Amended Serial No. .....**010346**.....

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant DeLong Ranches, Inc.

335 Bottle Creek Road of Winnemucca
Street and No. or P.O. Box No. City or town

Nevada, 89445
State and Zip Code No.

(2) Source of water Alaska Creek
Name of natural water source.

(3) The water is diverted by Alaska Creek which headwaters with a North Fork within T39N, R31E, Section 19: NE1/4 NE1/4, SE1/4 NE1/4, SW1/4 NE1/4; a Middle Fork in 39N, R31E, Section 19: SW1/4 NE1/4, and a South Fork in T39N, R31E, Section 19: SW1/4 NW1/4. The Main Fork of Alaska Creek from the confluence of the three forks begins in T39N, R30E, Section 13: SE 1/4 NE 1/4 and flows in a northwesterly direction through T39N, R30E, Section 13: SW1/4 NE1/4, NW1/4 NE1/4, NE1/4 NW1/4. The water then flows into a Point of Diversion Ditch in a westerly direction within T39N, R30E, Section 12: SE1/4 SW1/4, SW1/4 SW1/4; T39N, R30E, Section 11: SE1/4 SE1/4 where it turns northerly and terminates in T39N, R30E, Section 11: NE1/4 SE1/4. (NOTE: See attached spreadsheet for complete list of legal descriptions for Points of Diversion and Places of Use.)
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) Alaska Creek which headwaters with a North Fork within T39N, R31E, Section 19: NE1/4 NE1/4, SE1/4 NE1/4, SW1/4 NE1/4; a Middle Fork in 39N, R31E, Section 19: SW1/4 NE1/4, and a South Fork in T39N, R31E, Section 19: SW1/4 NW1/4. The Main Fork of Alaska Creek from the confluence of the three forks begins in T39N, R30E, Section 13: SE 1/4 NE 1/4 and flows in a northwesterly direction through T39N, R30E, Section 13: SW1/4 NE1/4, NW1/4 NE1/4, NE1/4 NW1/4. The water then flows into a Point of Diversion Ditch in a westerly direction within T39N, R30E, Section 12: SE1/4 SW1/4, SW1/4 SW1/4; T39N, R30E, Section 11: SE1/4 SE1/4 where it turns northerly and terminates in T39N, R30E, Section 11: NE1/4 SE1/4. (NOTE: See attached spreadsheet for complete list of legal descriptions for Points of Diversion and Places of Use.)

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.

(5) The water is impounded in a natural channel and earthen diversion ditch.
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun unknown. Cattle first used Alaska Creek in 1871. The works were completed unknown. However, the priority date of use is 1871 beginning with the first use of Alaska Creek (See Exhibit "A-1" Supplement 1 and Amendment

to Exhibit A – Already on File with the Division of Water Resources, filed under Bliss Spring and Bliss Canyon V09804).

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is within public domain with grazing permit held by DeLong Ranches, Inc. and privately-deeded land owned by claimant.

Places of use include: Alaska Creek which headwaters with a North Fork within T39N, R31E, Section 19: NE1/4 NE1/4, SE1/4 NE1/4, SW1/4 NE1/4; a Middle Fork in 39N, R31E, Section 19: SW1/4 NE1/4, and a South Fork in T39N, R31E, Section 19: SW1/4 NW1/4. The Main Fork of Alaska Creek from the confluence of the three forks begins in T39N, R30E, Section 13: SE 1/4 NE 1/4 and flows in a northwesterly direction through T39N, R30E, Section 13: SW1/4 NE1/4, NW1/4 NE1/4, NE1/4 NW1/4. The water then flows into a Point of Diversion Ditch in a westerly direction within T39N, R30E, Section 12: SE1/4 SW1/4, SW1/4 SW1/4; T39N, R30E, Section 11: SE1/4 SE1/4 where it turns northerly and terminates in T39N, R30E, Section 11: NE1/4 SE1/4. (NOTE: See attached spreadsheet for complete list of legal descriptions for Points of Diversion and Places of Use.)

Cattle use the water along all points of the springs, creek, ditches, and/or other works.

Patented, deeded, public domain with grazing permit, etc.

(8) The claimant's water right was (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 1871 (Date) was 400 cattle 30 (domestic) horses 1000 sheep or wildlife (describe) deer, antelope, birds (Other)

The watering was conducted during each of the following months Cattle were watered year-round (12 months.) Horses were watered at gathering, branding, and shipping times during the spring and fall (4 months). Sheep were watered at various times throughout the year when the bands were moved (2 months.)

(10) The approximate number of animals watered by the claimant in subsequent years was as follows: 400 cattle have been watered at Alaska Creek in every subsequent year following 1871. 1000 sheep were watered at Alaska Creek until the late 1920's when the bank foreclosed on Lay Land and Livestock. 1000 head of sheep were again watered at Alaka Creek in the 1930's when various sheepmen and/or cattlemen leased the Jackson Mountain range. (See Exhibit "A-1" Supplement and Amendment to Exhibit A; Exhibit "A-2" Supplement 2 to Exhibit A for documentation of use – Already on File with Division of Water Resources under Bliss Spring and Bliss Canyon # V09804)

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 .025 cubic feet per second.

448.83 gallons per minute equals 1 cubic feet per second.

(12) The works are located at Alaska Creek which headwaters with a North Fork within T39N, R31E, Section 19: NE1/4 NE1/4, SE1/4 NE1/4, SW1/4 NE1/4; a Middle Fork in 39N, R31E, Section 19: SW1/4 NE1/4, and a South Fork in T39N, R31E, Section 19: SW1/4 NW1/4. The Main Fork of Alaska Creek from the confluence of the three forks begins in T39N, R30E, Section 13: SE 1/4 NE 1/4 and flows in a northwesterly direction through T39N, R30E, Section 13: SW1/4 NE1/4, NW1/4 NE1/4, NE1/4 NW1/4. The water then flows into a Point of Diversion Ditch in a westerly direction within T39N, R30E, Section 12: SE1/4 SW1/4, SW1/4 SW1/4; T39N, R30E, Section 11: SE1/4 SE1/4 where it turns northerly and terminates in T39N, R30E, Section 11: NE1/4 SE1/4. (NOTE: See attached spreadsheet for complete list of legal descriptions for Points of Diversion and Places of Use.) .

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

Remarks

Alaska Creek is located in the historic grazing area surrounding Jackson Creek Ranch owned by DeLong Ranches, Inc. Evidence of cattle use on Jackson Creek / Trout Creek range land surfaces in 1871. The September 2, 1871, edition of the newspaper, *The Silver State*, describes Mr. J. Mann of the firm "Smith & Mann" (predecessors to the claimant) as having a "large band of cattle on extensive pasture on Jackson Creek." Besides newspaper accounts, J.J. Mann and William Smith of "Smith & Mann" made claims on land around Donishee (Donna Shea) and Jackson Creek in 1871. S.J. Mann (likely a recording error for J.J. Mann) had a claim on land surrounding Trout Creek, also in 1871. In addition, cattle brand records published in the book, *On the Hoof in Nevada*, by Velma Stevens Truett and found in the Humboldt County Recorder's Office list cattle brands for "Smith & Mann" on Trout Creek Ranch, Jackson Creek Ranch, and Dunchee (Donna Shea) Springs Ranch, first recorded in 1873. General Land Office (GLO) survey maps dated 1874 indicate that cattle were using the range and water surrounding Trout Creek by this date with the depiction and labeling of the road and corral in Section 25 of T39N, R31E. Other predecessors to the claimant, including James Sloan and George D. Bliss grazed cattle in this area beginning in 1889. Later the Lay Brothers, Fred Hummel and others ran numerous cattle in the area. Various Possessory Claims were recorded throughout the 1800's and early 1900's on land and water surrounding Jackson Creek and Trout Creek often listing stock water use, irrigation use, and other beneficial uses. With these claims, newspaper accounts, various documents, chain of title, and evidence already on file with the Division of Water Resources, along with the fact that cattle use all water sources on the range in which they occupy, a continued, unbroken chain of use for land and water has been established from 1871 up to the present with DeLong Ranches, Inc. Evidence on file with the Division of Water Resources includes Exhibit "A" Proof of Vested Right; Exhibit "A-1" Supplement and Amendment to Exhibit A; Exhibit "A-2" Supplement 2 to Exhibit A; Exhibit "B" List of Nevada State Patents; Exhibit "C" List of United States Patents; and Exhibit "D" Chain of Title (Exhibits "A" through "D" -- filed under Bliss Spring and Bliss Canyon # V09804). Exhibit "E" is a reference map to show the location of the points of diversion and places of use for Alaska Creek and is already on file with NDWR.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by DeLong Ranches, Inc.

are full and correct to the best of his knowledge and belief.

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

DeLong Ranches INC.
Claimant

Telephone No. (775) 941-0196

By [illegible]
384 Denio Hwy. 140
Street and No., or P.O. Box No.
Winnemucca, NV 89445
City, State, Zip Code No.

Telephone No. (775) 941-0196

State of Nevada
County of Humboldt

Subscribed and sworn to before me this 26th day of June, 2013

Lisa Cassinelli

Notary Public in and for the County of Humboldt

My commission expires 8/1/15

LISA CASSINELLI
Notary Public - State of Nevada
Appointment Recorded in Humboldt County
No: 11-5444-9 - Expires August 1, 2015

$50 FILING FEE MUST ACCOMPANY PROOF

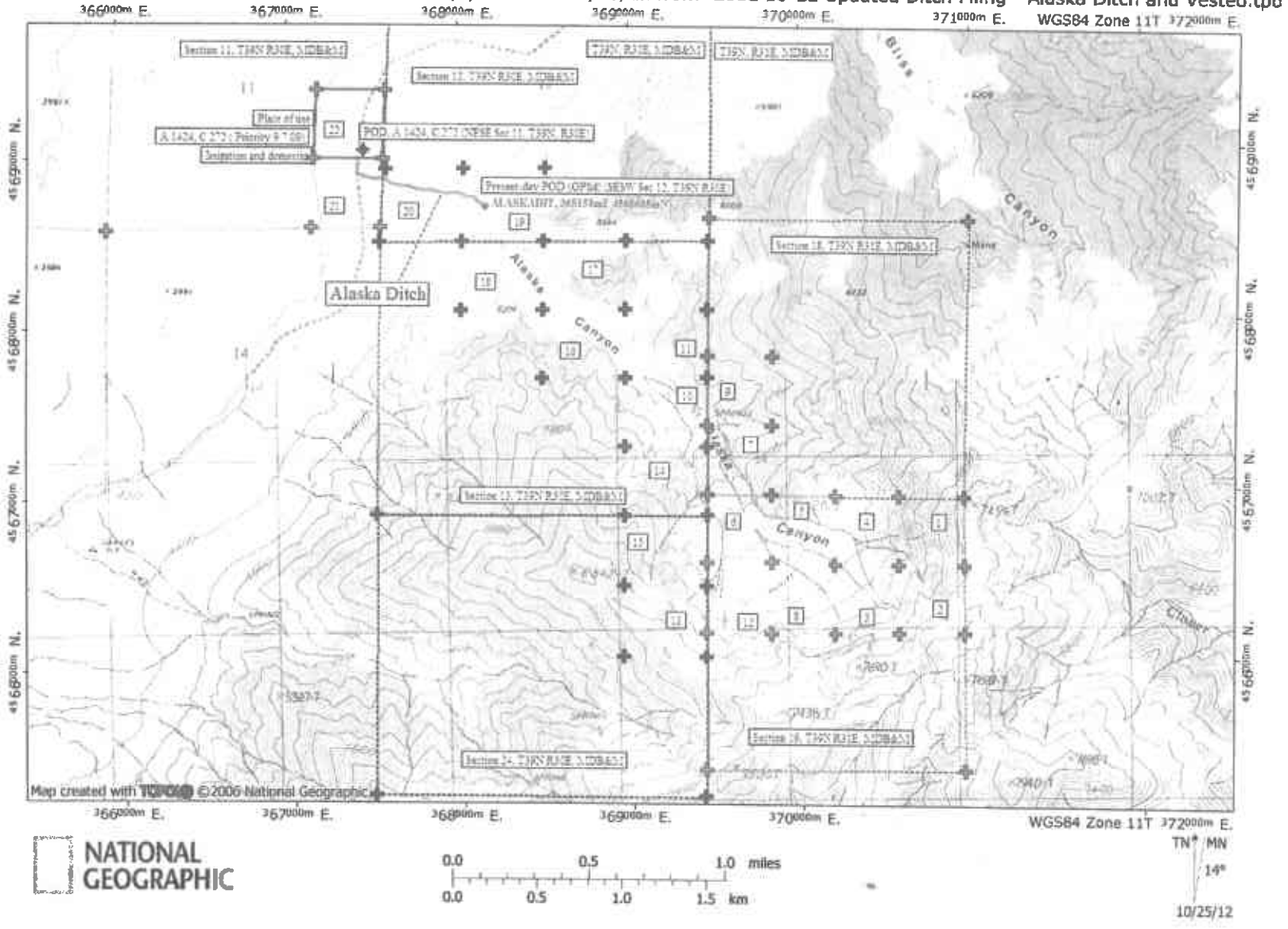
Alaska Legals for PODs and POUs

	Ref.	Township	Range	Section	QQ
NORTH FORK					
The North Fork of Alaska Creek headwaters at three locations in	1	39N	31E	19	NENE
	2	39N	31E	19	SENE
and	3	39N	31E	19	SWNE
flowing westerly and northwesterly, and joining in	4	39N	31	19	NWNE
thence flowing westerly through	5	39N	31	19	NENW
thence flowing northwesterly through	6	39N	31	19	NWNW
and	7	39N	31	18	SWSW
MIDDLE FORK					
The Middle Fork of Alaska Creek headwaters at two locations, both in	3	39N	31E	19	SWNE
thence flowing northwesterly through	8	39N	31E	19	SENW
	4	39N	31E	19	NWNE
	5	39N	31E	19	NENW
and joining in	6	39N	31E	19	NWNW
thence flowing northwesterly through	7	39N	31E	18	SWSW
The Joined Middle and North Forks of Alaska Creek flow northwesterly through	9	39N	31E	18	NWSW
	10	39N	30E	13	NESE
and	11	39N	30E	13	SENE
SOUTH FORK					
The South Fork of Alaska Creek headwaters at two locations in	12	39N	31E	19	SWNW
and	13	39N	30E	24	SENE
thence joining and flowing northerly through	6	39N	31E	19	NWNW
	14	39N	30E	13	SESE
	10	39N	30E	13	NESE
	11	39N	30E	13	SENE
The South Fork of Alaska has a tributary which arises in	15	39N	30E	24	NENE

and flows northeasterly through	14	39N	30E	13	SESE

MAIN FORK

The Main Fork of Alaska Creek from the confluence of the three forks in	11	39N	30E	13	SENE
flows northwesterly through	16	39N	30E	13	SWNE
	17	39N	30E	13	NWNE
	18	39N	30E	13	NENW
and	19	39N	30E	12	SESW
From the point of Ditch Diversion, the ditch flows westerly through	19	39N	30E	12	SESW
	20	39N	30E	12	SWSW
and	21	39N	30E	11	SESE
where it turns northerly and terminates in	22	39N	30E	11	NESE

Exhibit "E"

69002mE 4567454mN Zone 11T WGS84TOPO! map printed on 10/25/12 from "2012 10-22 Updated Ditch Filing - Alaska Ditch and Vested.tpo