AMENDED Application No. 010262

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant Michel and Margaret Ann Etcheverry Family Limited Partnership

7933 Calloway Dr. (Street Address or PO Box) of Bakersfield (City or Town)

California 93314 (State and ZIP Code)

(2) Source of water unnamed spring (Name of natural water source)

(3) The water is diverted by:
natural spring discharge area and natural channel

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

(4) The water is diverted at the following point(s):
NW 1/4 NE 1/4 of Section 34 of Township 23 North, Range 51 East at coordinates 1,859,387.86 Easting, 14,461,427.53 Northing, NAD 1927 UTM Zone 11N (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 natural channel (Troughs, tanks, pools, reservoir, natural channel, etc.)

(6) The construction of the ditch or other works was begun not applicable (Date)
and completed _____ (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:
Source is located on public domain within the Roberts Mountain Grazing Allotment

(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 ca. 1874 (Date)

was 800 cattle _____ horses 5000 sheep or wildlife (describe) _____

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

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:
500 cattle and 3500 sheep

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

0.015 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second

(12) The works are located at:
NW 1/4 NE 1/4 of Section 34 of Township 23 North, Range 51 East.

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

Remarks

1. Chain of Title and supporting documentation in support of the claims of vested rights by MICHEL and MARGARET ANN ETCHEVERRY FAMILY LIMITED PARTNERSHIP are provided in the accompanying three binders.
2. Spring provides a source of stock water to the Roberts Mountain Grazing Allottment
3. Some spring flow data obtained from Mt. Hope Project Draft EIS (BLM 2011) or Hydrogeology and Numerical Flow Modeling Mt. Hope Project (Montgomery, et al, 2010).

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STATE ENGINEERS OFFICE

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Michel and Margaret Ann Etcheverry Family Limited Partnership are full and correct to the best of his/her knowledge and belief.
Application prepared and submitted by Dale C. Bugenig, Agent.

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

Michel & Margaret Ann Etcheverry Family Limited Partnership
Name of Claimant

By Dale C Bugenig

Telephone No. (661) 978-9694

Dale C. Bugenig, Agent
12290 Westridge Dr.
Reno, NV 89511
Telephone No. (775) 232-2108

Subscribed and sworn to before me this 25 day of July, 20 12

Kimberly Todd

KIMBERLY L. TODD
Notary Public - State of Nevada
Appointment Recorded in Eureka County
No: 03-79670-8 - Expires January 3, 2015

Notary Public in and for the County of Eureka

My commission expires January 3, 2015

Revised 07/09 - POA

$50 FILING FEE MUST ACCOMPANY PROOF