

STATE OF NEVADA

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

(1) Name of claimant Jack E. Carrington, aka John E. Carrington and Virginia G. Carrington Declaration of Trust
560 Arroyo Street of Reno
Street Address or PO Box City or Town
Nevada 89509
State and ZIP Code

(2) Source of water Trout Creek and streams and springs that are tributaries to Trout Creek
Name of natural water source

(3) The water is diverted by:
The livestock and wildlife water in the natural channels of Trout Creek and streams and springs that are tributaries to Trout Creek. See attached map of Section 23, T.29N, R.45E MDB&M and summary of streams and springs that are tributaries to Trout Creek with GPS coordinates.
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s):
The livestock and wildlife water in the natural channels of Trout Creek and streams and springs that are tributaries to Trout Creek in Section 23, T.29N, R.45E MDB&M. See attached map of Section 23, T.29N, R.45E MDB&M and summary of streams and springs that are tributaries to Trout Creek with GPS coordinates.

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 the natural channels of Trout Creek and streams and springs that are tributaries to Trout Creek
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun N/A
and completed N/A 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:
Title Owner of Section 23, T.29N, R.45E MDB&M

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 Date
was cattle horses sheep or wildlife (describe)

The watering was conducted during each of the following months:
See attached response to (9) and (10).

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:
See attached response to (9) and (10).

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

See attached response to (11) _____ cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second

(12) The works are located at:

Trout Creek and the streams and springs that are tributaries to Trout Creek located in Section 23, T.29N, R.45E MDB&M. See attached map of Section 23, T.29N, R.45E MDB&M and summary of streams and springs that are tributaries to Trout Creek with GPS coordinates.

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 undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by
John E. Carrington _____ are full and correct to the best of his/her knowledge and belief.

John E. Carrington is an authorized agent of the claimant, Jack E. Carrington, aka John E. Carrington and Virginia G. Carrington Declaration of Trust entered into on February 19, 2003

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

and Virginia G. Carrington Declaration of Trust entered into on
February 19, 2003

Name of Claimant

By

Michael F. Mackedon

Michael F. Mackedon, Esq., Attorney for Claimant

Telephone No. 7757418244

State of Nevada

County of Churchill

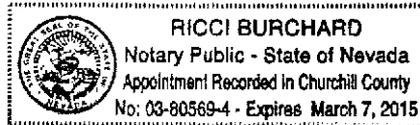
P.O. box 1203

Subscribed and sworn to before me on November 30, 2008

Fallon, NV 89407

by Ricci Burcharad

Telephone No. 7754232106



Signature of Notary Public Required

Notary Stamp or Seal Required

RESPONSE TO (9), (10) AND (11)

- (9) Prior to 1905, livestock grazing and watering occurred at this location based upon the possessory rights or claims of the individual owners of livestock on a seasonal basis based upon forage available and climate conditions in the grazing area within the stream shed. Upon information and belief, in excess of 75 cattle, 10 horses, and 1,000 sheep have watered, and continue to water, in this location. Upon information and belief, wildlife watered in this location from prior to 1905 through the present.
- (10) From the date of patent, 1905, until the Taylor Grazing Act livestock grazed and watered at this location pursuant to leases on a seasonal basis based upon forage available and climate conditions in the grazing area within the stream shed. From the time of the Taylor Grazing Act forward, the livestock permitted in the grazing allotment grazed and watered in this location in the numbers and during the seasons established by the grazing permit in place at the time. Upon information and belief, in excess of 75 cattle, 10 horses, and 1,000 sheep have watered, and continue to water, in this location. Upon information and belief, wildlife watered in this location from prior to 1905 through the present.
- (11) Pursuant to NRS 533.490, no quantity of water in cubic feet per second for the watering of livestock and wildlife is offered. Upon information and belief, in excess of 75 cattle, 10 horses, and 1,000 sheep have watered, and continue to water, in this location as described in (9) and (10).