

STATE OF NEVADA  
**PROOF OF APPROPRIATION OF WATER**

(Statutory vested water rights are those with a priority date prior to: March 1, 1905 for All Surface Sources; March 22, 1913 for Underground Artesian Waters; March 25, 1939 for Underground Percolating Water)

USE(S):.

**Primary** (Please select only one):

Irrigation  Stock water  Mining and Milling  Domestic   
Municipal  Industrial  Quasi-Municipal  Commercial   
Federal Reserved Right  Other (OTH) \_\_\_\_\_

**Secondary** (Select all that may be applicable):

Stock water  Domestic

NAME OF CLAIMANT 26 Ranch, Inc.  
Address 1546 Cole Blvd., Suite 270 City of Lakewood County of Jefferson  
State of Colorado 80401 Telephone No. (775)635-2525 Email Address \_\_\_\_\_

1. Source of water Izzenhood Springs  
Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion Earthen dam, with headgate and pipelines  
Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):  
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 9, T.35N.,R.45E., M.D.M., from which the NE corner of said section 9 bears N.6 $^{\circ}$ 17'E., 3,912 ft. distant (this point represents the intersection of the axis of the earthen dam with the flow line of the stream flowing from the springs prior to its impoundment).

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun before 1872, with later alterations  
and completed estimate 1912

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:  
fee simple  
Patented, deeded, public domain with grazing permit, etc.

6. The claimant's water right was / (was not) recorded in the office of the County Recorder of  
(circle one)  
\_\_\_\_\_ County, at Page \_\_\_\_\_ of Book \_\_\_\_\_ of \_\_\_\_\_

7. The amount of water diverted for the claim's purpose has been measured at  
2.5 cfs (estimate) cubic feet per second.  
448.83 gallons per minute equals 1 cubic feet per second

*Clowers Area  
4-64  
La*

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):

(List all places of use for the primary and any secondary purposes being claimed, attaching additional sheet(s) as needed. Describe them as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated. If the watering of livestock is accomplished by utilizing the natural stream channel, then describe the 40-acre legal subdivision at the beginning (upstream point) and the legal subdivision at the end of the stream reach.)

**QUESTIONS REGARDING WATERING OF LIVESTOCK**

9. The approximate number of animals watered by the claimant during the first year of 1872 was  
Year  
500 cattle 40 horses \_\_\_\_\_ sheep \_\_\_\_\_ other (describe in remarks)

The watering was conducted during each of the following months: cattle: Nov. through April; horses: year-long

10. The approximate number of animals watered by the claimant in subsequent years was:  
500 cattle 40 horses \_\_\_\_\_ sheep \_\_\_\_\_ other (describe in remarks)

11. The water is impounded in pond and ditches  
Trough(s), tank(s), pool(s), reservoir, natural channel, etc.

**QUESTIONS WITH REGARD TO IRRIGATION**

12. The date of survey of ditch, canal, or pipe line was March 24, 2011

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom four feet, width on top five feet, depth 0.7 feet, for 15,500 lineal feet of improvement, on a grade of five feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of 8" inches with a type of pipe of gated CMP for est. 4,000 feet in length.  
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has not been enlarged.  
(circle one)

16. The work of enlargement of the ditch, canal or pipeline commenced \_\_\_\_\_ and completed \_\_\_\_\_

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17. The dimensions of the enlarged ditch or canal are: Width on bottom \_\_\_\_\_ feet, width on top \_\_\_\_\_ feet, depth \_\_\_\_\_ feet, for \_\_\_\_\_ lineal feet of improvement, on a grade of \_\_\_\_\_ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of \_\_\_\_\_ inches with a type of pipe of \_\_\_\_\_ for \_\_\_\_\_ lineal feet in length.  
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

19. The claimant is ~~is not~~ the owner in the above-described conduit.  
(circle one)

claimant is owner in entirety

If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of alfalfa and native hay  
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)

have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from March 15 to October 30 of each year. The average number of cuttings in a year is typically one cuttings and the maximum number of cuttings in a year is two cuttings.

22. The water claimed has / ~~has not~~ been used for irrigation each and every year since the right was initiated.  
(circle one)

23. The years during which no water was used for irrigation or during which the full water right was not used were (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):

It is believed that consistent irrigation was carried out in each year, as flow emanating from the springs was nearly constant.

24. The characteristics of the soil are sandy loam  
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is 2.5 cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is 662.2 acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is 2.5 cubic feet per second.

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27. List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with their corresponding subdivision. (Attach additional sheets as needed.)

Date	Acres	Quarter-Quarter	Section	Township	Range
<u>1872</u>	<u>0.35</u>	acres in the <u>NESE</u> of Sec.	<u>9</u>	, T. <u>35</u> (N./S.), R.	<u>45</u> E. (circle one)
<u>1872</u>	<u>1.83</u>	acres in the <u>SWSE</u> of Sec.	<u>9</u>	, T. <u>35</u> (N./S.), R.	<u>45</u> E. (circle one)
<u>1872</u>	<u>27.23</u>	acres in the <u>SESE</u> of Sec.	<u>9</u>	, T. <u>35</u> (N./S.), R.	<u>45</u> E. (circle one)
<u>1872</u>	<u>0.59</u>	acres in the <u>SWSW</u> of Sec.	<u>10</u>	, T. <u>35</u> (N./S.), R.	<u>45</u> E. (circle one)
<u>1872</u>	<u>32.89</u>	acres in the <u>NWNE</u> of Sec.	<u>16</u>	, T. <u>35</u> (N./S.), R.	<u>45</u> E. (circle one)
<u>1872</u>	<u>13.07</u>	acres in the <u>NENE</u> of Sec.	<u>16</u>	, T. <u>35</u> (N./S.), R.	<u>45</u> E. (circle one)
<u>1872</u>	<u>12.33</u>	acres in the <u>SWNE</u> of Sec.	<u>16</u>	, T. <u>35</u> (N./S.), R.	<u>45</u> E. (circle one)
<u>1872</u>	<u>4.31</u>	acres in the <u>NENW</u> of Sec.	<u>16</u>	, T. <u>35</u> (N./S.), R.	<u>45</u> E. (circle one)
<u>1872</u>	<u>24.20</u>	acres in the <u>SWNW</u> of Sec.	<u>16</u>	, T. <u>35</u> (N./S.), R.	<u>45</u> E. <sup>12</sup> (circle one)
<u>1872</u>	<u>29.23</u>	acres in the <u>SENW</u> of Sec.	<u>16</u>	, T. <u>35</u> (N./S.), R.	<u>45</u> E. (circle one)
<u>1872</u>	<u>19.53</u>	acres in the <u>NWSW</u> of Sec.	<u>16</u>	, T. <u>35</u> (N./S.), R.	<u>45</u> E. <sup>12</sup> (circle one)
<u>      </u>	<u>      </u>	acres in the <u>      </u> of Sec.	<u>      </u>	, T. <u>      </u> (N./S.), R.	<u>      </u> E. (circle one)
<u>      </u>	<u>      </u>	acres in the <u>      </u> of Sec.	<u>      </u>	, T. <u>      </u> (N./S.), R.	<u>      </u> E. (circle one)
<u>      </u>	<u>      </u>	acres in the <u>      </u> of Sec.	<u>      </u>	, T. <u>      </u> (N./S.), R.	<u>      </u> E. (circle one)
<u>      </u>	<u>      </u>	acres in the <u>      </u> of Sec.	<u>      </u>	, T. <u>      </u> (N./S.), R.	<u>      </u> E. (circle one)
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<u>      </u>	<u>      </u>	acres in the <u>      </u> of Sec.	<u>      </u>	, T. <u>      </u> (N./S.), R.	<u>      </u> E. (circle one)

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**ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING**

It is believed irrigation was commenced in or before 1872, as records of the contract cadastral land surveyor in establishing the subdivision of T.35N., R.45E. for the United States carry written observations describing the large springs, ditches, meadow and cultivated fields, and the residence of the settler, Mr. Isenhoot. These are contained in the field notes and map of said survey, completed in December, 1872, copy enclosed. Construction of the earthen dam is estimated to have been carried out in 1913, the date when application #2780 was filed, for the impoundment of water from Sheep Creek.

For a history summary of ownership assignments and further substantiating priority claim, see "exhibit A" attached to claim #06227, with particular reference to predecessors of claimant under "Russell & Bradley Land and Cattle Company".

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

26 Ranch, Inc. are full and correct to the best of their knowledge and belief.  
(Name)

deponent is authorized agent for claimant.  
If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name William A. Nisbet, agent Signature William A. Nisbet  
(Please type or print name) (Please sign in the presence of a Notary Public)

Address 421 Court Street Elko State of Nevada ZIP Code 89801

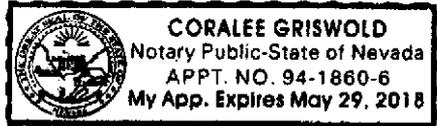
Telephone Number (775) 738-2121 Email Address bill@farrwestengineering.com

State of Nevada  
County of Elko

Subscribed and sworn to before me on October 27, 2015  
(Date)

by William A. Nisbet

Coralee Griswold  
Signature of Notary Public Required



Notary Stamp or Seal Required

**THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM, WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.**

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