

STATE OF NEVADA

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

(1) Name of claimant Tim DeLong Family Trust Agreement (Tim and Margarita J. DeLong co-trustees)  
P.O. Box 367 of Imlay  
Street Address or PO Box City or Town  
Nevada, 89418  
State and ZIP Code

(2) Source of water Bathtub Springs (also known as Murder Springs)  
Name of natural water source

(3) The water is diverted by:  
Spring Area and natural channel

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

(4) The water is diverted at the following point(s):  
within the NE1/4NE1/4 of Section 9, T.32N., R.31E., M.D.B.&M., or at a point from which the NE corner of said Section 9 bears N62°15' E a distance of 870.00 feet.

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 a 8' diameter plastic trough and a 20'x30' earthen pond.  
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun Prior to 1905  
and completed Prior 1905  
Date 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:  
The claimant holds the existing grazing rights for this area as well as the historic grazing rights as the successor in interest to ranching operations that have used this spring prior to 1905. (See Remarks)

(8) The claimant's water right was not recorded in the office of the County Recorder of Humboldt County, at Page        of Book        of         
Patented, deeded, public domain with grazing permit, etc.

(9) The approximate number of animals watered by the claimant during the first year 1892  
Date  
was 194 cattle 28 horses        sheep or wildlife (describe)       

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

2012 APR -5 AM 11:33

72-RE

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:  
See Exhibit "A" attachment. The number of animals watered was taken from the tax assessment rolls of Humboldt County. Prior to 1892 the assessment rolls do not indicate the number of animals assessed.

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

0.0155 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second

(12) The works are located at:

within the NE1/4NE1/4 of Section 9, T.32N.,R.31E., M.D.B.&M.

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

Remarks

See Exhibit "B" attachment which lists the original patents and patentees of the lands which make up the existing ranching operation presently owned by the claimant.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Tim DeLong Family Trust Agreement are full and correct to the best of his/her knowledge and belief. This proof is being filed by John H. Milton III, Professional Land Surveyor and Water Right Surveyor as agent for the Claimant.

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

Tim DeLong Family Trust Agreement

Name of Claimant

By

John H. Milton III

Telephone No. (775) 538-7616

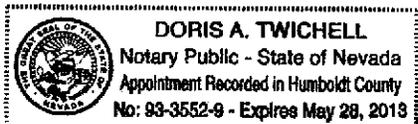
John H. Milton III

146 West Second Street

Winnemucca, Nevada, 89445

Telephone No. (775) 623-4414

Subscribed and sworn to before me this 4th day of April, 20 12



Doris A. Twichell  
Notary Public in and for the County of Humboldt

My commission expires May 28th, 2013

Exhibit "A:  
Tim DeLong Family Trust Agreement

Recap of the Assessment Roll of Humboldt County

<u>Year</u>	<u>Sheep</u>	<u>Cattle</u>	<u>Horses</u>	<u>Other</u>
1892		194	28	
1893	5500	1792	67	2
1894	9000	1110	110	2
1895	8060	1710	102	2
1896	8000	1695	100	2
1897	9000	1620	128	2
1898	9000	1650	84	2
1899	8500	800	75	2
1900	11000	780	67	
1901	8000	1070	84	
1902	8000	480	80	
1903	7000	640	90	
1904	7000	670	107	72
1905	7000	900	55	72

Exhibit "B"  
Tim DeLong Family Trust Agreement

<u>Patent</u>	<u>Patentee</u>	<u>Date Issued</u>	<u>Book/Page</u>	<u>Remarks</u>
12097	Baker, Joseph E.	02-04-1946	Bk. 21 Pg. 408 CC	App. No. 15044
12825	Baldie, José F.	10-20-1952	Bk. 22 Pg. 540 CC	App. No. 9023
5594	Beatty, W. H.	1888		Contract No. 2153 Nov. 15, 1885
11167	Berkhan, Wm.	07-10-1934	Bk. 20 Pg. 59 CC	App. No. 19319
7835	Brown, T. B.	09-14-1914	Bk. 14 Pg. 310 CC	App. No. 18023
12826	Buck, Ada W.	10-20-1952	Bk. 22 Pg. 541 CC	App. No. 18615
13120	Cox, John	09-29-1955	Bk. 23 Pg. 237 CC	App. No. 8897
5484	Curtis, Henry	1884		
8025	Denson, S. C.	1889		Contract No. 2895
8432	Dunbar, Oron L.	11-17-1913	Bk. 15 Pg. 308 CC	App. No. 18470
USA 1141439	Duncan, Byron T. & Avis M.	11-04-1953	Bk. 18 Pg. 62	
5575	Fritz, William	11-25-1885		Contract No. 215
Hd 09192	James, John Henry			Homestead entry
	Johnson, Robert C.			App. No. 18368
13118-19	Lewis, Richard Wm.	09-29-1955	Bk. 23 Pg. 235-8 CC	App. No. 5569
8121	McKay, Nettie M.	03-31-1916	Bk. 145 Pg. 596 CC	App. No. 19117
12689	Montgomery, Maud M.	09-07-1951	Bk. 22 Pg. 404 CC	App. No. 19128
12692	Noteware, Eleanor	09-07-1951	Bk. 22 Pg. 407 CC	App. No. 18610
12826	Noteware, Norma	10-20-1952	Bk. 22 Pg. 541 CC	App. No. 18443
12824	Noteware, Norma	10-20-1952	Bk. 22 Pg. 539 CC	App. No. 18613
12826	Noteware, Warren G.	10-20-1952	Bk. 22 Pg. 541 CC	App. No. 18614
12691	Noteware, Warren G.	09-07-1951	Bk. 22 Pg. 406 CC	App. No. 18609
7588	Rockwell, Frank	08-07-1913	Bk. 49 Pg. 103	App. No. 11685
7668	Rockwell, Frank	11-03-1913	Bk. 49 Pg. 106	App. No. 8872
9598	Shoobert, John	11-26-1920	Bk. 17 Pg. 282 CC	App. No. 11127
09409	Sunbronio, Eitoro			Homestead entry
2401	Sutherland, William	06-19-1884	Bk. 26 Pg. 140	Cert. No. 2098
USA 2337	Sweetsier, Frank D.	10-19-1885	Bk. 37 Pg. 251	App. Nos. 5265,5353,5363
USA 2005	Sweetsier, Marie E.	12-03-1883	Bk. 37 Pg. 249	
7667	Thacker, J. N.	11-03-1913	Bk. 49 Pg. 104	App. No. 6031
2400	Thacker, John N.	06-21-1884	Bk. 46 Pg. 340	Cert. No. 2099
6031	Thacker, John N.	10-28-1889	Bk. 46 Pg. 342	Cert. No. 2864
7669	Thacker, Sarah E.	11-03-1913	Bk. 49 Pg. 105	App. No. 8873
2402	Thacker, Sarah E.	06-21-1884	Bk. 46 Pg. 341	Cert. No. 2100
8024	Woodburn, James	1889		Contract No. 8024
12692	Wright, Annie E.	09-07-1951	Bk. 22 Pg. 407	App. Nos. 18611-12