

STATE OF NEVADA

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

(1) Name of claimant Tim DeLong Family Trust Agreement (Tim and Margarita DeLong co-trustees)

P.O. Box 367 of Imlay  
Street Address or PO Box City or Town  
Nevada, 89418  
State and ZIP Code

(2) Source of water Majuba Canyon Spring #2  
Name of natural water source

(3) The water is diverted by:  
2" plastic pipe from a spring area

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

(4) The water is diverted at the following point(s):  
within the SE1/4NE1/4 of Section 2, T.32N.,R.31E., M.D.B.&M. or at a point from which the SE corner of said Section 2, bears S8°32'E 3982.0 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 an earthen stock tank  
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun prior to 1905 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 claimant holds the existing grazing rights for this area as well as the historic grazing rights as the successor in interest to ranching operations that have used this spring prior to 1905. (See Remarks)

(8) The claimant's water right was not recorded in the office of the County Recorder of  
County, at Page of Book of  
Patented, deeded, public domain with grazing permit, etc.

(9) The approximate number of animals watered by the claimant during the first year 1892  
was 194 cattle 28 horses sheep or wildlife (describe)  
Date

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

*Imlay Area  
4-72  
le*

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:  
See Exhibit "A" attachment. The number of animals watered was taken from the tax assessment rolls of Humboldt County. Prior to 1892 the assessment rolls do not indicate the number of animals assessed. Claimant is making a claim of usage of 500 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

0.0155cfs (or enough to water 500 head of cattle) cubic feet per second.  
448.83 gallons per minute equals 1 cubic foot per second

(12) The works are located at:  
within the SE1/4NE1/4 of Section 2, T.32N.,R.31E., 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

See Exhibit "B" attachment which lists the original patents and patentees of the lands which make up the existing ranching operation presently owned by the claimant.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Tim DeLong Family Trust Agreement are full and correct to the best of his/her knowledge and belief. This proof is being filed by John H. Milton III, Professional Land Surveyor and Water Right Surveyor as agent for the Claimant.

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

Tim DeLong Family Trust Agreement  
Name of Claimant

By

John H. Milton III

Telephone No. (775) 538-7616

John H. Milton III

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State of Nevada

146 West Second Street

**JUL 03 2014**

County of Humboldt

Winnemucca, Nevada, 89445

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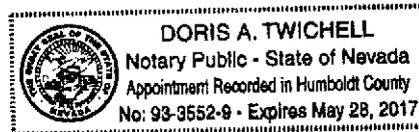
Subscribed and sworn to before me on June 30th, 2014

Telephone No. (775) 623-4414

by John H. Milton III

Doris A. Twichell

Signature of Notary Public Required



Notary Stamp or Seal Required

Exhibit "A"

Humboldt County Tax Assessment 1892-1905

| <u>Year</u> | <u>Sheep</u> | <u>Cattle</u> | <u>Horses</u> | <u>Other</u> |
|-------------|--------------|---------------|---------------|--------------|
| 1892        |              | 194           | 28            |              |
| 1893        | 5500         | 1792          | 67            | 2            |
| 1894        | 9000         | 1110          | 110           | 2            |
| 1895        | 8060         | 1710          | 102           | 2            |
| 1896        | 8000         | 1695          | 100           | 2            |
| 1897        | 9000         | 1620          | 128           | 2            |
| 1898        | 9000         | 1650          | 84            | 2            |
| 1899        | 8500         | 800           | 75            | 2            |
| 1900        | 11000        | 780           | 67            |              |
| 1901        | 8000         | 1070          | 84            |              |
| 1902        | 8000         | 480           | 80            |              |
| 1903        | 7000         | 640           | 90            |              |
| 1904        | 7000         | 670           | 107           | 72           |
| 1905        | 7000         | 900           | 55            | 72           |

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**Exhibit "B"**  
**Tim DeLong Family Trust**

| <u>Patent</u> | <u>Patentee</u>               | <u>Date Issued</u> | <u>Book / Page</u>  | <u>Remarks</u>                     |
|---------------|-------------------------------|--------------------|---------------------|------------------------------------|
| 12097         | Baker, Joseph E.              | 02-04-1946         | BK. 21 Pg. 408CC    | App. No. 15044                     |
| 12825         | Baldis, Jose F.               | 10-20-1952         | Bk. 22 Pg. 540 CC   | App. No. 9023                      |
| 5594          | Beatty, W. H.                 | 1888               |                     | Contract No. 2153<br>Nov. 15, 1885 |
| 11167         | Barkhan, Wm.                  | 07-10-1934         | Bk. 20 Pg. 59 CC    | App. No. 19319                     |
| 7835          | Brown, T. B.                  | 09-14-1914         | Bk. 14 Pg. 310 CC   | App. No. 18023                     |
| 12826         | Buck, Ada W.                  | 10-20-1952         | Bk. 22 Pg. 541 CC   | App. No. 18615                     |
| 13120         | Cox, John                     | 09-29-1955         | Bk. 23 Pg. 237 CC   | App. No. 8897                      |
| 5484          | Curtis, Henry                 | 1884               |                     |                                    |
| 8025          | Denson, S. C.                 | 1889               |                     | Contract No. 2895                  |
| 8432          | Dunbar, Oron L.               | 11-17-1916         | Bk. 15 Pg. 309 CC   | App. No. 18470                     |
| USA 1141439   | Duncan, Byron T. &<br>Avis M. | 11-04-1953         | Bk. 16 Pg. 62       |                                    |
| 5575          | Fritz, William                | 11-25-1885         |                     | Contract No. 215                   |
| Hd 09192      | James, John Henry             |                    |                     | Homestead Entry                    |
|               | Johnson, Robert C.            |                    |                     | App. No. 18368                     |
| 13118-19      | Lewis, Richard Wm.            | 09-29-1955         | Bk. 23 Pg. 235-6 CC | App. No. 5569                      |
| 8121          | McKay, Nettie M.              | 03-31-1916         | Bk. 145 Pg. 596 CC  | App. No. 19117                     |
| 12689         | Montgomery, Maud M            | 09-07-1951         | Bk. 22 Pg. 404 CC   | App. No. 19128                     |
| 12692         | Noteware, Eleanor             | 09-07-1951         | Bk. 22 Pg. 407 CC   | App. No. 18610                     |
| 12826         | Noteware, Norma               | 10-20-1952         | Bk. 22 Pg. 541 CC   | App. No. 18443                     |

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|          |                     |            |                   |                              |
|----------|---------------------|------------|-------------------|------------------------------|
| 12824    | Moteware, Norma     | 10-20-1952 | Bk. 22 Pg. 539 CC | App. No. 18613               |
| 12826    | Noteware, Warren G. | 10-20-1952 | Bk. 22 Pg. 541 CC | App. No. 18614               |
| 12691    | Noteware, Warren G. | 09-07-1951 | Bk. 22 Pg. 406 CC | App. No. 18609               |
| 7586     | Rockwell, Frank     | 08-07-1913 | Bk. 49 Pg. 103    | App. No. 11685               |
| 7668     | Rockwell, Frank     | 11-03-1913 | Bk. 49 Pg. 106    | App. No. 8872                |
| 9598     | Shoobert, John      | 11-26-1920 | Bk. 17 Pg. 282 CC | App. No. 11127               |
| 09409    | Sunbronio, Eltoro   |            |                   | Homestead Entry              |
| 2401     | Sutherland, William | 06-19-1884 | Bk. 26 Pg. 140    | Cert. No. 2098               |
| USA 2337 | Sweetser, Frank D.  | 10-19-1885 | Bk. 37 Pg. 251    | App. Nos. 5265,<br>5353,5363 |
| USA 2005 | Sweetser, Marie E.  | 12-03-1883 | Bk. 37 Pg. 249    |                              |
| 7667     | Thacker, J. N.      | 11-03-1913 | Bk. 49 Pg. 104    | App. No. 6031                |
| 2400     | Thacker, John N.    | 06-21-1884 | Bk. 46 Pg. 340    | Cert. No 2099                |
| 6031     | Thacker, John N.    | 10-28-1889 | Bk. 46 Pg. 342    | Cert. No. 2864               |
| 7669     | Thacker, Sarah E.   | 11-03-1913 | Bk. 49 Pg. 105    | App. No. 8873                |
| 2402     | Thacker, Sarah E.   | 06-21-1884 | Bk. 46 Pg. 341    | Cert. No. 2100               |
| 8024     | Woodburn, James     | 1889       |                   | Contract No. 8024            |
| 12692    | Wright, Annie E.    | 09-07-1951 | Bk. 22 Pg. 407    | App. Nos. 18611-12           |
| 24       | Central Pacific R/R | 1880       |                   | Orig. R/R Land Grant         |
| 30       | Central Pacific R/R | 1880       |                   | Orig. R/R Land Grant         |
| 55       | Central Pacific R/R | 1880       |                   | Orig. R/R Land Grant         |
| 190      | Central Pacific R/R | 1880       |                   | Orig. R/R Land Grant         |

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