

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 of Imlay
Street Address or PO Box City or Town

Nevada, 89418
State and ZIP Code

(2) Source of water Eagle Spring #4
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):

Within the NE1/4NW1/4 of Section 29, 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 S. 60° 49' 15" E. a distance of 4,356.7 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.
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 patented land not owned by claimant. Claimant holds a grazing permit from the BLM, which authorizes it to graze cattle on the public lands surrounding the patented land. Claimant's predecessor's in title grazed cattle and used the spring for stockwatering prior to and after 1905 and claimant asserts a right to access the spring.

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 1,000 horses 1,000 sheep or wildlife (describe)

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

31-HW

(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 the NE1/4NW1/4 of Section 29, 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

John R. Zimmerman, Esq.

Telephone No. (775) 323-1601

State of Nevada

County of Washoe

Parsons Behle & Latimer

Subscribed and sworn to before me on October 17, 2012

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

by ***John R. Zimmerman***

Telephone No. (775) 323-1601

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STATE ENGINEERS OFFICE

Roni L. Shaffer

Signature of Notary Public Required



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

Notary Stamp or Seal Required