

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 Etchart's Camp Spring
Name of natural water source.

(3) The water is diverted by a spring area with an man-made earthen dike placed below the spring to create a reservoir 15 ft x 18 ft x 2 ft deep. The dike contains an overflow pipe for water to spill out of the reservoir.
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) T36N, R31E, Section 16, SW1/4 SE1/4
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 reach.

(5) The water is impounded in a reservoir made from an man-made earthen dike placed below the spring to create a reservoir 15 ft x 18 ft x 2 ft deep. The dike contains an overflow pipe for water to spill out of the reservoir.
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun unknown with cattle first using Etchart's Camp Spring in 1871 . The works were completed unknown. However, the reservoir was expanded to its current size prior to 1920 when the Etchart's ran sheep and camped in the area and Willis W. Wells owned the property at Loco Springs (aka Fox Farm) and ran a store. The priority date of use for Etchart's Camp Spring is 1871. (See Exhibit "A" and 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 public domain with grazing permit held by DeLong Ranches, Inc. in T36N, R31E, Section 16, SW1/4 SE1/4
Places of use include: Etchart's Camp Spring and reservoir within T36N, R31E, Section 16, SW1/4 SE1/4
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). The earthen dike and reservoir were maintained and expanded at a later
date to allow the water of Etchart's Camp Spring to be more accessible to livestock.
- (10) The approximate number of animals watered by the claimant in subsequent years was as
 follows: 400 cattle have been watered at Etchart's Camp Spring in every subsequent year following
1871. Aproximately 1000 sheep or more (1 or 2 bands) were watered at Etchart's Camp Spring by
the Etcharts and other early sheepmen in the 1920's and 30's. (See Exhibit "A", Supplement 1 and
Amendment to Exhibit "A", and Supplement 2 to Exhibit "A" for documentation of use – Already
on File with Division of Water Resources filed under Proof #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
0.0124 cubic feet per second, or sufficient to water 400 head of cattle.
448.83 gallons per minute equals 1 cubic feet per second.
- (12) The works are located at T36N, R31E, Section 16, SW1/4 SE1/4
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Remarks

Etchart's Camp Spring was named after the Etchart Family that used the spring for their sheep and camped near the spring in the early 1900's as late as the 1920's and 30's. It is located in the historic grazing area surrounding Trout Creek and 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 1 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 Google Earth reference map to show the location of the points of diversion and places of use for Etchart's Camp Spring.

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)859-0240

By John D. Pong
335 Bottle Creek Rd.
Winnemucca, NV 89445

State of Nevada
County of Humboldt

Telephone No. (775) 859-0240

Subscribed and sworn to before me this 5th day of December, 20 12

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

Lisa Cassinelli

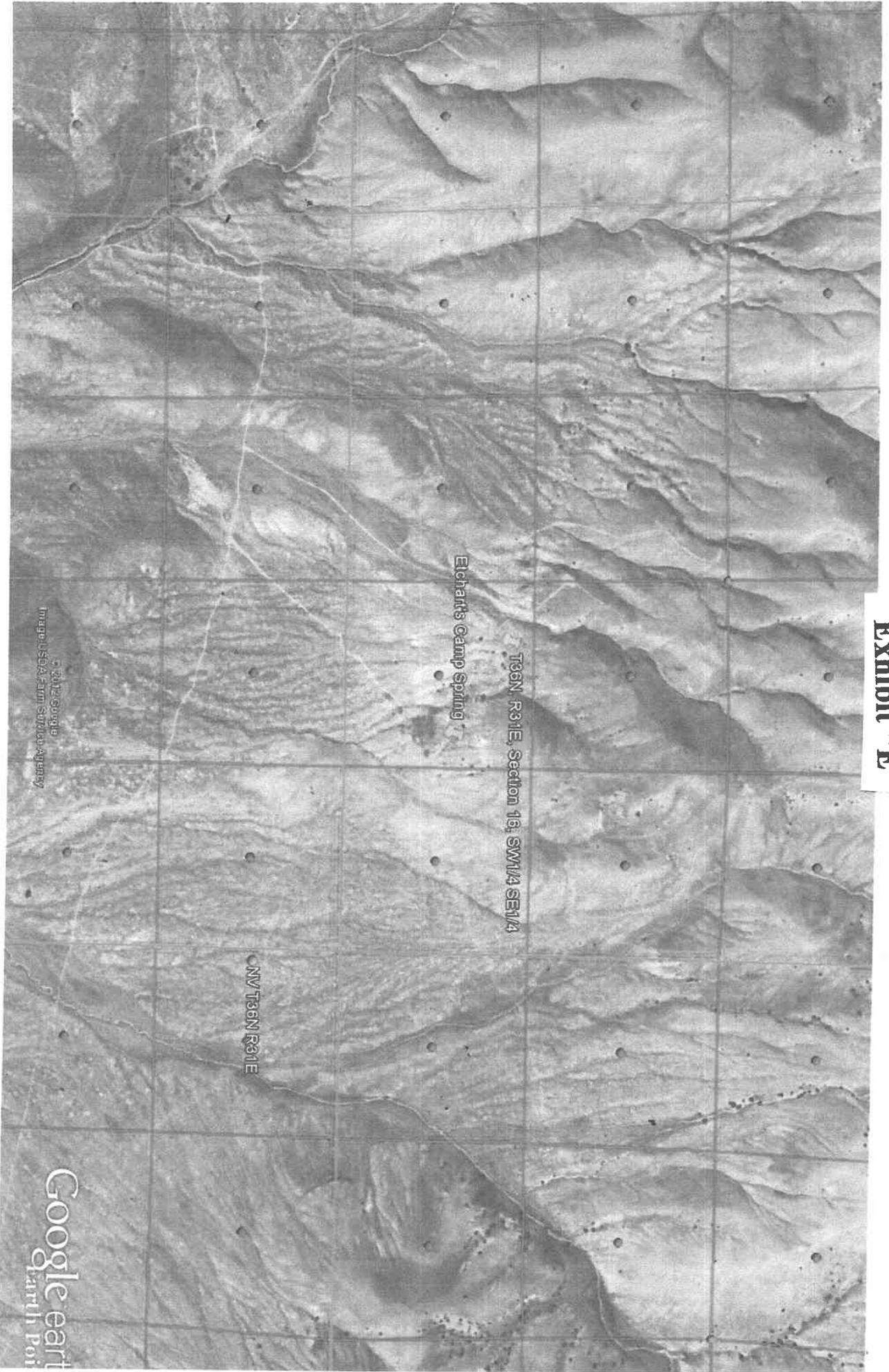
Notary Public in and for the County of Humboldt

My commission expires 8/1/15



\$50 FILING FEE MUST ACCOMPANY PROOF

Exhibit "E"



Google earth

miles
km

1

2

Google earth
Earth Point