

STATE OF NEVADA

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

(1) Name of claimant Duncan Family 2002 Trust
6500 Old Emigrant Rd. of Lovelock,
Street Address or PO Box City or Town
Nevada 89419
State and ZIP Code

(2) Source of water Sparkplug Spring
Name of natural water source

(3) The water is diverted by:
Natural spring flow; cattle drink from natural spring

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

(4) The water is diverted at the following point(s):
NW1/4 NW1/4, Section 2, T28N, R33E, MDM

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 Natural channel
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun Natural spring prior to 1905
and completed Natural spring 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 land was grazed by claimant's predecessors as part of the public domain. This property comprises a portion of claimant's grazing license and allotment.

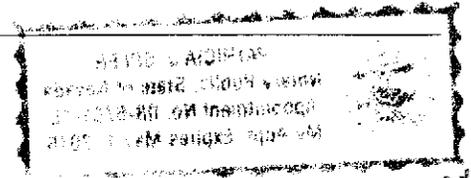
Patented, deeded, public domain with grazing permit, etc.

(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 1865
Date
was 150 cattle horses sheep or wildlife (describe)

The watering was conducted during each of the following months:
Unknown



*Lovelock Valley Drama Sch.
4-73c
PR*

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:
150 or more head of cattle

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
0.005 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second

(12) The works are located at:
NW1/4NW1/4, Section 2, T28N, R33E, MDM

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

Remarks

See Coal Canyon Poker Brown Allotment Water Use Summary, and Affidavit of Water Use Abigah E. Duncan

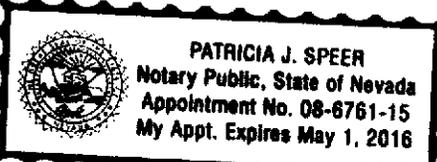
The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by
Abigah Duncan and predecessors are full and correct to the best of his/her knowledge and belief.

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

Duncan Family 2002 Trust
Name of Claimant By Abigah E. Duncan
Telephone No. (775) 273-0855 Abigah E. Duncan
PO Box 532
Lovelock, NV 89419
Telephone No. (775) 273-0855

RECEIVED
2013 APR - 1 PM 4:50
STATE ENGINEERS OFFICE

Subscribed and sworn to before me this 24 day of March, 2013



Patricia Speer Notary Public in and for the County of Pershing
My commission expires May 1, 2016

8. The Duncan Ranch is currently titled to the Duncan Family 2002 Trust and is operated by Bige, Maxine, Dan, Joan, and Abigah John "AJ" Duncan.

Grazing Use and Grazing Preference

9. As part of my ranching operation, I first began grazing cattle and horses on the Star Peak Allotment in 1946. The Star Peak Allotment was located on the east side of the railroad. There were no fences on the allotments and I grazed our cattle with other permittees on the allotments. In 1954, I sold some of my property in the Star Peak Allotment and moved to the Rochester Allotments.
10. In 1946, the grazing season of use was from November 1st to June 30th. At the end of the grazing season, the cattle were brought to our private ground along the Humboldt River, where they remained from July 1st to October 31st. Each year we repeated this cycle, continuing to turn out the cattle onto the allotment from November to June and bring the cattle to the river from July to October.
11. In 1960, I acquired a railroad lease from Henry Brink on the west side of the railroad in the Poker allotment. Later in the 1960s, I acquired William "Bill" Able's grazing permit on the west side of the railroad in the Poker Allotment. A map and documents from the BLM of the grazing area are attached as Exhibit 2. I continued the November to June grazing pattern from 1946 until 1967 in the Poker Allotment.
12. In 1967 the United States Department of Interior, Bureau of Land Management ("BLM") adjudicated the grazing rights for the Rochester and Poker Allotments. The adjudication was completed in 1971.
13. As a result of the BLM adjudication, the Rochester Allotment and Poker Allotment were fenced and I was issued a grazing permit known as the Coal Canyon Poker Allotment Permit #00104. I relinquished some of my grazing ground in the Rochester Allotment, on the east side of the railroad to the other permittees in exchange for BLM fencing my allotment, as well as to become the sole permittee in the Coal Canyon Poker Allotment. A map of my grazing allotment is attached as Exhibit 3, and a copy of my grazing permit is attached as Exhibit 4.
14. My grazing permit authorizes me to run 2587AUMs year around, utilizing different pastures or locations within the allotment at different times of the year. We continue to bring the cattle to our private ground along the Humboldt River from July 16th until October 31st. November 1st we turn the cattle out on our range rotating from the west side of the railroad to the east side of the railroad each year.
15. Since 1946, I have made continuous use of the grazing preferences on the Coal Canyon Poker Allotment.
16. I, or my son, have made continuous use of our grazing preference pursuant to the terms of the grazing permit since 1946 to the present day.

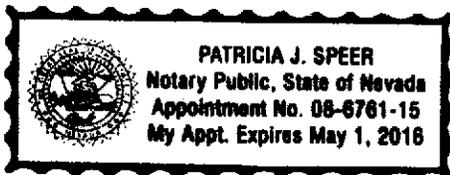
Water Use

17. The Spark Plug Springs is located in NW1/4 NW1/4, Sec 2, T28N, R33E, MDM. See Exhibit 5.
18. This source consists of a natural spring that surfaces and flows down a canyon. In the spring time of the year, this water will flow about 400 yards down the canyon before disappearing, and in the later months of the summer it doesn't flow as far. This spring does flow all year around.
19. In 1926, Champion Sillimante, Inc. submitted an application (No. 7952) to appropriate water from a spring located near or in the same location as Sparkplug Spring for mining, milling and domestic purposes. Exhibit 6.
20. Every other year we water approximately 150 head of cattle, including pairs, at this location.
21. I, or my son Dan, have made continuous use of water from Sparkplug Spring for stock water use the entire time I have had a grazing preference in this area.
22. When we are using this water source, we check it about once a week to ensure water is flowing. Little maintenance is required on Sparkplug Spring.

DATED this 24 day of March, 2013.

Abigah Elum Duncan
Abigah Elum Duncan

SUBSCRIBED AND SWORN to before me by Abigah Elum Duncan this 24 day of March, 2013.



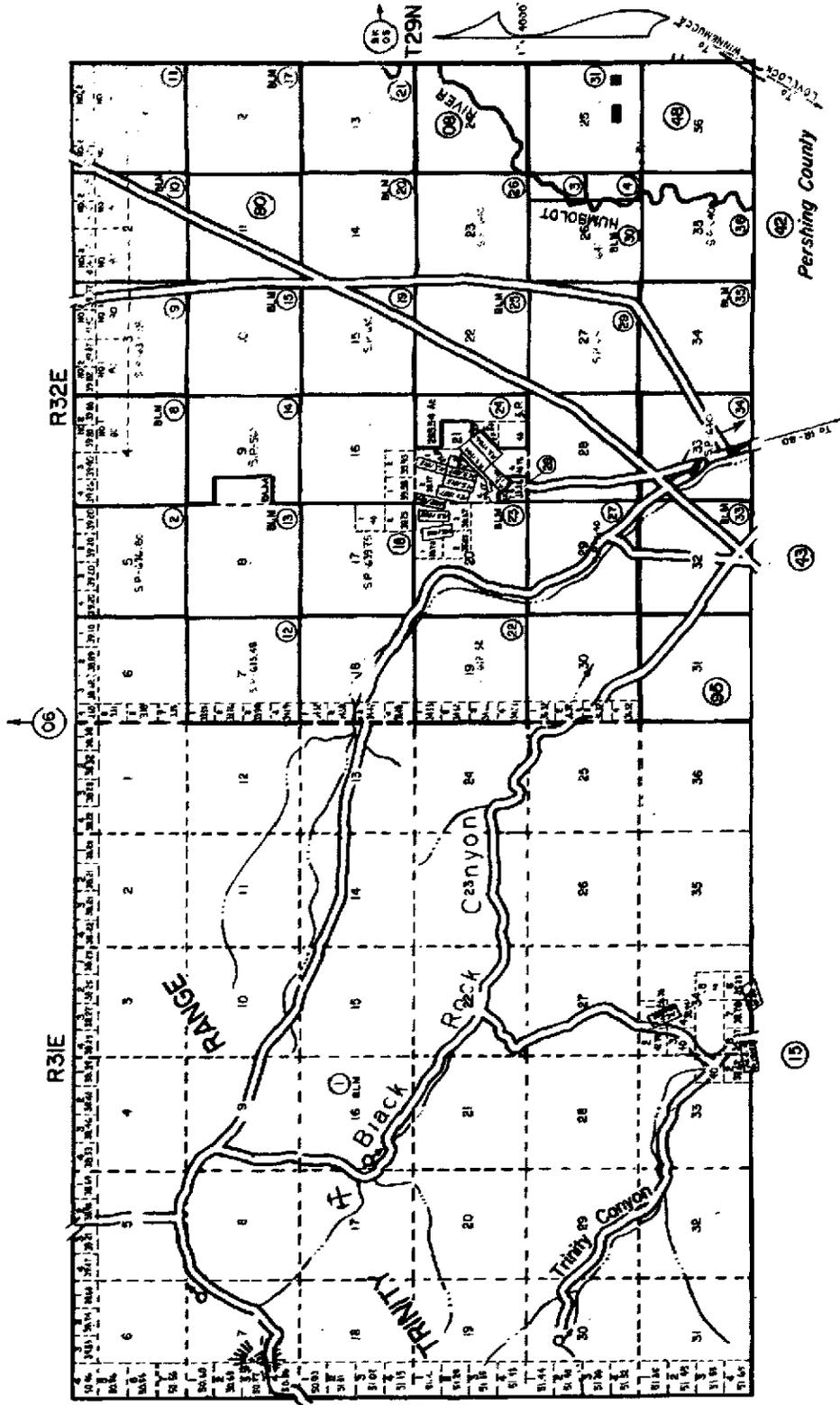
Patricia Speer
Notary Public for Nevada
My commission expires: May 1, 2016

EXHIBIT 1: DUNCAN PROPERTY (CURRENT)

Parcel #	Legal Description
003-421-01	T28N R32E Sec 3, All
003-421-02	T28N R32E Sec 2, SW ¼ SW ¼
003-421-04	T28N R32E Sec2, SW ¼ SE ¼
003-421-07	T28N R32E Sec 2, E ½ NE ¼; NE ¼ SE ¼
003-421-08	T28N R32E Sec 1, NW ¼: PTN SW ¼
003-421-16	T28N R32E Sec 10, NW ¼; N ½ NE ¼; W ½ SW ¼ T29N R32E Sec 15, All
003-431-15	T28N R32E Sec 16, SE ¼ NE ¼
003-431-19	T28N R32E Sec 16, SW ¼ S ½
003-441-06	T28N R32E Sec 20, E ½ NE ¼ T29N R32E Sec 21, All
003-451-01	T28N R32E Sec 22, N ½ NW ¼; NW ¼ NE ¼
003-071-04	T29N R32E Sec 26, E ½ SE ¼
003-071-36	T29N R32E Sec 35, NW ¼: PTN SW ¼
003-481-01	T29N R32E Sec 36, W ½ W ½
011-010-02	T29N R33E Sec 6, PTN Sec 6
011-010-26	T29N R33E Sec 7, E ½; W ½
011-010-27	T29N R33E Sec 18, W ½ W ½
008-220-16	T32N R34E Sec 28, W ½ NW ¼

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03-07
03-07

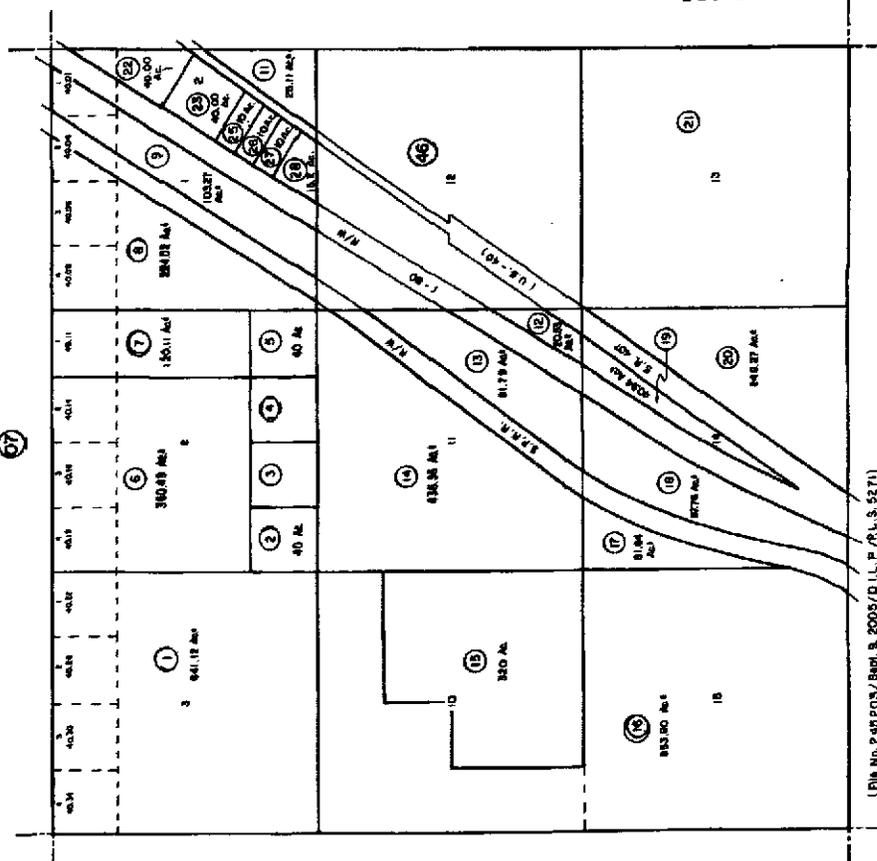


HTC/99AS/713

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T.28N., R.32E., M.D.B.8.M.

03-42



Bl. 05

NOTE: This plat is for assessment use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon, the plat being for other than assessment purposes. Use for other than assessment purposes is at the user's risk. Prepared by the Office of Taxation, Division of Assessment Standards.

PERSHING COUNTY

(File No. 248 EGS/Rep. S. 2005/D.L.P. P.L.S. 5271)
(File No. 248415/Ord. 22, 2005/P.H./P.L.S. 3271)

REV/DMS/04/06/04/04
REV/DMS/02/02/04/04
DPT/DMS/02/02/04

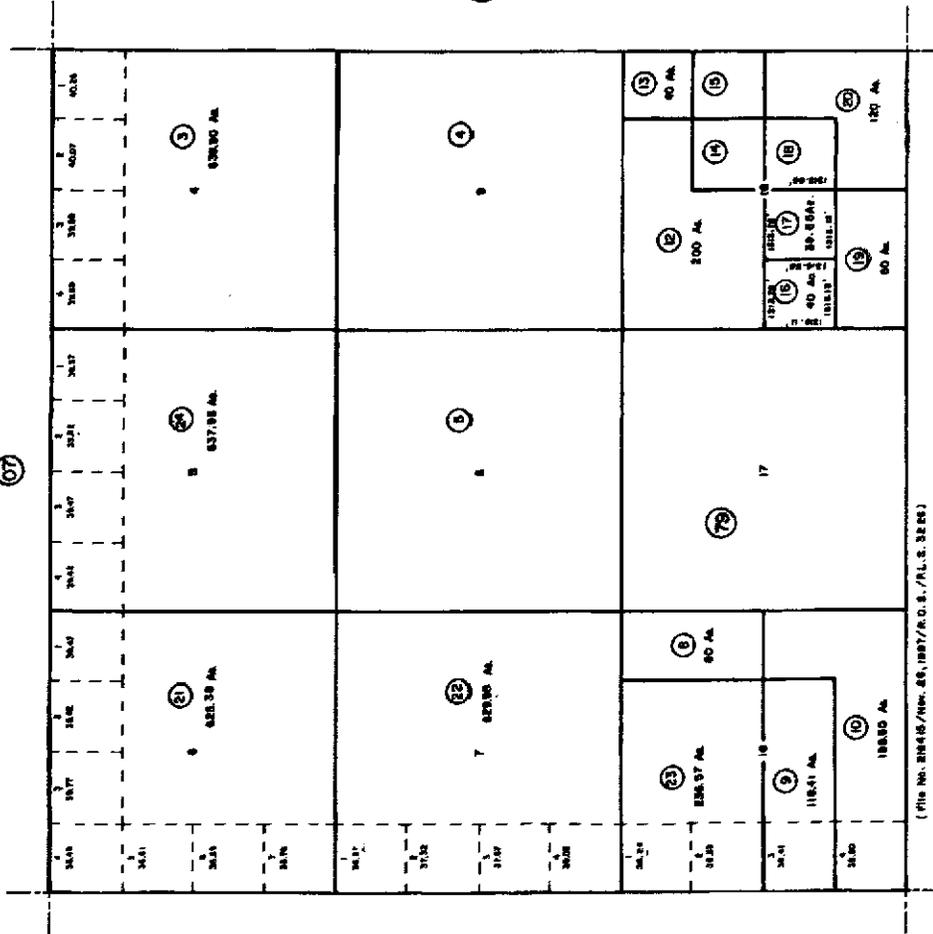
*** THIS IS AN UNOFFICIAL COPY ***

T.26 N., R.32 E., M. D. B. M.

U.S. DEPARTMENT OF THE INTERIOR

03 - 43

03 - 43



NOTE: This plat is for assessment use only and does not represent or survey. No liability is assumed as to the accuracy of the data delineated herein. Use of this plat for other than assessment purposes is forbidden unless approved by the Dept. of Taxation, Division of Assessment Standards.



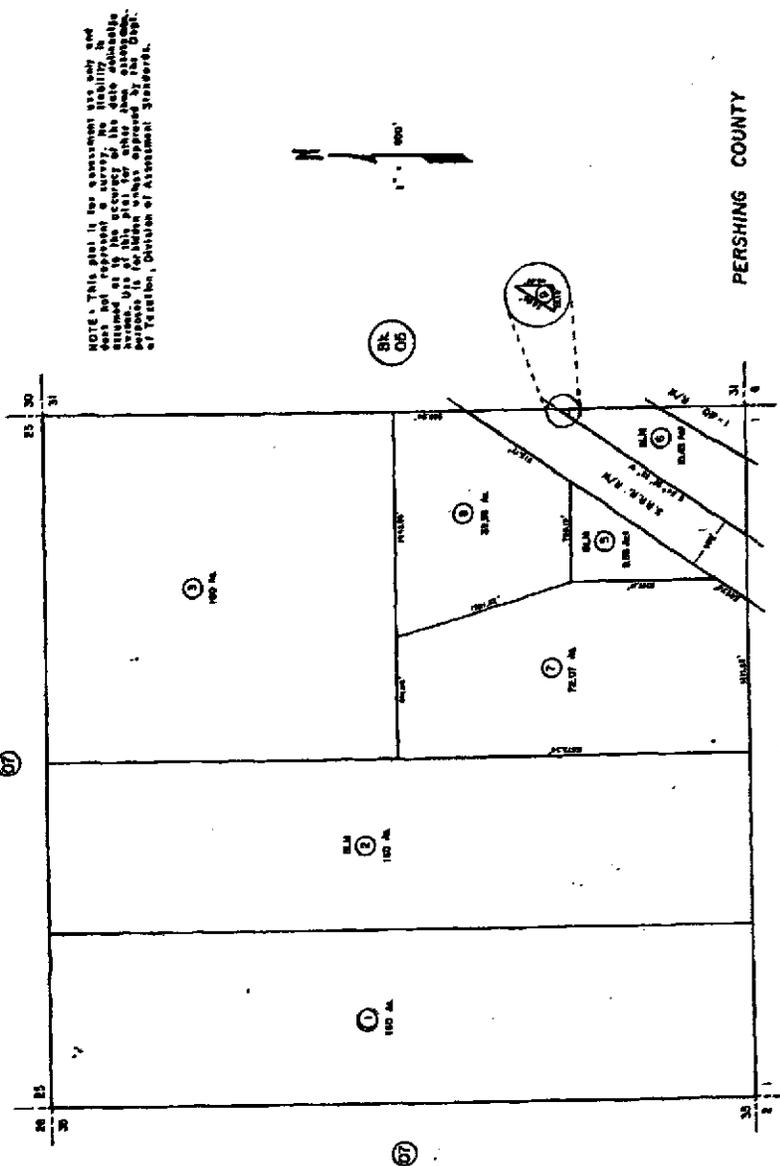
PERSHING COUNTY

REVISED 07/04
REVISED 01/05/04
REVISED 01/05/04
DOT/DOAS/TEB 88/04

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03-48
03-48

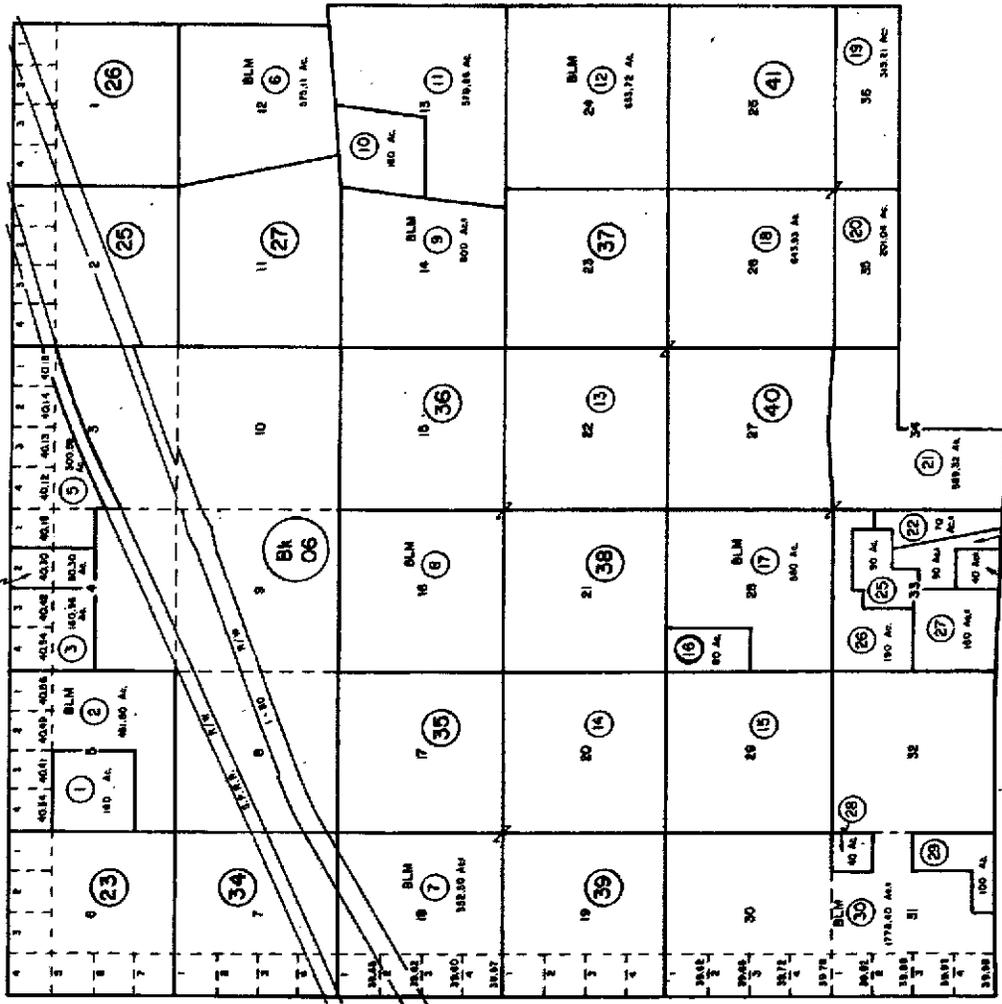
SEC. 36, R32E, T29N, M.D.B. & M.



REV/2004/05/01/PA
REV/2003/04/01/PA

T32N, R34E

08-22



PERSHING COUNTY

NOTE: This plot is for assessment use only

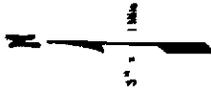
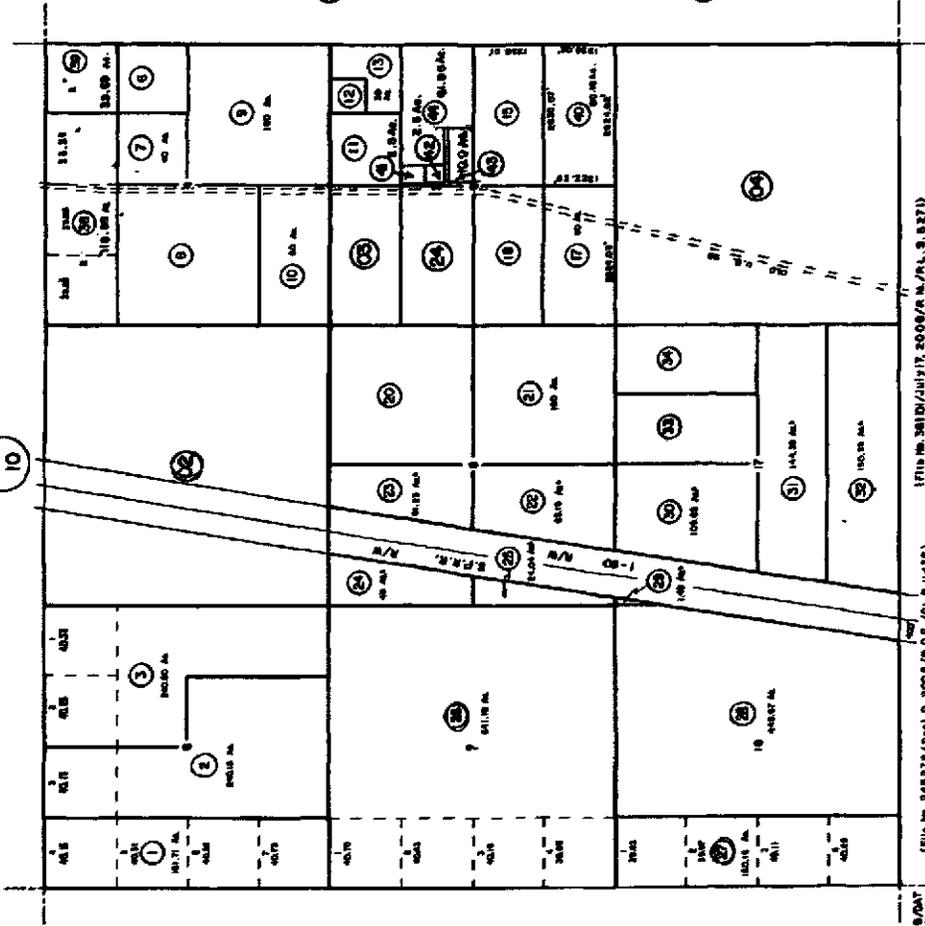
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T.29N., R.33E., M.D.B.&M.

1.629N., N.33E., 1/4 M.V.D.&M.

11-01

11-01



NOTE: This plat is for assessment use only and does not constitute a warranty of title. No liability is assumed as to the accuracy of the data reflected herein. Use of this plat for other purposes is forbidden unless approved by the Dept. of Taxation, Division of Assessment Standards.

REV/DMS/ANL/CB/DAT
 REV/DMS/ANL/OT/DAT
 REV/DMS/OC/CS/DAT
 REV/DMS/JUL/ST/DAT
 DOT/DOAS/MAR/06/DA

(File No. 848272/994 L 9, 2005/R.05./RL 5.11435)

(File No. 38101/10117, 2006/R. M./RL 5.8271)

PERSHING COUNTY



IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
POST OFFICE BOX 71
WINNEMUCCA, NEVADA 89445

NOTICE OF ADVISORY BOARD RECOMMENDATION

CERTIFIED MAIL #10,390
RETURN RECEIPT REQUESTED

December 14, 1967

Harvin Myers
Elkaville Star Route
Elkaville, Nevada 89415

Dear Mr. Myers:

The Advisory Board of the State of Nevada, Winnemucca Grazing District Number 2, on December 6, 1967 when reviewing the range divisions, allotment management plans, and future range improvement program in the Rochester Unit considered the following information:

In the interest of developing allotment management plans, the Bureau with mutual consent on the majority of the range users negotiated a range division to establish the Coal Canyon and Rochester Common Allotments in the Rochester Unit. These allotments were proposed considering the base property qualifications, exchange-of-use agreements (Southern Pacific Company leases), grazing capacities from range inventories, and adjudication in the Rochester Unit on February 4, 1966.

Base property qualifications, exchange-of-use agreements, and Federal Range grazing capacities of each allotment are listed below in animal unit months:

Coal Canyon Allotment:

Federal Range Qualifications	2,121 AUMs
Exchange-of-Use Forage	<u>469 AUMs</u>
Total Authorized Use	2,590 AUMs

Total Estimated Grazing Capacity (Federal Range, and Exchange of-Use) in Allotment	2,654 AUMs
--	------------

Rochester Common Allotment:

Federal Range Qualifications	4,314 AUMs
Exchange-of-Use Forage	<u>2,099 AUMs</u>
Total Authorized Use	6,413 AUMs

Total Estimated Grazing Capacity
(Federal Range, and Exchange-
of-Use) in allotment

6,482 AUMs

The figures include the trade of Federal Range qualifications and Exchange-of-Use forage necessary to equitably satisfy grazing use and livestock water on both sides of the division line.

For detailed location and legal description of allotment line, see attached map & agreement. This agreement has been executed by all range users except Marvin A. & Fannie E. Myers, Unionville Star Route, Inley, Nevada.

After review of the above information, data, and range agreement, the Advisory Board recommended as follows:

1. That the proposed range line be recognized, establishing the Coal Canyon Allotment and Rochester Common Allotment. However, it is recognized that this division line will not be fenced until after July of 1968.

2. The range users designated to use these allotments will be as follows:

Coal Canyon Allotment:

A. E. Duncan
Star Sheep Company
Gus Duncan

Rochester Common Allotment:

Marvin Myers
Paris Brothers
Clarence & Henry Anderson
Paul Engle
Star Sheep Company
Marie Anderson Estate
Jake Baird
Wm. H. Abel

The recommendation together with the executed agreement has been considered by me. I concur with the Advisory Board and their recommendation.

If you wish to protest this recommendation, please appear in person, by attorney or representative or submit your protest in writing, on January 17, 1968, at 2:30 p.m., Winnemucca District Office, at which time and place the advisory board will hear protests in the presence of a representative of the Bureau of Land Management.

In the absence of a protest within the time allowed, the above recommendation shall constitute the District Manager's decision on your application. Should this notice become the District Manager's decision and if you wish to appeal such decision for the purpose of a hearing before an examiner, in accordance with 43 CFR 1853, you are allowed thirty (30) days from receipt of this notice within which to file such appeal with the District Manager, Bureau of Land Management. An appeal should specify clearly and concisely why you think the decision is in error.

Very truly yours,


E. A. Moore
District Manager

Attachment

Carbon Copies To:

✓ A. E. Duncan
Star Sheep Company
Gus Duncan
Paris Brothers
Clarence & Henry Anderson
Paul Engle
Marie Anderson Estate
Jake Baird
Wm. H. Abel
T. J. Longseth (Southern Pacific Co.)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RANGE LINE AGREEMENT

Place

Date

7/12/67

In accordance with the provisions of Grazing Regulations (43 CFR 4111.3-2(c)), we, the undersigned, hereby agree to the establishment or adjustment of our respective range allotment boundaries as shown on the attached map and further described as follows:

SEE ATTACHED SHEET

It is further agreed that the above-described allotment boundary constitutes a fair, equitable, and practical range division, based on the respective qualifications of our dependent base property under the Grazing Regulations, and as such shall be binding upon our respective heirs, executors, administrators, successors in interest or assigns.

Maryin A. and Fannie E. Myers	
<i>J. B. ...</i> (Signature of Applicant)	7-12-67 (Date)
<i>Abigail Duncan</i>	7-21-67
<i>Gus Duncan</i> (Signature of Applicant)	7-21-67 (Date)
Star Sheep Co. by <i>Shirley Beizarena</i>	9-3-67
<i>N. W. ...</i> (Signature of Applicant)	7-28-67 (Date)

RECOMMENDED APPROVAL	APPROVED
(Chairman, Advisory Board)	(District Manager)
(Date)	(Date)

Beginning at a point at the intersection of Interstate 80 and the approximate NW corner of Section 5, T. 29 N., R. 33 E. Thence due east for approximately 4½ miles to the NE corner of Section 1, T. 29 N., R. 33 E. Thence NE approximately 1 mile following the ridge to the SW corner of Section 32, T. 30 N., R. 33 E. Thence south along the watershed divide on the unit line between Rochester Unit and Buena Vista Unit for approximately 11 miles, to Weaver Saddle in T. 28 N., R. 34 E., Section 27, approximately 1320 feet east of the NW corner. Thence SW along the ridge approximately 1 mile to a point approximately 500 feet NW of the SW corner of Section 27, T. 28 N., R. 34 E. Thence SW approximately 2½ miles to the SW corner of Section 32, T. 28 N., R. 34 E. Thence SW approximately 4.1 miles to the Packard Flat windmill. Thence west picking up and following the watershed divide between Coal Canyon and Nuttleberry Canyon for approximately 6 miles to a point approximately 1900 feet north of the SE corner of Section 24, T. 27 N., R. 32 E. Thence NW approximately 5.4 miles to its intersection with the Southern Pacific Railroad right-of-way fence in NW¼ Section 4, T. 27 N., R. 32 E.

It is also agreed that this line shall be accepted as stacked on the ground adhering as close as possible to the above described line.

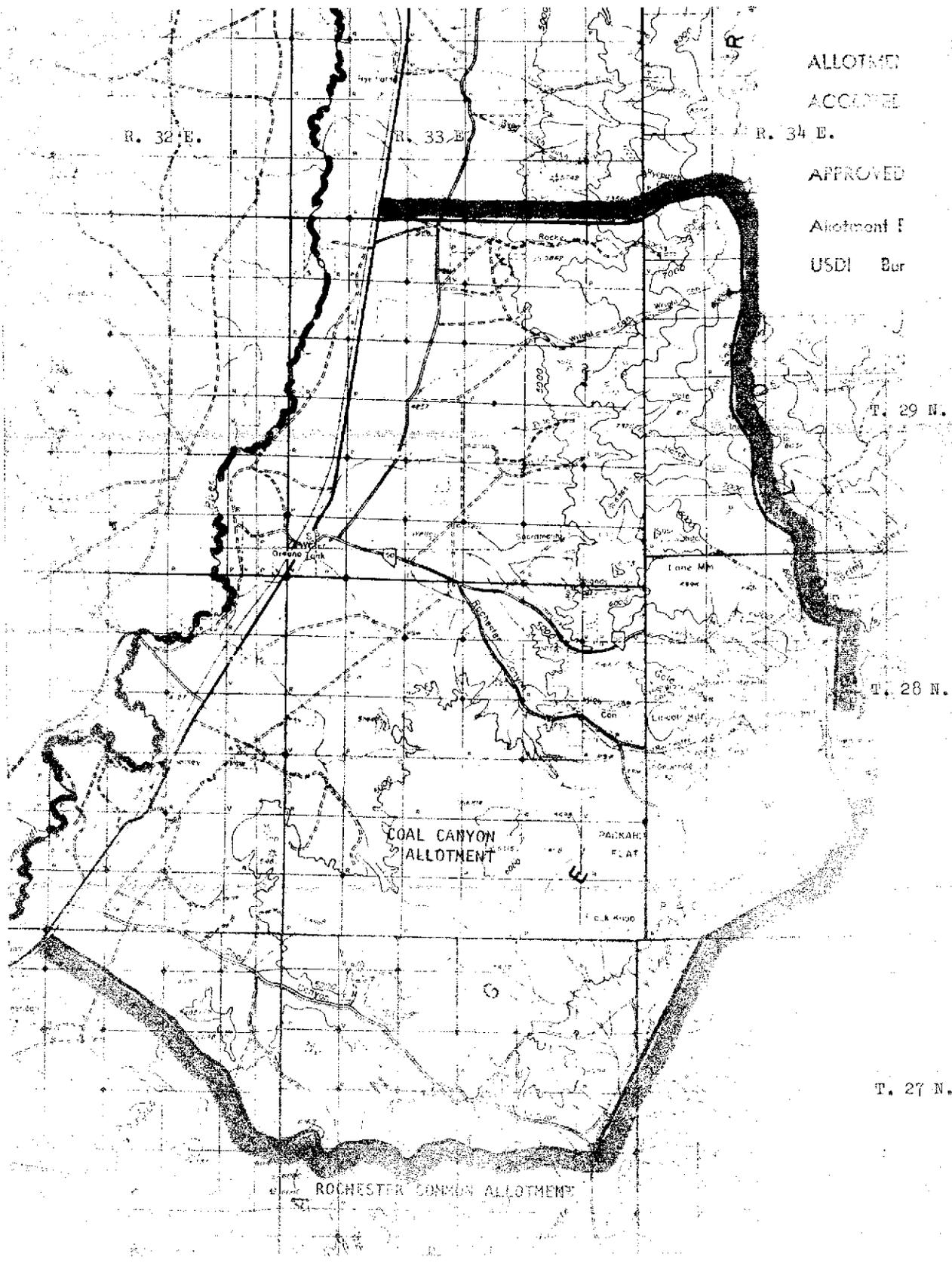
Special Conditions:

1. A. E. & Gus Duncan agrees to make all their use both Federal and exchange-of-use north and west of the above described line.
2. Marvin Myers, Jake Baird, & William Abel agreed to make their use south and east of this line including Federal and exchange-of-use land.

Clarance & Henry Anderson, Dixie Valley Cattle Co., & Paris Brothers are not directly affected by this line but will make their use south and east of this line.

3. Theodore Belzarana agrees to make 492 AUMs use north of the above line and 1400 AUMs use south and east of the line which includes his Stillwater use.
4. All parties agree that the above line does not necessarily satisfy their Federal or exchange-of-use AUMs taken separately but that it does satisfy their demand as a whole. Therefore, all parties agree to keep their Railroad leases in good standing. If any party should drop or lose their Railroad lease it should go to the parties in which the land lies, (north of the line or south). At that time the Railroad and Federal AUMs will be straightened out on a permanent basis, which means A. E. Duncan would relinquish approximately 320 AUMs Federal range demand and pick the same amount of Southern Pacific Railroad exchange-of-use. The parties south of the line would pick up Federal range lost by A. E. Duncan.
5. All parties agree to adhere as close as possible to the above described line until such time as it can be built in approximately 1969 Fiscal Year.
6. It is agreed by all parties that the water at Packard Flat windmill will be split.

NHA add T B S. D.



ALLOTMENT
 ACCEPTED
 APPROVED
 Allotment F
 USDI Bur

T. 29 N.

T. 28 N.

T. 27 N.

POKER COMMON ALLOTMENT

Beginning at a point-said point being within the Humboldt River in the S $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 31, T. 30 N., R. 33 E., MDB&M, Nevada; thence westerly along the township line common to T. 29 N & T. 30 N. to the corner common to Section 32 & 33, T. 30 N., R. 31 E., and Section 4 & 5, T. 29 N., R. 31 E., thence northwesterly for approximately 1.7 miles to a turning point in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29; T. 30 N., R. 31 E., thence in a northwesterly direction for a distance of .6 mile to a turning point in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, T. 30 N., R. 31 E., thence in a northwesterly direction for a distance of approximately .8 miles to the $\frac{1}{4}$ corner common to Sections 17&20, T. 30 N., R. 31 E.; thence in a northwesterly direction for a distance of approximately 3 miles to a point on the township line common to T. 30 N., R. 31 E., approximately .4 miles west of the northwest corner of Section 4, T. 30 N., R. 31 E., to its intersection with the township line common to T. 30 N., & 31 N.; thence due west along the township line common to T. 30 N & T. 31 N., for a distance of approximately 7.5 miles to the NW corner of Section 6, T. 30 N., R. 30 E., thence south along the range line common to R. 29 E. & R. 30 E., for a distance of approximately 12 miles to the SW corner of Section 31, T. 29 N., R. 30 E.; thence east along the township line for a distance of approximately 12 miles to the SE corner of Section 36, T. 29 N., R. 31 E.; thence south along the range line for a distance of approximately 7 miles to its intersection with the Humboldt River; thence north and east following the Humboldt River for a distance of approximately 14 miles to the point of beginning.

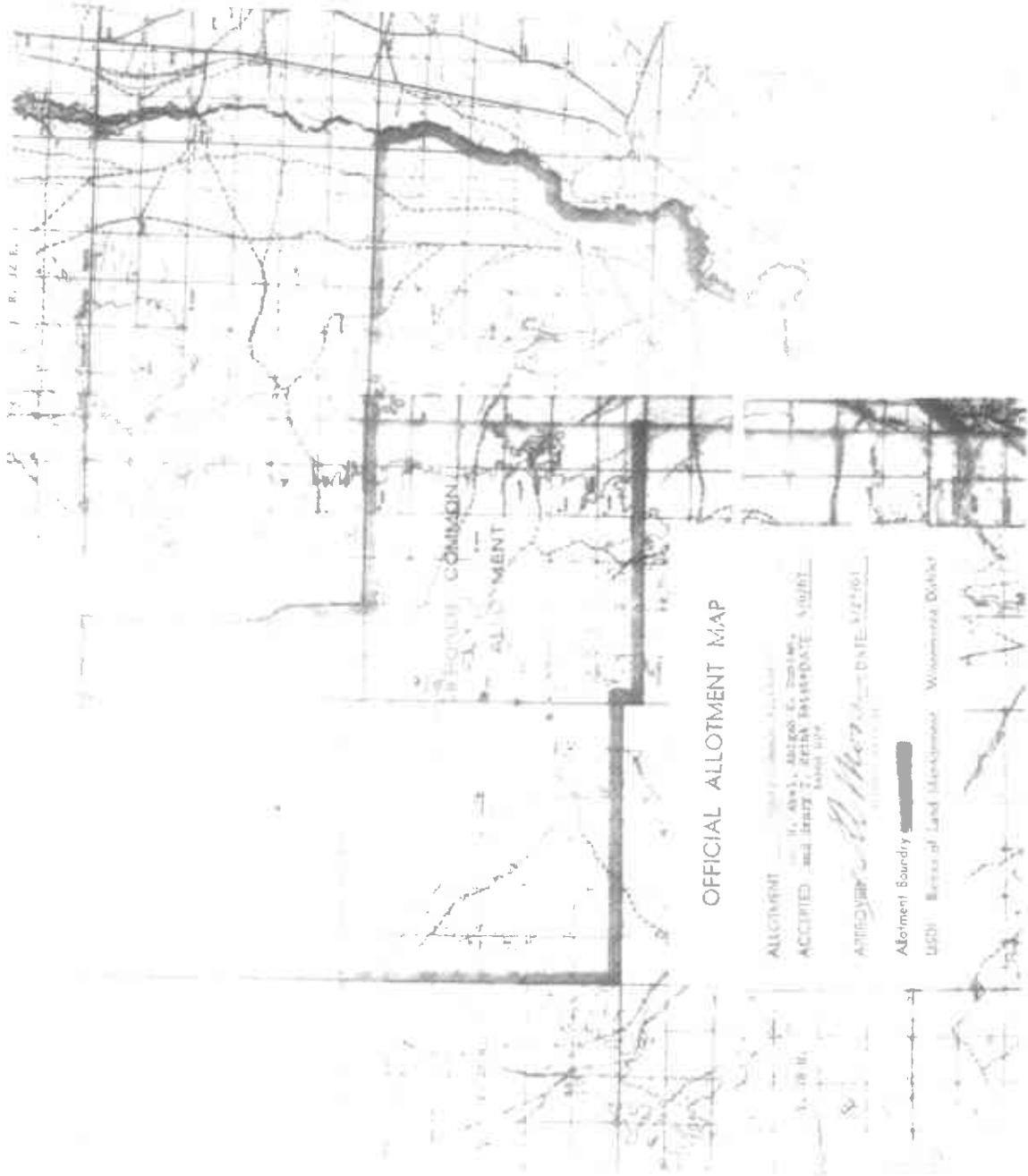
Further it will be agreed as staked on the ground.

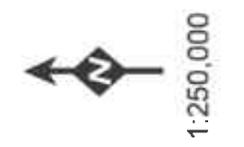
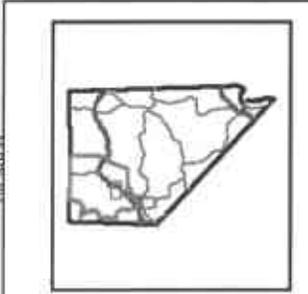
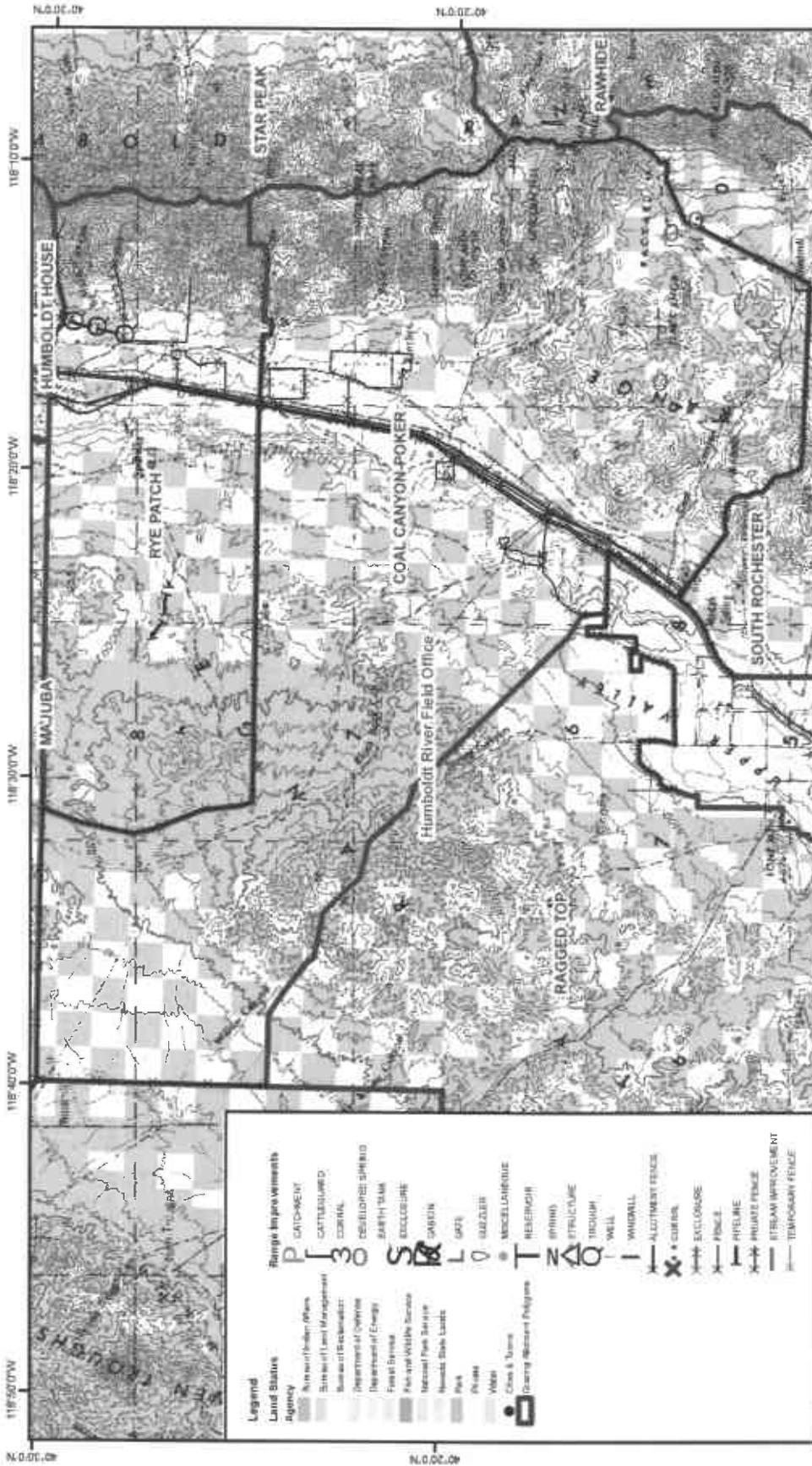
Special Stipulation

1. That the above parties agree to the following breakdown of AUMs in the Poker Common Allotment:

- A. William H. Abel - 2247 AUMs
- B. Abijah Elum Duncan - 678 AUMs
- C. Henry T. Brink Estate - 126 AUMs

W. H. Abel
A. E. Duncan
Prot. H. T. Brink
J. P. ...

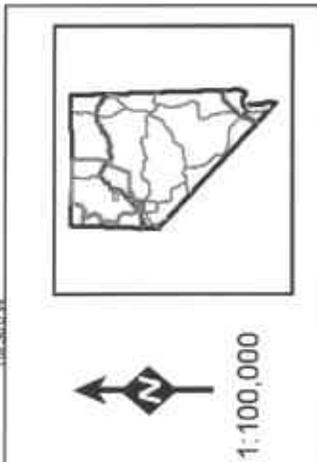
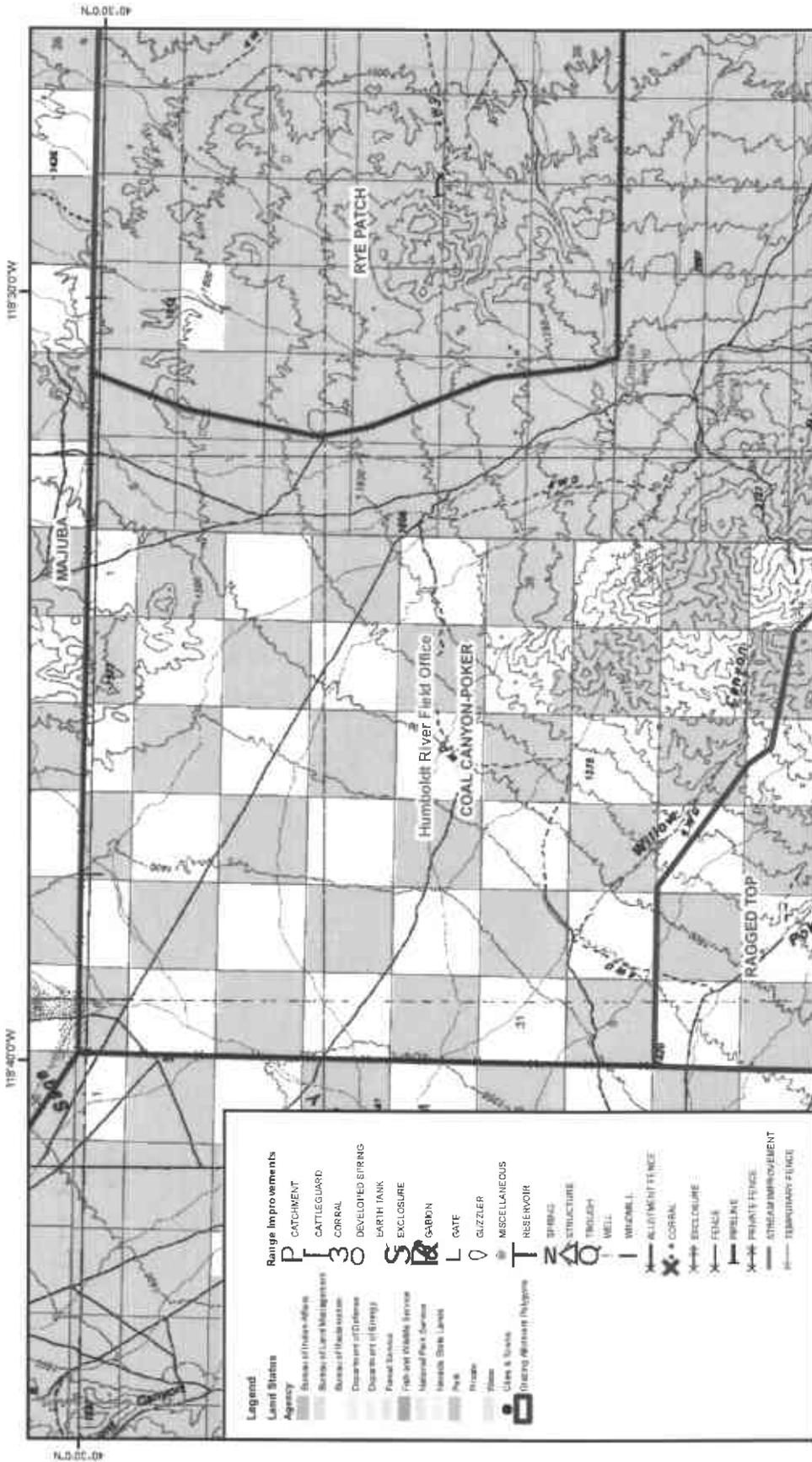




A. E. DUNCAN PERMIT
Map Name : Coal Canyon-Poker Brown
Grazing Allotment
Range Specialist Name: W. Barry
Map Date: May 24, 2012

Winnemucca District Office
 Humboldt River Field Office
 5100 E. Winnemucca Blvd
 Winnemucca, NV 89445

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data. The user of these data is responsible for determining the accuracy of the data and for obtaining any necessary National Map Accuracy Standards. This information was developed through digital means and may be variable without notification.

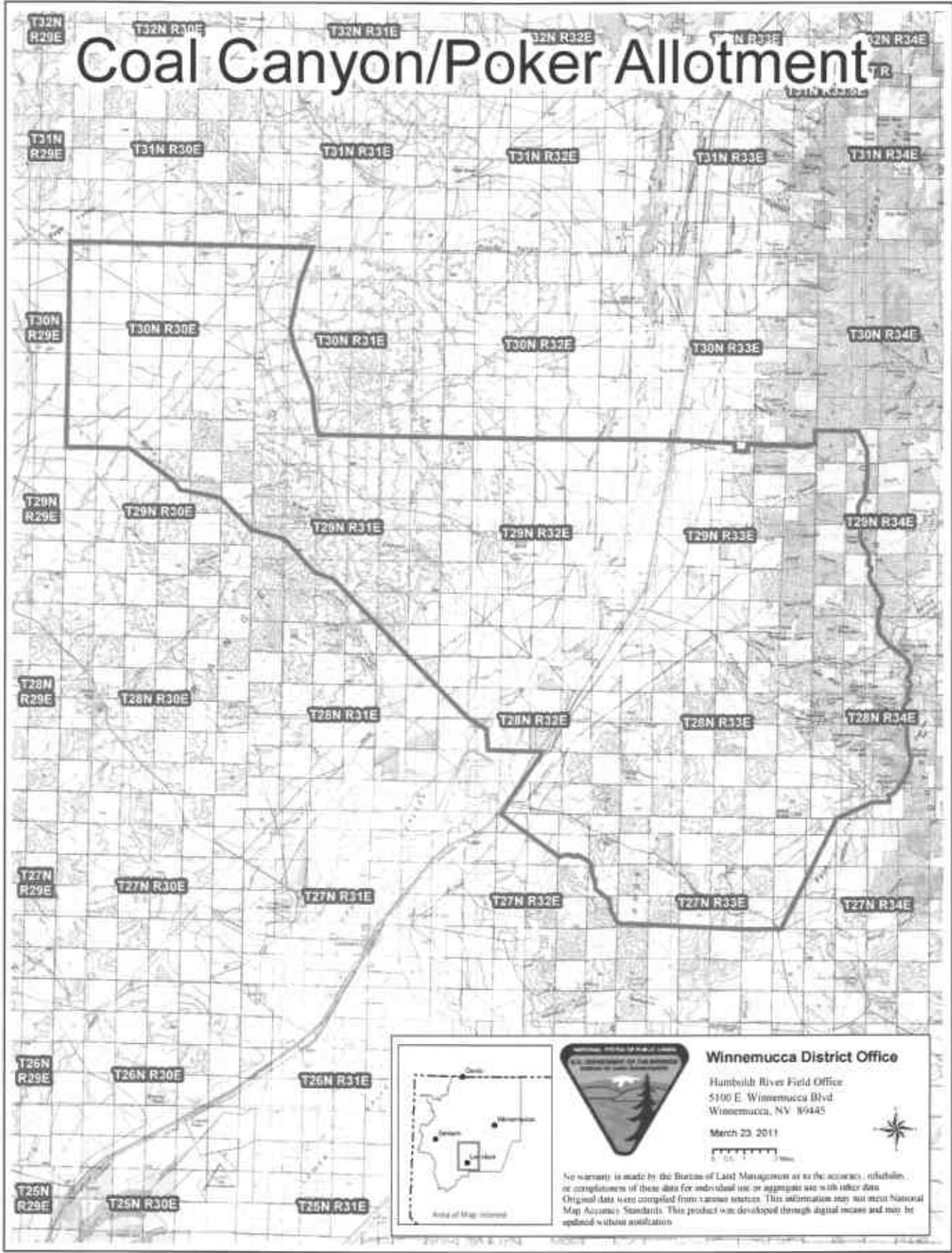


A. E. DUNCAN PERMIT
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Range Specialist Name: W. Barry
Map Date: May 24, 2012

Winnemucca District Office
 Humboldt River Field Office
 5100 E. Winnemucca Blvd
 Winnemucca, NV, 89445

We warrant a map by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data as presented on this map. Original data may not meet National Map Accuracy Standards. This product was developed through digital means and may be subject to digital distortion.

Coal Canyon/Poker Allotment



Winnemucca District Office
Humboldt River Field Office
5100 E Winnemucca Blvd.
Winnemucca, NV 89445
March 23, 2011

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

CASE FILE COPY

AUTH NUMBER: 2702031
DATE PRINTED: 3/16/2006

Form 4130-2a
(February 1999)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

GRAZING PERMIT



STATE NV
OFFICE 020
AUTH NUMBER 2702031
PREFERENCE CODE 03
DATE PRINTED 03/16/2006
TERM 03/01/2006 TO 02/28/2016

ABIGAH E. DUNCAN
P O BOX 532
LOVELOCK NV 89419

BUREAU OF LAND MANAGEMENT
WINNEMUCCA FO
5100 E WINNEMUCCA BL
WINNEMUCCA NV 89445

THIS GRAZING PERMIT IS OFFERED TO YOU UNDER 43 CFR PART 4100 BASED ON YOUR RECOGNIZED QUALIFICATIONS. YOU ARE AUTHORIZED TO MAKE GRAZING USE OF LANDS, UNDER THE JURISDICTION OF THE BUREAU OF LAND MANAGEMENT AND COVERED BY THIS PERMIT, UPON YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS OF THIS PERMIT AND PAYMENT OF GRAZING FEES WHEN DUE. CONTACT YOUR LOCAL BLM OFFICE AT 775-623-1500 IF YOU HAVE QUESTIONS.

MANDATORY TERMS AND CONDITIONS

ALLOTMENT	PASTURE	LIVESTOCK NUMBER KIND	GRAZING PERIOD		% PL TYPE USE	AUMS
			BEGIN	END		
00104 COAL CANYON-POKER		493 CATTLE	03/01	07/15	60 ACTIVE	1332
		36 CATTLE	07/16	10/31	60 ACTIVE	77
		3 CATTLE	07/16	10/31	100 ACTIVE	11
		493 CATTLE	11/01	02/28	60 ACTIVE	1167

OTHER TERMS AND CONDITIONS:

LIVESTOCK GRAZING WILL BE IN ACCORDANCE WITH THE COAL CANYON-POKER AMP

EXCHANGE OF USE AUTHORIZATION IS CONDITIONAL PENDING ANNUAL SUBMISSION OF LEASE AGREEMENTS.

PURSUANT TO 43 CFR 10.4(G) THE HOLDER OF THIS AUTHORIZATION MUST NOTIFY THE AUTHORIZED OFFICER, BY TELEPHONE, WITH WRITTEN CONFIRMATION IMMEDIATELY UPON DISCOVERY OF HUMAN REMAINS, FUNERARY OBJECTS, SACRED OBJECTS, OR OBJECTS OF CULTURAL PATRIMONY (AS DEFINED AT 43 CFR 10.2). FURTHER, PURSUANT TO CFR 10.4(C) AND (D), YOU MUST STOP ACTIVITIES IN THE IMMEDIATE VICINITY OF THE DISCOVERY AND PROTECT IT FROM YOUR ACTIVITIES FOR 30 DAYS OR UNTIL NOTIFIED TO PROCEED BY THE AUTHORIZED OFFICER.

THE TERMS AND CONDITIONS OF THIS GRAZING PERMIT ARE IN CONFORMANCE WITH THE STANDARDS AND GUIDELINES FOR THE SIERRA FRONT-NORTHWESTERN GREAT BASIN RESOURCE ADVISORY COUNCIL, APPROVED BY THE SECRETARY OF THE INTERIOR ON FEBRUARY 12, 1997.

IN ACCORDANCE WITH SEC. 325, TITLE III, H.R. 2691, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2004 (P.L. 108-108), WHICH WAS ENACTED ON NOVEMBER 10, 2003, THIS GRAZING PERMIT OR LEASE IS RENEWED UNDER SECTION 402 OF THE FEDERAL LAND POLICY AND MANAGEMENT ACT OF 1976, AS AMENDED (43 U.S.C. 1752), TITLE III OF THE BANKHEAD-JONES FARM TENANT ACT (7 U.S.C. 1010 ET SEQ.), OR, IF APPLICABLE, SECTION 510 OF THE CALIFORNIA DESERT PROTECTION ACT (16 U.S.C. 410AAA-50). IN ACCORDANCE WITH PUBLIC LAW 108-108, THE TERMS AND CONDITIONS CONTAINED IN THE EXPIRED OR TRANSFERRED PERMIT OR LEASE HAVE BEEN INCORPORATED INTO THIS PERMIT OF LEASE AND SHALL

CASE FILE COPY

AUTH NUMBER: 2702031
DATE PRINTED: 3/15/2016

Standard
Terms and Conditions

1. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
2. They are subject to cancellation, in whole or in part, at any time because of:
 - a. Noncompliance by the permittee/lessee with rules and regulations.
 - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
 - c. A transfer of grazing preference by the permittee/lessee to another party.
 - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described.
 - e. Repeated willful unauthorized grazing use.
 - f. Loss of qualifications to hold a permit or lease.
3. They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans MUST be incorporated in permits or leases when completed.
4. Those holding permits or leases MUST own or control and be responsible for the management of livestock authorized to graze.
5. The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
6. The permittee/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11248 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
8. Livestock grazing use that is different from that authorized by a permit or lease MUST be applied for prior to the grazing period and MUST be filed with and approved by the authorized officer before grazing use can be made.
9. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
10. Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
11. No Member of, or Delegate to, Congress or Reclutor Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App.1) and Sections 300 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

THIS PERMIT: 1. CONVEYS NO RIGHT, TITLE OR INTEREST HELD BY THE UNITED STATES IN ANY LANDS OR RESOURCES AND 2. IS SUBJECT TO (A) MODIFICATION, SUSPENSION OR CANCELLATION AS PROVIDED BY LAND PLANS AND APPLICABLE LAW; (B) REVIEW AND MODIFICATION OF TERMS AND CONDITIONS AS APPROPRIATE; AND (C) THE TAYLOR GRAZING ACT, AS AMENDED, THE FEDERAL LAND POLICY AND MANAGEMENT ACT, AS AMENDED, THE PUBLIC RANGELANDS IMPROVEMENT ACT, AND THE RULES AND REGULATIONS NOW OR HEREAFTER PROMULGATED THEREUNDER BY THE SECRETARY OF THE INTERIOR.

ACCEPTED:
SIGNATURE OF PERMITTEE: *Adriana B. Dugan* DATE: 4-19-2006

APPROVED:
BLM AUTHORIZED OFFICER: *Alan S. Hiner* DATE: 6-29-06

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DATE PRINTED: 8/15/2006

CONTINUE IN EFFECT UNDER THE RENEWED PERMIT OR LEASE UNTIL SUCH TIME AS THE SECRETARY OF THE INTERIOR COMPLETES PROCESSING OF THIS PERMIT OR LEASE IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS. AT WHICH TIME THIS PERMIT OR LEASE MAY BE CANCELED, SUSPENDED OR MODIFIED, IN WHOLE OR IN PART, TO MEET THE REQUIREMENTS OF SUCH APPLICABLE LAWS AND REGULATIONS.

ALLOT NO CONDITIONS

(none)

SALT AND/OR MINERAL BLOCKS SHALL NOT BE PLACED WITHIN ONE QUARTER (1/4) MILE OF SPRINGS, STREAMS, MEADOWS, RIPARIAN HABITATS, OR ASPEN STANDS.

THE PERMITTEE IS REQUIRED TO PERFORM NORMAL MAINTENANCE ON THE RANGE IMPROVEMENTS AS PER THEIR SIGNED COOPERATIVE AGREEMENTS/SECTION 4 PERMITS PRIOR TO TURNING OUT IN A PASTURE OR USE AREA SCHEDULED FOR LIVESTOCK USE.

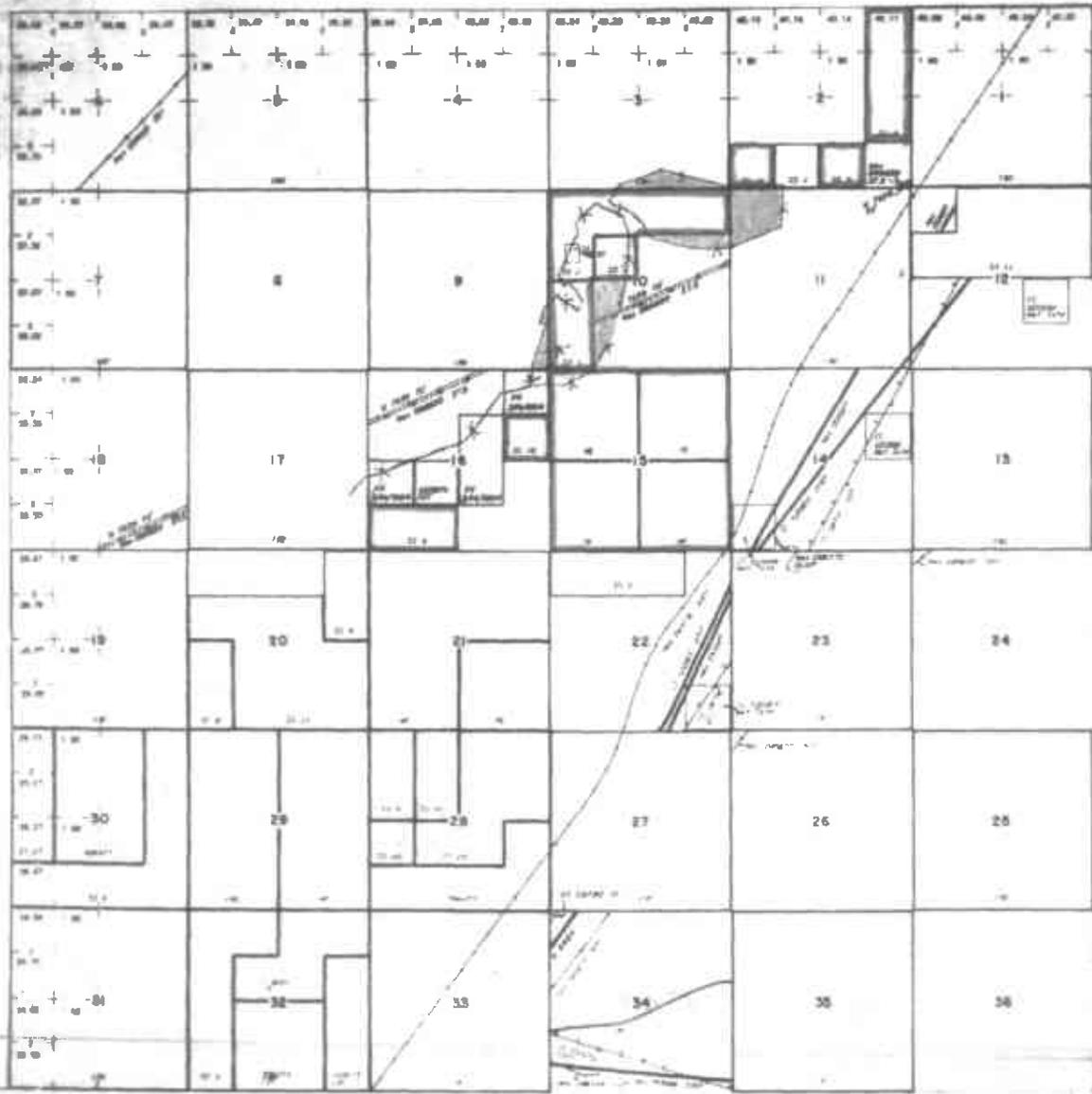
THE PERMITTEES CERTIFIED ACTUAL USE REPORT, BY PASTURE/USE AREA, IS DUE 15 DAYS AFTER THE END OF THE AUTHORIZED GRAZING PERIOD.

ALLOTMENT SUMMARY (AUMS)

<u>ALLOTMENT</u>	<u>ACTIVE AUMS</u>	<u>SUSPENDED AUM</u>	<u>PERMITTED USE</u>
00104 COAL CANYON-POKER	2588	0	2,588

TOWNSHIP 28 NORTH RANGE 32 EAST OF THE MOUNT DIABLO MERIDIAN, N

PERKINS COUNTY
WYOMING DIST



- ◊ Fenced Federal land
- ◻ Not Fenced Federal land
- ◻ A. E. Duran Private land

SCALE
1" = 40 CHAINS
30 CHAINS BY THE MILE

FORM NO. 4-1248
(September, 1957)

Rye Patch

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management

Operator Duncan A. E.

Address Lovelock, Nev.

Area _____

State NEVADA

Grazing District N-2

DEPENDENT PROPERTY RECORD

Units) _____

Allotment _____

Township RBN

Range 3RE

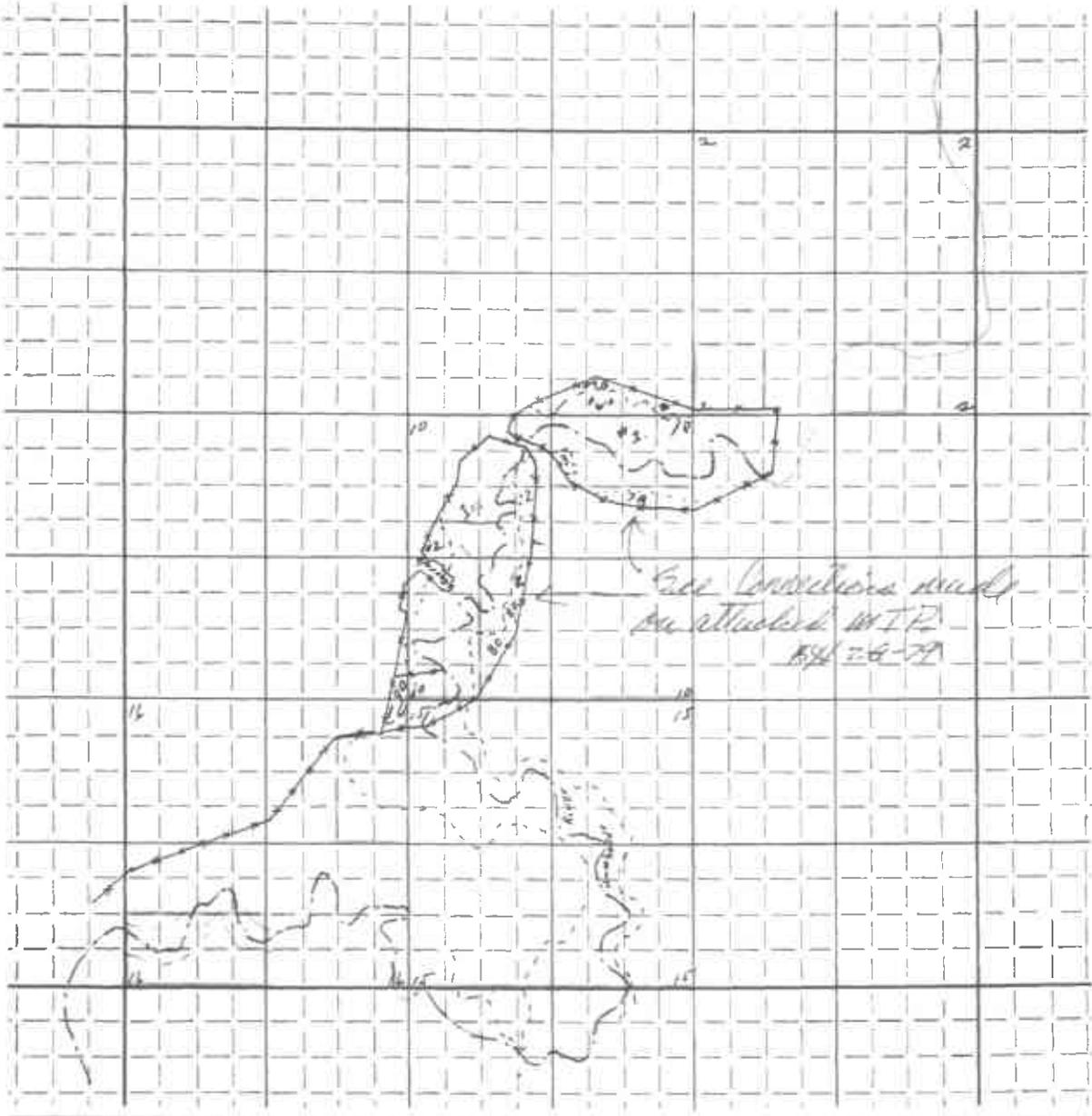
Compiled by _____

Date 11/4/64

Date _____

1-1
15-2

A. E. Duncan
(Operator's Signature)



DM 4-1249
September, 1957)

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management

Operator DUNCAN AE
Address LOVELOCK, NEV

Unit(s) _____

Allotment _____

Area _____

DEPENDENT PROPERTY RECORD

Township 29N

State NEVADA

Range 32E

Grazing District _____

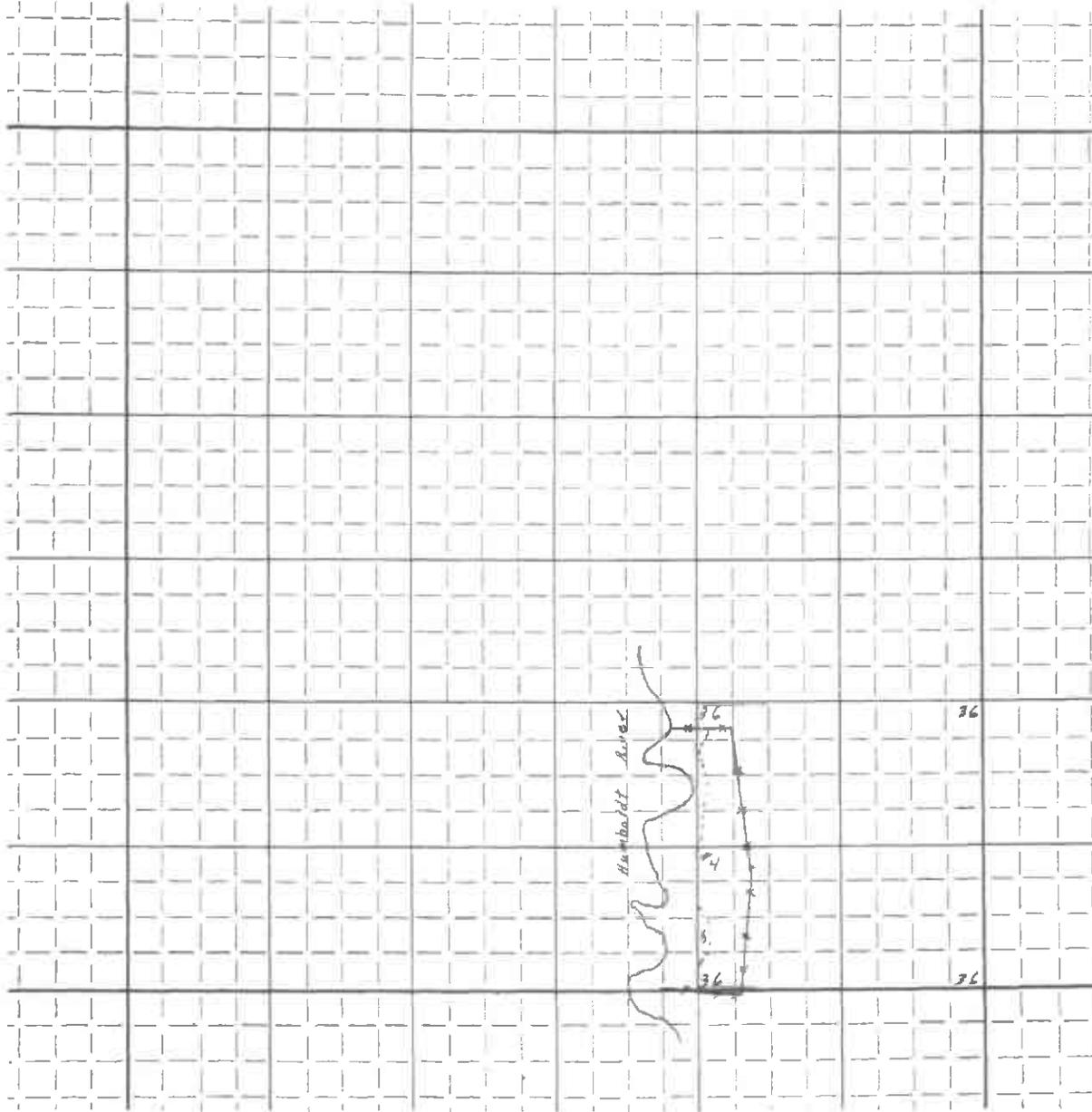
Compiled by _____

Date 11/14/69

RES
118

A.E. Duncan
(Operator's Signature)

Date _____



Form 4-1249
September, 1957)

Pg Patch

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management

Operator Duncan A.E.
Address Lawlock, Nev.

Unit(s) _____

Allotment _____

DEPENDENT PROPERTY RECORD

Township 28N

Range 32E

County _____

State Nevada

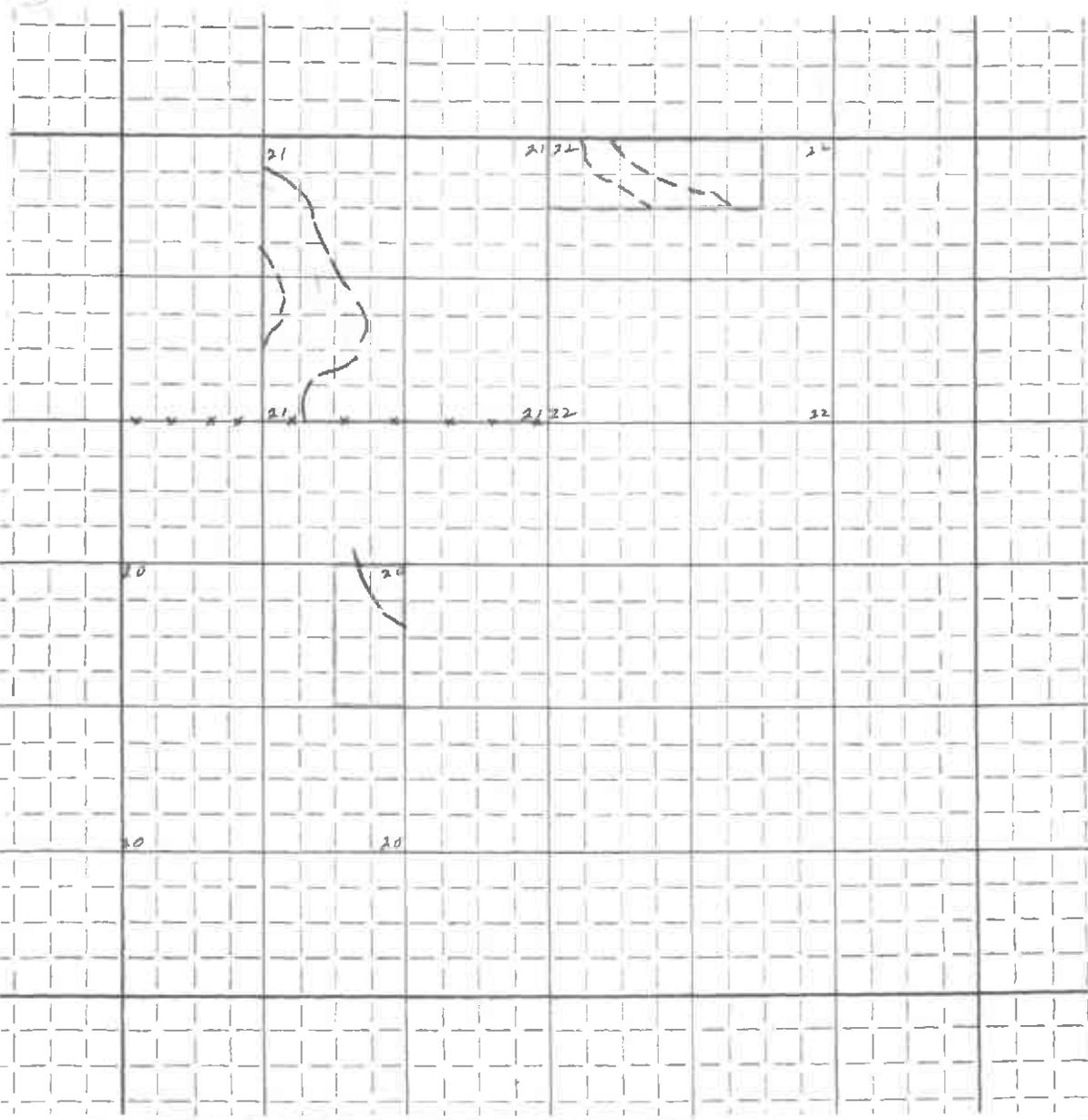
Mining District N-2

Date 11/24/69

Compiled by _____

Date _____

A.E. Duncan
(Operator's Signature)



Form No. 4-1249
(Revised, 1957)

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management

Operator Duncan A.E.
Address Lovelock, Nev.

State Nevada
Mining District N-2

Compiled by _____

A.E. Duncan
(Operator's Signature)

Units) _____

Allotment _____

Township 29N

Range 33E

Date 11/4/69

Date _____

6		6		3	3
6		6		3	3
18		18		22	22
18		18		22	22

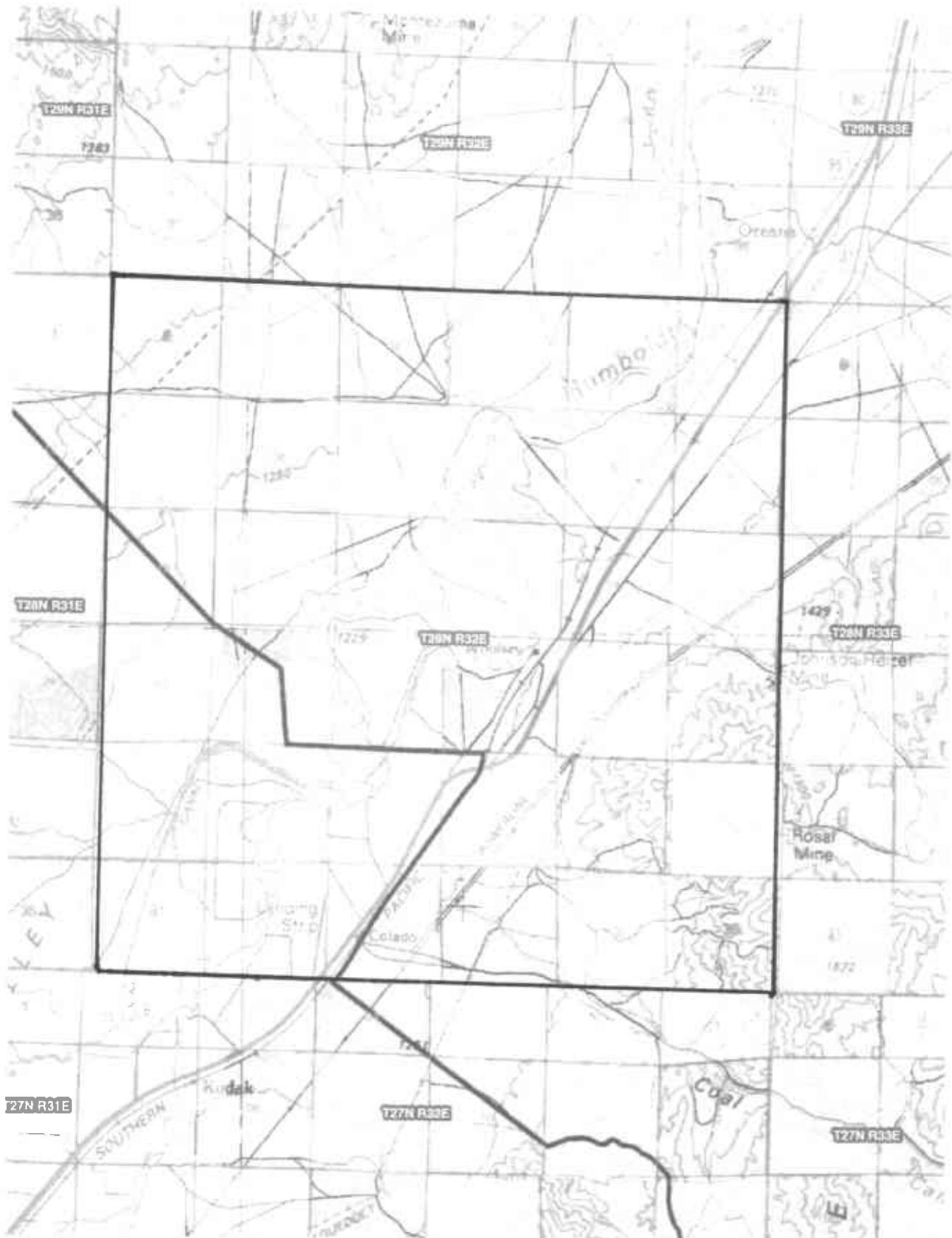
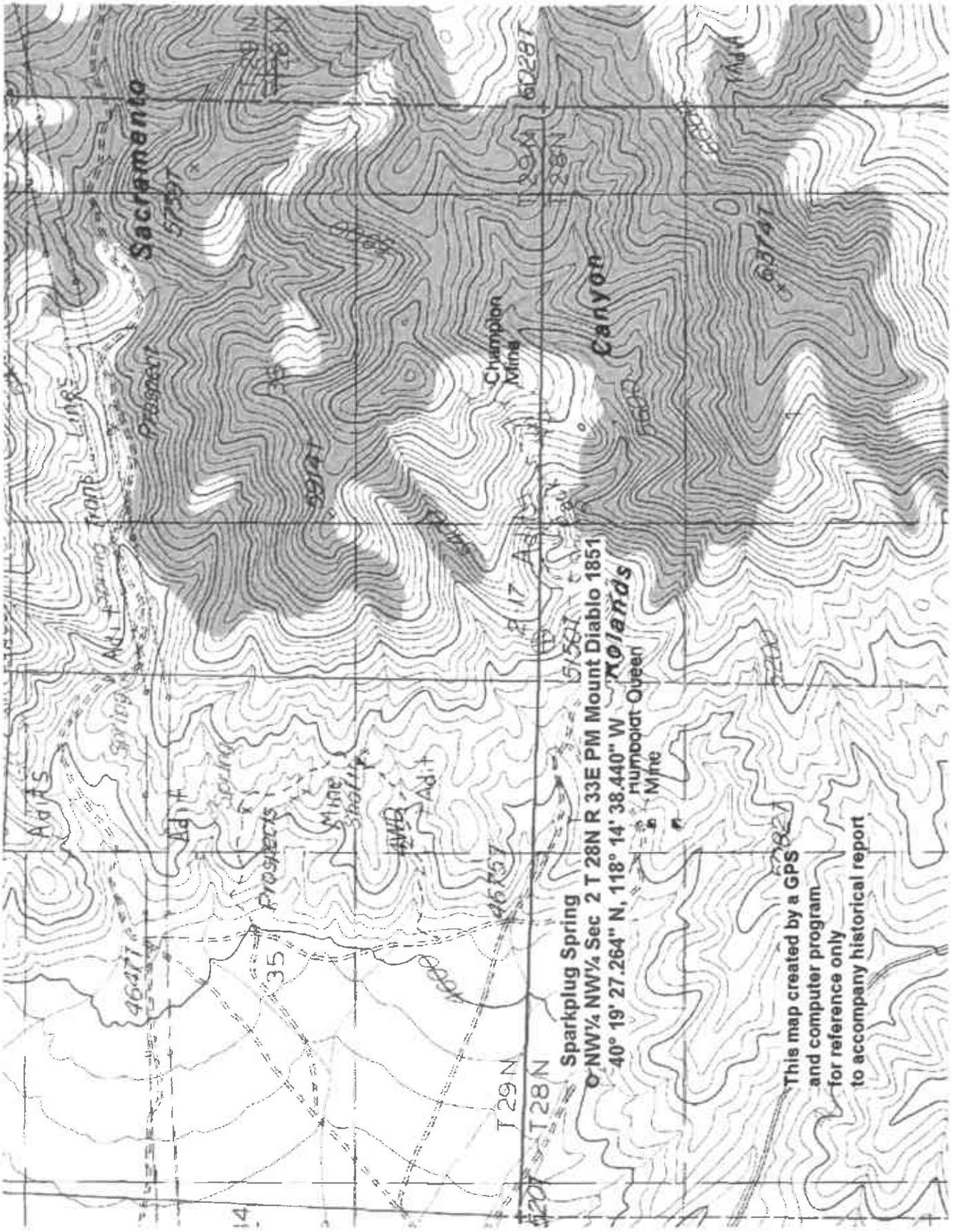


Exhibit 4
Page 9 of 9



This map created by a GPS and computer program for reference only to accompany historical report.

AMENDED

ASSIGNED

APPLICATION FOR PERMIT

Serial No. 7952

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office DEC 15 1926
Returned to applicant for correction DEC 18 1926
Corrected application filed DEC 25 1926

The undersigned Champion Sillimanite, Incorporated
of Orleans, County of Pershing, State of Nevada, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation.) A California corporation.

- 1. The source of the proposed appropriation is Unnamed Springs
2. The amount of water applied for is 1 second-foot.
3. The water to be used for mining, milling and domestic
4. The water is to be diverted from its source at the following point: NE 1/4 NW 1/4 Sec 2 T 28 N R 33 E, M.D.M.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

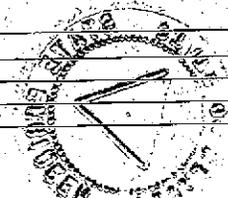
- (a) Number of acres to be irrigated is
(b) Description of land to be irrigated

- (c) Irrigation will begin about January 1st and end about December 31st of each year.

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is horsepower.
(e) Works to be located NW 1/4 NE 1/4 and NE 1/4 NE 1/4 Sec. 2 T 28 N R 33 E.
(f) Point of return of water to stream

(g) Remarks



DESCRIPTION OF PROPOSED WORKS

Water will be diverted from Spring and conducted by means of pipe line to Mill Site - and to Camp

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should have stated and the location of the reservoir should be given with reference to the legal subdivisions.

- 5. Estimated cost of works 5000 00
6. Estimated time required to construct works 2 years
7. Remarks

Champion Silliminate, Incorporated, Applicant.

By King & Malone

Compared L O L m c

This sheet inspected Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: understood that the one cubic foot of water per second herein granted is only a temporary allowance and the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be enclosed in the Proof of such use when filed. The State reserves the right the use of the water herein granted at any and all times to regulate

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1 cubic foot per second.

Actual construction work shall begin on or before January 12, 1928.

Proof of commencement of work shall be filed before February 12, 1928

Work must be prosecuted with reasonable diligence and be completed on or before January 12, 1930

Proof of completion of work shall be filed before February 12, 1930

Application of water to beneficial use shall be made on or before

January 12, 1931. Proof of the application of water to beneficial

use must be filed with State Engineer on or before February 12, 1931

Map filed Dec. 28, 1926

WITNESS MY HAND AND SEAL this 12th day

Proof of report filed May 15, 1928

or August 12, 1927

Proof of completion of work filed May 15, 1928

Proof Map filed Nov 27, 1927

Record filed 12/24/1926

DEC 7 1927 State Engineer.

Compare with...