Application No. 010621

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 (Street Address or PO Box) of Imlay (City or Town)

Nevada, 89418 (State and ZIP Code)

(2) Source of water South Abel Spring (Name of natural water source)

(3) The water is diverted by:
spring area

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

(4) The water is diverted at the following point(s):
within the NW1/4NE1/4 Section 11 , T.32N.,R.30E., M.D.B.&M. or at a point from which the NW corner of Section 2,T.32N.,R.30E.. M.D.B.&M., bears N25°03'W 6419.0 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 natural channel (Troughs, tanks, pools, reservoir, natural channel, etc.)

(6) The construction of the ditch or other works was begun prior to 1905 (Date) 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)

(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 1892 (Date)

was 194 cattle 28 horses ____ sheep or wildlife (describe) _____

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

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BRD 2-28 RC

(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 NW1/NE1/4 Section 11. T.32N.,R.30E., 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
146 West Second Street
Winnemucca, Nevada, 89445

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Telephone No. (775) 623-4414

State of Nevada
County of Humboldt

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

by John H. Milton III

Doris A. Twichell
Signature of Notary Public Required

DORIS A. TWICHELL
Notary Public - State of Nevada
Appointment Recorded in Humboldt County
No: 93-3552-9 - Expires May 28, 2017

Notary Stamp or Seal Required

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**$60 FILING FEE MUST ACCOMPANY PROOF**

Exhibit "A"

Humboldt County Tax Assessment 1892-1905

| Year | Sheep | Cattle | Horses | Other |
|---|---|---|---|---|
| 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**

| Patent | Patentee | Date Issued | Book / Page | Remarks |
|---|---|---|---|---|
| 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 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. & 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, 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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