Application No. 010337

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant Tim and Margarita J. DeLong as co-Trustees of the Tim DeLong Family Trust Agreement

P.O. Box 367 (Street Address or PO Box) of Imlay (City or Town)

Nevada, 89418 (State and ZIP Code)

(2) Source of water Eagle Spring #2 (Name of natural water source)

(3) The water is diverted by:

The water is used for stockwatering purposes in the natural channel. Actual diversion of water is not necessary where livestock water from the natural channel. See, Steptoe Live Stock Co. v. Gulley, 53 Nev. 163 (1931).

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

(4) The water is diverted at the following point(s):

Lot 10 within the SE1/4SW1/4 of Section 28, T.35N., R.34E., M.D.B.&M. or at a point from which the E1/4 corner of Section 29, T.35N., R.34E., M.D.B.&M. bears N. 40° 08' 43" W. a distance of 2,234.30 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 NA. Cattle water from the natural channel. (Troughs, tanks, pools, reservoir, natural channel, etc.)

(6) The construction of the ditch or other works was begun Prior to 1905. (Date) and completed Prior to 1905. (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 spring is located on public lands administered by the Bureau of Land Management. Claimant holds a grazing permit from the BLM, which authorizes it to graze cattle on the public lands on which the spring is located. Claimant's predecessor's in title grazed cattle in the area and used the springs for stockwatering prior to and after 1905.

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 Prior to 1905 (Date)

was 500 cattle _____ horses 1,000 sheep or wildlife (describe) _____

The watering was conducted during each of the following months:

January 1 - December 31

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(10) The approximate number of animals watered by the claimant in subsequent years was as follows:
Claimant and its predecessors have grazed approximately 500 cattle in the area since 1905 and continue to graze 500 cattle in the area at the present date.

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

15 gallons/minute (0.03342 cfs) cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second

(12) The works are located at:
Cattle water from the spring in Lot 10 within the SE1/4SW1/4 of Section 28, T.35N., R.34E., 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

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by The Tim DeLong Family Trust Agreement 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.

The Tim DeLong Family Trust Agreement
Name of Claimant

By

Telephone No. (775) 323-1601

John R. Zimmerman, Esq.

Parsons Behle & Latimer

50 W. Liberty St., Suite 750, Reno, NV 89501

Telephone No. (775) 323-1601

State of Nevada

County of Washoe

Subscribed and sworn to before me on October 17, 2012

by ***John R. Zimmerman***

RONI L. SHAFFER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 99-36517-2 - Expires May 5, 2015

Signature of Notary Public Required

Notary Stamp or Seal Required

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$50 FILING FEE MUST ACCOMPANY PROOF