

STATE OF NEVADA

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

(1) Name of claimant Rand Properties, LLC, a Nevada limited liability company  
PO Box 2703 of Elko  
Street Address or PO Box City or Town  
Nevada 89803  
State and ZIP Code

(2) Source of water Crippen 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):  
Through the following described reach of the channel:  
Beginning at a point on the east boundary line of Section 8, T29NR45E, MDB&M from which the North one-quarter corner of Section 7, T29NR45E, MDB&M bears N 65 31'40" W a distance of 8586.23 feet. Thence down the channel to a point in Section 13, T30NR44E, MDB&M from which the Southeast corner of said Section 13 bears S46 22'55" E a distance of 3,987.86

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  
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun None None  
Date  
completed None  
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:  
See attachment

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 1878  
Date  
was 75 cattle 10 horses \_\_\_\_\_ sheep or wildlife (describe) \_\_\_\_\_

The watering was conducted during each of the following months:  
March 1 to November 30

59-11A

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

75 cattle

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

0.002 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second

(12) The works are located at:

None

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

Remarks

The priority claimed is based on the fact that Wm. Pankey a predecessor to the claimant, was assessed by the Lander County Recorder for 75 cattle in 1880 (see copy of tax roll attached) Prior to that time (1878) he filed a ditch claim for irrigation which evidenced an agricultural operation. It was customary and necessary that the livestock which wintered on the private land grazed upon the open range during a major portion of the year and this source would have been used by the livestock. The claimant presently holds a grazing permit from the BLM which includes the area of Crippen Creek and has been considered the historical area of use (see chain of title attached)

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

Rand Properties, LLC  
Name of Claimant

By Martha A. Rand

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

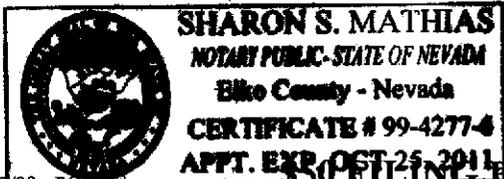
Martha A. Rand, Manager

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

Subscribed and sworn to before me this 6<sup>th</sup> day of JANUARY, 20 11

Sharon S. Mathias  
Notary Public in and for the County of ELKO

My commission expires Oct 25, 2014



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

Item 7

PRIVATE LAND

Township 29 North, Range 45 East, MDB&M  
Section 7: NE  $\frac{1}{4}$ ; NE $\frac{1}{4}$ NW $\frac{1}{4}$

Township 29 North, Range 44 East, MDB&M  
Section 1: Lot 1

Township 30 North, Range 44 East, MDB&M  
Section 13: E $\frac{1}{2}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ NW $\frac{1}{4}$   
24: E $\frac{1}{2}$ W $\frac{1}{2}$ ; SW $\frac{1}{4}$ SE $\frac{1}{4}$   
25: NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; W $\frac{1}{2}$ NE; E $\frac{1}{2}$ SW

PUBLIC DOMAIN WITH GRAZING PERMIT

Township 29 North, Range 45 East, MDB&M  
Section 6: Lots 4, 5, 6 & 7, SE $\frac{1}{4}$ SW $\frac{1}{4}$   
8: W $\frac{1}{2}$ NW $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$   
SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; N $\frac{1}{2}$ SE $\frac{1}{4}$

Township 30 North, Range 44 East, MDB&M  
Section 25: W $\frac{1}{2}$ SE $\frac{1}{4}$   
36: W $\frac{1}{2}$ E $\frac{1}{2}$ ; SE $\frac{1}{4}$ SE $\frac{1}{4}$

1882 F.V.A.

# Assessment Roll of Property in Lander County, Nevada, for the Fiscal Year commencing

DATE OF PAYMENT.	TAX-PAYERS' NAMES.	DESCRIPTION OF PROPERTY.	REAL ESTATE.					Value of Improvements assessed to persons other than the owners of the land.
			No. of Lot.	No. of Block.	Value of Land or Possessory Claim.	Value of Improvements.		
29 <sup>th</sup> Paid Nov 4 <sup>th</sup> 1882	John & Mary Johnson	lot near Green M. add.			\$ 10	\$ 50	\$	
46 <sup>th</sup> Paid Nov 15 <sup>th</sup> 1882	John & Mary Johnson	lot in ch. add.			\$ 25	\$ 125	\$	
112 <sup>th</sup> Paid Nov 15 <sup>th</sup> 1882	John & Mary Johnson	furniture 20 <sup>th</sup> stored 70 <sup>th</sup>			\$	\$	\$	
112 <sup>th</sup> Paid Nov 15 <sup>th</sup> 1882	John & Mary Johnson	lot 15 <sup>th</sup> corner 15 <sup>th</sup> ch. add.			\$ 25	\$ 275	\$	
112 <sup>th</sup> Paid Nov 15 <sup>th</sup> 1882	John & Mary Johnson	furniture 50 <sup>th</sup> , Co. stored 60 <sup>th</sup> , 70 <sup>th</sup> 100 <sup>th</sup> , 1 <sup>st</sup> and 20 <sup>th</sup> , 30 <sup>th</sup> on 50 <sup>th</sup> corner 20 <sup>th</sup> , 50 <sup>th</sup> corner 100 <sup>th</sup> street			\$	\$	\$	
112 <sup>th</sup> Paid Nov 15 <sup>th</sup> 1882	John & Mary Johnson	50 <sup>th</sup> corner 100 <sup>th</sup> street			\$ 200	\$ 400	\$	
112 <sup>th</sup> Paid Nov 15 <sup>th</sup> 1882	John & Mary Johnson	household furniture			\$	\$	\$	
112 <sup>th</sup> Paid Nov 15 <sup>th</sup> 1882	John & Mary Johnson	lot 19 <sup>th</sup> street 7 <sup>th</sup> ch. add.			\$ 25	\$ 275	\$	
80 <sup>th</sup> Paid Nov 15 <sup>th</sup> 1882	John & Mary Johnson	Possibilities to lot 12 <sup>th</sup> 40 <sup>th</sup> NW 1/2			\$	\$	\$	
80 <sup>th</sup> Paid Nov 15 <sup>th</sup> 1882	John & Mary Johnson	lot 14 <sup>th</sup> 15 <sup>th</sup> 20 <sup>th</sup> 30 <sup>th</sup> 40 <sup>th</sup> 50 <sup>th</sup> 60 <sup>th</sup> 70 <sup>th</sup> 80 <sup>th</sup> 90 <sup>th</sup> 100 <sup>th</sup> 110 <sup>th</sup> 120 <sup>th</sup> 130 <sup>th</sup> 140 <sup>th</sup> 150 <sup>th</sup> 160 <sup>th</sup> 170 <sup>th</sup> 180 <sup>th</sup> 190 <sup>th</sup> 200 <sup>th</sup> 210 <sup>th</sup> 220 <sup>th</sup> 230 <sup>th</sup> 240 <sup>th</sup> 250 <sup>th</sup> 260 <sup>th</sup> 270 <sup>th</sup> 280 <sup>th</sup> 290 <sup>th</sup> 300 <sup>th</sup> 310 <sup>th</sup> 320 <sup>th</sup> 330 <sup>th</sup> 340 <sup>th</sup> 350 <sup>th</sup> 360 <sup>th</sup> 370 <sup>th</sup> 380 <sup>th</sup> 390 <sup>th</sup> 400 <sup>th</sup> 410 <sup>th</sup> 420 <sup>th</sup> 430 <sup>th</sup> 440 <sup>th</sup> 450 <sup>th</sup> 460 <sup>th</sup> 470 <sup>th</sup> 480 <sup>th</sup> 490 <sup>th</sup> 500 <sup>th</sup>			\$ 500	\$	\$	