

(10) The approximate number of animals watered by the claimant in subsequent years was as follows: Present Cortez Joint Venture stocking rates for the Carico Lake Allotment are 898 head of cattle seasonally, and for the Argenta Allotment 308 head of cattle seasonally. The maximum stocking rate under current grazing permits is 1206 head of cattle for the two allotments served by this source. Historic rates are not presently known, but may have been higher.

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

0.0373 c.f.s. cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second

(12) The works are located at:

in stream usage along Indian Creek within the SW¼NE¼ Section 08, T.29N., R.46E., MDM and downstream along Indian Creek through the SW¼SW¼ Section 07, T.28N., R.48E., MDM - currently within the Argenta and Carico Lake BLM grazing allotments.

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

Remarks

Claimant and his predecessors in interest have been watering out of Indian Creek since prior to 1871. Historic numbers of animals have not been fully researched, but the Dean Ranch was a stage stop and water from Indian Creek was also used by horses and mules. Please refer to "Interview with Dan Filippini" on file at the Division of Water Resources under Proof 04462.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by CORTEZ JOINT VENTURE are full and correct to the best of his/her knowledge and belief.

As agent for Claimant

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

Cortez Joint Venture, c/o Gary Sundseth
Name of Claimant

By *Bruce R. Scott*

Telephone No. (775) 748-5545

Bruce R. Scott Resource Concepts, Inc.

STATE OF NEVADA
COUNTY OF CARSON CITY

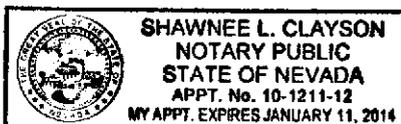
340 North Minnesota Street

Carson City, NV 89703

Subscribed and sworn to before me this 22 day
of November, 2010

Telephone No. (775) 883-1600

By: Bruce R. Scott
Shawnee L. Clayson
Signature of Notary Public



NOTARIZED
NOV 22 PM 2:55
2010

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant Cortez Joint Venture
HC 660 Box 1250 of Crescent Valley
Street Address or PO Box City or Town
NEVADA 89521-1250
State and ZIP Code

(2) Source of water _____

Indian Creek

(3) The water is diverted by:
in stream usage

*A phone call has been placed to Bruce Scott requesting 40-acre parcel description for the beginning and end of the stream reaches. Steve M.
11-19-2010*

(4) The water is diverted at the following place:
in stream usage along Indian Creek within the

Dam

Describe as being within a 40-acre subdivision of public domain
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 _____
Troughs, tanks, pools, reservoir, natural channel, etc.

in stream usage

(6) The construction of the ditch or other works was begun _____
and completed _____
Date Date

unknown

prior to 1871
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 permits. Claimant has grazing permits under Allotment #10003 (Carico Lake) south of Indian Creek and a lease agreement under Allotment #20001 (Argenta) north of Indian Creek.

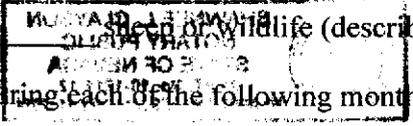
Patented, deeded, public domain with grazing permit, etc.

(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 _____
was _____ cattle _____ horses _____
Date

The watering was conducted during each of the following months:
when the creek was flowing



(10) The approximate number of animals watered by the claimant in subsequent years was as follows: Present Cortez Joint Venture stocking rates for the Carico Lake Allotment are 898 head of cattle seasonally, and for the Argenta Allotment 308 head of cattle seasonally. The maximum stocking rate under current permits is 1206 head of cattle for the two allotments served by this source. Historic rates are not presently known, but may have been higher.

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As agent for Claimant

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Cortez Joint Venture, c/o Gary Sundseth
Name of Claimant

By Bruce R. Scott

Telephone No. (775) 748-5545

Bruce R. Scott Resource Concepts, Inc.

STATE OF NEVADA
COUNTY OF CARSON CITY

340 North Minnesota Street

Carson City, NV 89703

Subscribed and sworn to before me this 16th day
of November, 2010

Telephone No. (775) 883-1600

By: Bruce R. Scott

Shawnee L. Clayson
Signature of Notary Public



STATE OF NEVADA
2010 NOV 17 11:10:05
CLAYSON, SHAWNEE L.