed before 1905 (see remarks) (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:
Possessory use of public domain followed by permitted grazing in conjunction with base waters and properties of predecessors in interest of the 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 ~1880 (Date)

was 100 cattle 50 horses ____ sheep or wildlife (describe) ____

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

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(10) The approximate number of animals watered by the claimant in subsequent years was as follows: 09860

The approximate number of animals watered by the Claimant in subsequent years was as follows: Prior to 1895 and up to 1905: Moore, John Benton, O. Warner, Leete, George Dieringer, George & Charles Keogh, B.H. Donnelley, and various sheepmen (see remarks) 1000 Cattle, 50 horses, 4000 Sheep/Goats. 1923-1945: Dr. C.B. McCafferty, Rita Miller, Millinghausen, F.D. Cappell, T.O. McKinnon, Bracian Eroz, Peter Alia, Hayden, et. al., 200 cattle, 50 horses, 2000 sheep/9000 goats. 1945-1976 to present: Elsner, McKay, Estill, Holmgren: 1000 cattle, horses 12-50.

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

.015 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second

(12) The works are located at:

At a point approximately 6 to 7 miles northwest of the town of Luning, Nevada, between Indian Springs and State Highway 361, with spring(s) adjacent and north of the old Columbus-Wadsworth Freight route, in Sec 17, T9N R34E MDB; See attached TOPO! Map, Point #012, for coordinate point and description.

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

Remarks

Middle Spring was first developed and/or used in the 1870's to serve ranchers and miners in the area associated with livestock grazing animals belonging to the predecessors of the Claimant. Benton Springs just southeast were developed to serve a station along an important freight route beginning in the 1860's. It was known as the Columbus-Wadsworth freight route and was a toll-road shown on the 1884 USGS land survey plat as the Luning-Wadsworth road at Benton's house and tank. Predecessors of the claimant watered horses and cattle at Benton Springs beginning before 1880. Cattle use has been continuous since then. Predecessors sheep operators used these springs from about 1910 to 1923 and from 1938 to 1975. T.0. McKinnon ran angora goats (up to 9,000 head) in the vicinity from 1923 to 1945. Rawhide Ranch owns deeded land in the area at Indian Springs and Gillis Cabin/Sargent's Well. The Pilot-Table Mountain Grazing Allotment (See attached map) is a water based grazing allotment.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by David G. and/or Jackie A. Holmgren are full and correct to the best of his/her knowledge and belief.

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

David G. and/or Jackie A. Holmgren
Name of Claimant

Telephone No. (775) 312-0019

By David G. Holmgren

David G. and Jackie A. Holmgren

Rawhide Ranch, Box 401 Finger Rock Wash

Luning, Nevada, 89420

Telephone No. (775) 312-0019

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STATE ENGINEER'S OFFICE

Subscribed and sworn to before me this 5 day of November, 20 09

GLORIA K. LASH
NOTARY PUBLIC
STATE OF NEVADA
No. 99-0298-6 My Appt. Exp. Dec. 20, 2010

Notary Public in and for the County of Carson City

My commission expires 12-20-2010

Gloria K. Lash

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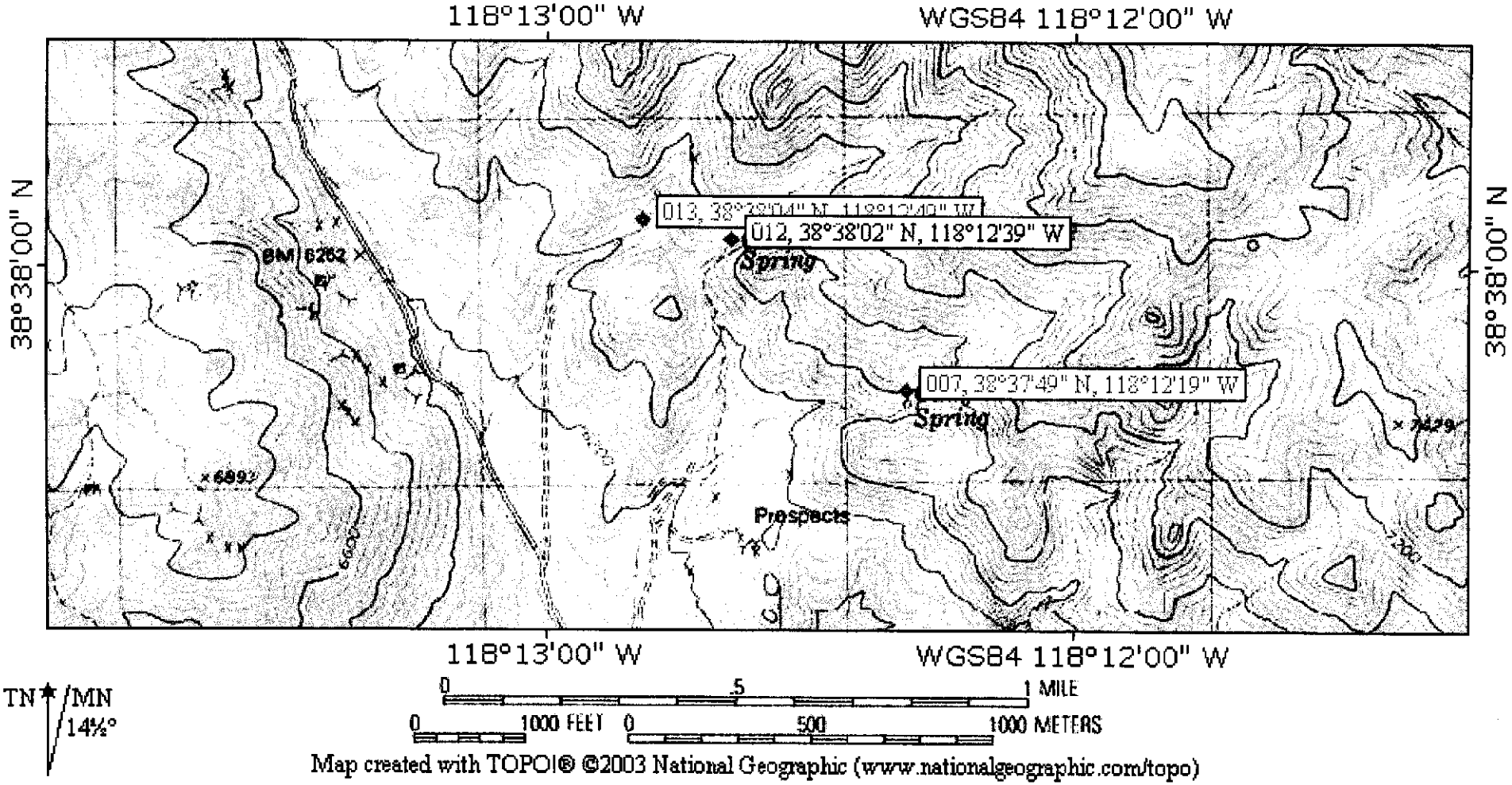
$50 FILING FEE MUST ACCOMPANY PROOF

TOPO! map printed on 10/30/09 from "2008aug06 Pine Tree_Other Spr.tpo"



Map created with TOPO!® ©2003 National Geographic (www.nationalgeographic.com/topo)

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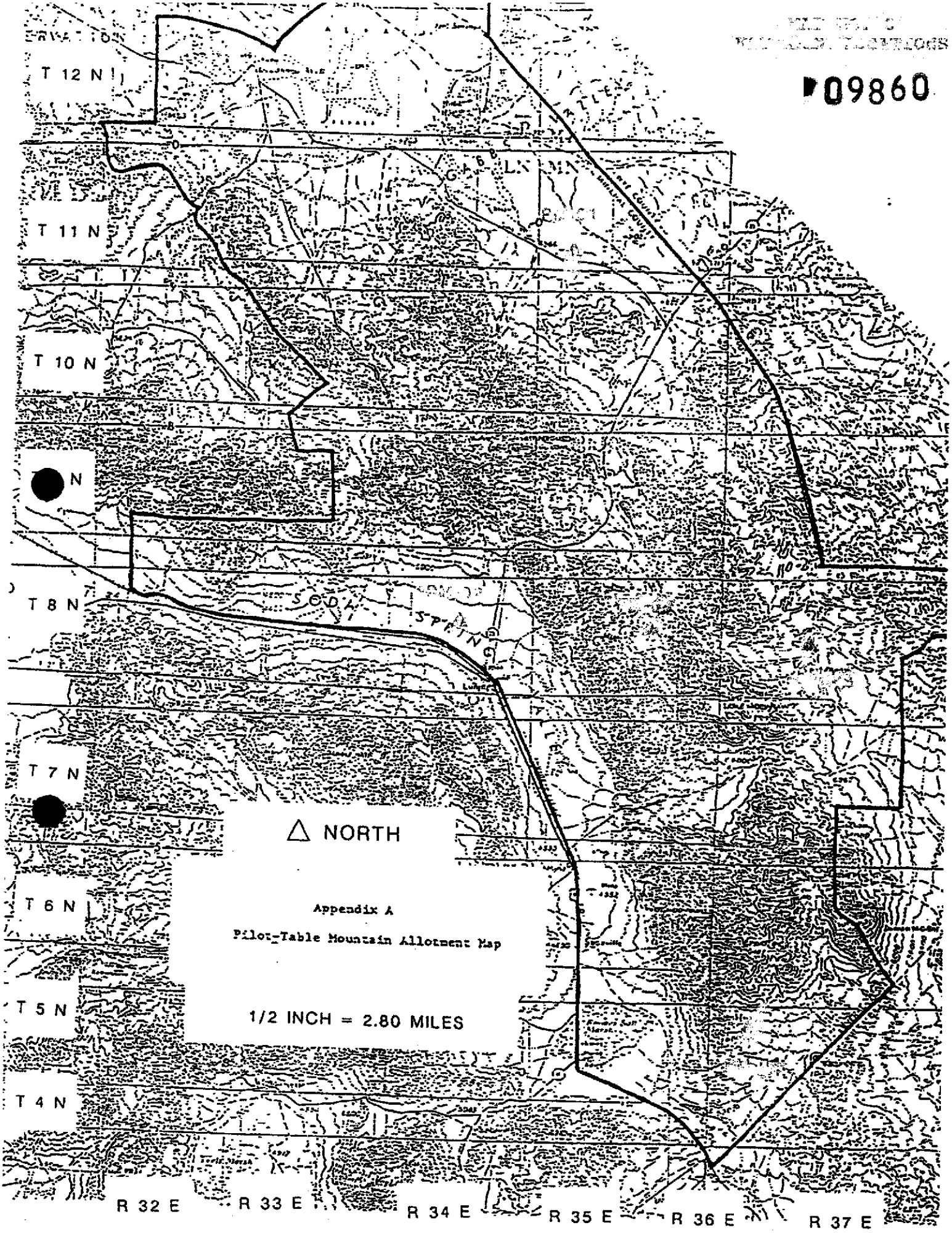

Appendix A

Pilot-Table Mountain Allotment Map