

STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR ~~IRRIGATION~~ MUNICIPAL PURPOSES

Source Big or Johnson Spring

Name of natural water source (use separate proofs for each major source)

The water is diverted from its source via a diversion box, 24" pipeline, pumping and booster pump to place of use, an
approximate distance of 29 miles from source to place of use. Name of ditch, flume or pipe line

at the following point(s) (List all points of diversion from this source, appending a sheet if necessary. 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.)

Within the SW1/4 SE1/4 Sec. 28, T.36N., R.66E., M.D.B.&M., at a point from which the SW corner of said Section 28 bears S 85° 58' W., a distance of 2672.55 feet.

(1) Name of claimant See attached Exhibit A.
Address _____, County of _____
State of _____ Telephone No. _____

(2) The means of diversion employed collection box, 24" pipeline.
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was 1870.

(4) The construction of the ditch or other works was begun 1870
and completed unknown.

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom unknown feet, width on top unknown feet, depth unknown feet, on a grade of unknown feet per thousand feet.

(6) The conduit has been enlarged. Note - If enlargement or extension of ditch was made, supply information under (7) and (8)

(7) The work of enlargement of the ditch or canal was begun unknown
and completed unknown

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom unknown feet, width on top unknown feet, depth unknown feet, on a grade of unknown feet per thousand feet.

(9) The claimants is or are the owner in the above-described conduit.

The claimants are the owner of the above-described source of water, and entire distribution system.
If claimant is an owner in the conduit, state interest held on this line.

*Goshute Kelly
10-187
E1*

(10) The nature of the title to the land for which the water right is claimed is the municipal water described herein is served within the service area of the City of West Wendover, Nevada, and the City of Wendover, Utah. Described on Exhibit B, attached hereto.

(11) Crops of N/A have been grown upon the land irrigated. (e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)

(12) The water has been used for irrigation from N/A to N/A of each year.
Day of month Day of month

(13) List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with corresponding subdivisions, appending extra sheets if necessary. **See attached Exhibit C.**

- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.
- , _____ acres in the _____ of Sec _____, T _____, R _____, E.

(14) The maximum acreage irrigated in any year was N/A acres.

(15) The water claimed has not been used for irrigation each and every year since the right was initiated. as claimants assert only a claim to the first 1.0 cfs, 24 hours, 365 days per year with Big or Johnson Spring as the source.

(16) The years during which no water was used for irrigation or during which the full water right was not used were (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, appending a sheet if necessary.)

(17) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of _____
County, said record being at page _____ of Book _____ of _____, and being a claim for _____
_____ of water for the irrigation of _____
_____ acres of land in the following legal subdivisions:

Note - Failure to record in the county in no way invalidates a water right, but if ditch or right was so recorded, supply full information under (17)

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation:

water is utilized pursuant to certificated Permit No. 28527. The records, correspondence and historical data contained within certificated Permit Nos. 2210, 11074 and 28527 are expressly incorporated herein.

(19) The character of the soil is N/A . A continuous flow of _____ cubic feet
Sandy, gravelly, loam
of water per second has been used to irrigate _____ acres of land and _____
acre-feet per acre per annum have been used to irrigate the crops.

RECORDED
219-11-03-1188
2011-03-11 10:12 AM
COUNTY CLERK

(20) Remarks

See SUMMARY ESTABLISHING PRIORITY attached hereto as Exhibit D.

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

City of West Wendover, NV, and City of Wendover, UT, are full and correct to the best of his knowledge and belief.

Ross E de Lipkau Attorney to City of West Wendover, NV, and as a courtesy for City of Wendover, UT
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

Name Ross E. de Lipkau

Address 50 W. Liberty St., Suite 750, Reno, NV 89501

Telephone Number 775-323-1601

State of Nevada

County of Washoe

Subscribed and sworn to before me on 07.23.14

by ***Ross E. de Lipkau***

Roni L Shaffer
Signature of Notary Public Required



Notary Stamp or Seal Required

\$120 FILING FEE MUST ACCOMPANY PROOF

RECORDED
2014 JUL 23 11:01 AM
CLERK OF DISTRICT COURT

file cover

Exhibit A

1. The City of West Wendover, Nevada, and Wendover, Utah. The addresses are as follows:

City of West Wendover
Attn: City Manager
P.O. Box 2825
West Wendover, NV 89883

V10645

City of Wendover
Attn: City Administrator
P.O. Box 430
Wendover, UT 84083

15984.009/4831-2684-7515.1
71611 03 11 11 31 11
CONFIDENTIAL

Exhibit B

Described as Sections 7, 8, 9, 10, 15, 16, 17 and 18 T.33N., R.70E., M.D.B.&M., and Sections 17, 18, N1/2 19, and N1/2 20 T. 1S., R.19W., S.L.B.&M.

RECORDED
2014 JUN 20 11:34 AM
CLERK OF DISTRICT COURT

Exhibit C

See Nevada's Northeast Frontier, by Edna B. Patterson and others, in the Western Printing and Publishing, Co., 1869, page 579, attached hereto.

Also see blow-up copy of Section 28, T.36N., R.66E., re: irrigated pasture. (See copy attached to Exhibit D as Exhibit 3.)

15984.009/4831-2684-7515.1
2014 05 14 10:00 AM
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Exhibit D

SUMMARY ESTABLISHING PRIORITY

It is believed, based upon review of published authorities, that the earliest settlers to the Big Springs area, located generally within Section 28 T.36N., R.66E., M.D.B.&M., was in either 1870 or 1871.

Attached is a copy of page 579 of the book entitled "Nevada's Northeast Frontier," authored by Edna B. Patterson, Louis A. Ulph, and Vector Goodwin, Western Printing and Publishing Co., 1969. (Exhibit 1.)

Attached also is a copy of Patent No. 3003, dated November 7, 1890. (Exhibit 2.)

Exhibit 3 depicts a plat, dated 1880, which shows Patent No. 3003 in the name of Wesley Johnson. Please note "green area" which is irrigated from Big Springs, located within the SW1/4 SE1/4 Section 28, T.36N., R.66E, M.D.B.&M. Also, the plat indicates "Mather's house and blacksmith shop." The blacksmith shop may be the blacksmith shop referred to in Exhibit 1, and is located in the same 40-acre parcel as is Big or Johnson Spring.

No information could be obtained about Mathers, except for the hand-written deed dated April 6, 1887, recorded with the Elko County Recorder on April 9, 1887, book 17, page 442. (Exhibit 4.)

That deed was typed by this office for the assistance of all parties. It is believed that this deed commences the chain of title, with Mr. Mathers probably, or perhaps, being a squatter. (Exhibit 4.)

Please refer to the chain of title currently on file in the State Engineer's office under Certificated Permit Nos. 2210, 11074 and 28527. Additionally, also attached are the following:

RECEIVED
STATE ENGINEER'S OFFICE
APR 10 1987
ELKO COUNTY

1. Donation document dated December 30, 1975, wherein Fred D. West, et al., conveyed to the unincorporated town of West Wendover. The subject matter of the assignment is the “first” cubic foot per second (cfs) of water from said Johnson Spring covered by Application No. 11074, Certificate No. 3936, and all supplemental applications and certificates thereto, including Permit No. 28527 on file with the Nevada State Engineer. (Exhibit 5.)

2. Quitclaim Deed dated July 16, 2008, wherein County of Elko, in its capacity and as the Town Board of the Unincorporated Town of West Wendover conveys certificated Permit No. 27745, Certificate No. 9707, to the City of West Wendover. (Exhibit 6.)

3. Quitclaim Deed dated March 17, 2009, where the City of Wendover, Utah conveys a ½ interest in the water system described on Exhibit A to the City of West Wendover, Utah. (Exhibit 7.)

Accordingly, the Proof of Appropriation filed herewith, is owned by the City of West Wendover, Nevada, and the City of Wendover, Utah, each as to an undivided 50% interest, as to the “first 1.0 cfs being discharged from Big or Johnson Spring.”

RECORDED
2014 JUL 29 PM 5:12
COUNTY OF ELKO

Bradley in 1875 and Morris Badt became sole owner of the Wells store. By 1880 he constructed a large store block from which he conducted extensive business. Shipping goods from New York, Chicago, St. Louis and San Francisco by carload lots, he handled merchandise of every description. The company was entrusted with banking for the Wells area, arranging transfer of customers' money to the Elko bank. Later he established an official bank in Wells. In 1898 he formed M. Badt and Co. in conjunction with three sons, Mel S., Herbert, and J. Selby Badt, and the company carried on merchandising, banking and ranching interests.¹⁰ Morris Badt's influence and ability led to the betterment of northeast Nevada.

Allen Fisher. From his birthplace in southern Indiana in 1840, Allen Fisher went to California in 1864 and settled at Truckee. In 1868 he arrived in Elko, at the time Central Pacific Railroad built to a point four miles east of town. Lots in Elko had been surveyed, but there were no buildings. Fisher, together with Thomas Henley, constructed the first frame house in Elko, a lodging house. Selling his interest in this venture, he moved to Mountain City and engaged in ranching, but soon returned to Elko to become a business man for six years.¹¹ In 1879 he moved to Wells and later built the Allen Hotel. Fisher acquired an outstanding collection of minerals, birds, stuffed animals and historical articles which he displayed in cases in the hotel. In 1916, after a period of ill health, his nephew, Dr. Fisher, came west to take him to Louisville, Kentucky. During the trip Allen Fisher died near Chicago November 4, 1916, and remains were taken to Louisville for burial.¹²

John Wesley Johnson, a native of Delaware (born January 14, 1841), grew to manhood in Illinois. During the civil War he served in the 27th Regiment, Vermont Volunteers, and was captured and confined prisoner at Libby and Andersonville prisons, but later released. Moving to Nebraska, he followed construction work of the Union Pacific Railroad west, and in 1869 located at Kelton, Utah. The next year he came to Elko County and settled at Toano, engaging in freighting to mining camps of southern Nevada. To accommodate his large freighting business, he purchased the Johnson Ranch east of Wells and equipped it with a large blacksmith shop for repair of wagons and harnesses, stables and a saloon. After selling the freight and ranch operation, he moved to Elko and later to Wells, running the Bullshead bar and hotel. Disposing of the Wells business, he engaged in general merchandising in Montello and remained in that area until his death from a stroke in June, 1913.

2014 JUL 28 PM 01:12

THE STATE OF NEVADA.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

Whereas, Wesley Johnson of Elko County, Nevada has deposited with the Register of the State Land Office at Carson City the State Treasurer's receipt, whereby it appears that full payment has been made by the said Wesley Johnson according to the provisions of an Act of the Legislature, approved March 12, 1886, entitled, "An Act to provide for the selection and sale of lands that have been or may hereafter be granted by the United States to the State of Nevada." And the Acts amendatory thereof and supplementary thereto. For the *North east quarter of the north*

east quarter of section Twenty eight (28) in Township Thirty six (36) North Range Sixty six (66) East

Mount Diablo base and meridian, containing *Forty* acres, according to the official plat of the survey of the Public Lands as made by the United States Surveyor-General for the District of Nevada; which said tract has been purchased by the said *Wesley Johnson*

Therefore, know ye, That the State of Nevada, in consideration of the premises, and in conformity with the Act of the Legislature in such cases made and provided, has given and granted, and by these presents does give and grant unto the said *Wesley Johnson* and to *his* heirs, the said tract above described,

to have and to hold, the same, together with all rights, privileges, immunities and appurtenances, of whatever nature, thereunto belonging, unto the said *Wesley Johnson* and to *his* heirs and assigns forever; provided that all mines of gold, silver, copper, lead, zinc, iron, and other valuable minerals, that may exist in said tract, are hereby expressly reserved.



In Testimony Whereof, I, *Frank Bell* Governor of the State of Nevada have caused these Letters to be made Patent and the Great Seal of State to be hereunto affixed. Given under my hand, at Carson City, the *seventh* day of *November* 18 *90*

Frank Bell
Governor.

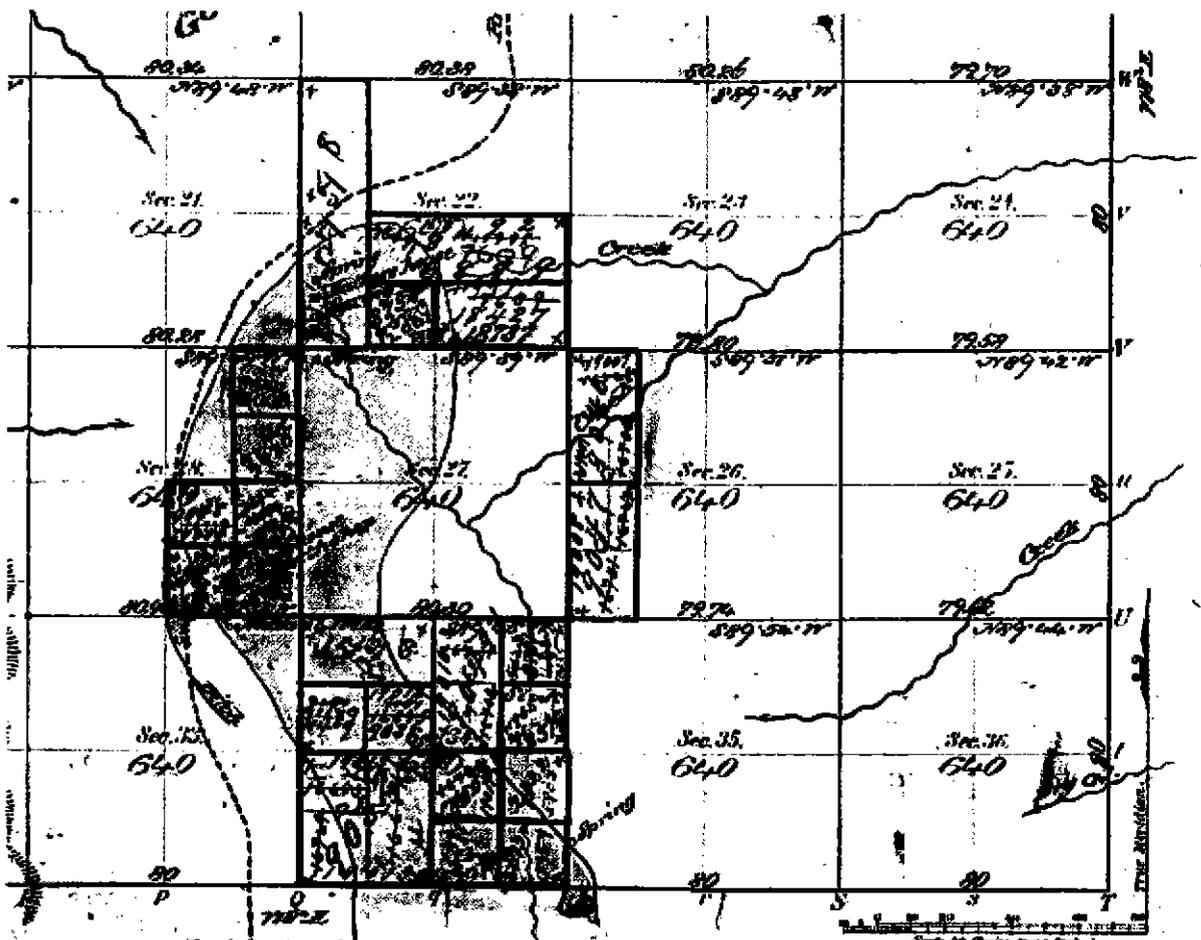
By the Governor,
John M. Danner
Secretary of State,
By *W. H. ...* Deputy

Recorded *March 4* 18 *90*
John M. Danner
Secretary of State.

By *W. H. ...*
Deputy.

J. E. Jones
Land Register.

2014 JUN 23 PM 6:44
COUNTY CLERK'S OFFICE



Shirley
 Copy of
 D. W. Jones
 Original of
 May 20th

Original
 Complete

Subscribed

Total Number of Acres

Section	Amount of Savings	When Surveyed
21	640	1850
22	640	1850
23	640	1850
24	640	1850
25	640	1850
26	640	1850
27	640	1850
35	640	1850
36	640	1850

The above Map of Township 12 North of Range 15 West
 Mount Pleasant Meridian is a true and correct
 copy of the survey thereof on file in this Office, which have been examined
 by the General Office
 Virginia High School
 April 2nd 1880

C. S. Davis
 Sur.

2014 JUN 23 PM 3:13
 ORIGINALS FILED

thousand eight hundred and eighty six personally appeared before me Sol Newcomer a Notary Public in and for the said Alturas County, Co. J. Louver whose name is subscribed to the annexed instrument as the party thereto, personally known to me to be the same person described in and who executed the said annexed instrument, as the party thereto and he that he voluntarily, and for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(Seal)

Sol Newcomer

Notary Public

Recorded at request of M. Laborle April 5th 1887 - 230 P.M.

A. Van Hook

County Recorder

APR 23 PM 3:00
 COUNTY RECORDERS OFFICE

M. S. Horan

To

Wesley Johnson

This indenture made the sixth day of April in the year of our Lord one thousand eight hundred and eighty seven, between M. S. Horan of the City and County of San Francisco State of California the party of the first part, and Wesley Johnson of the County of Elko, State of Nevada, party of the second part, Witnesseth, that the said party of the first part, for and in consideration of the sum of Twenty five hundred (2500⁰⁰) dollars, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, as by these presents grant, bargain, sell, convey and confirm, unto the said party of the second part, and to his heirs and assigns forever, all and singular, all my right, title to and interest, in the piece

parcels and tracts of land situate, lying and being in Elko County, State of Nevada, comprising what has heretofore been generally known, called and described as Mathers Ranch and William Mathers Ranch, and more particularly described in a deed made by Emma Horan, daughter of William Mathers, and wife of M. S. Horan, to her husband, on or about the fifth day of February A. D. 1887, and subsequently delinquent to J. W. Dorsey attorney at law, Elko, Elko County, State of Nevada to be recorded in the Recorder's office of said county, as more particular description of which I am at present unable to give.

This is intended as a conveyance of all my rights title and interest in all water, water rights privileges, flumes, ditches, aqueducts thereon or connected therewith.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof.

To have and to hold all and singular the said premises, together with the appurtenances, unto the said party of the second part and to his heirs and assigns forever.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written,
 M. S. Horan

Signed, sealed and delivered in the presence of
 Chas. T. Stanley
 State of California
 City and County of San Francisco) ss

On this sixth day of April one thousand eight hundred and eighty seven before me, Chas. T. Stanley, a Notary Public, in and for the said City and County, personally appeared M. S. Horan personally known to me to be the person described in and who executed and whose name is subscribed to the within instrument, and he acknowledged to me that he executed the same freely and voluntarily and

for the uses and purposes therein mentioned,
 As Witness Whereof, I have hereunto set my hand and affixed
 my official seal, at my office in the City and County of San
 Francisco, the day and year in this certificate first above
 written.

(Seal)

Chas. T. Stanley
 Notary Public

Recorded at the request of J. D. Meigs April 9th 1887 - 7:20 AM
 A. Van Fleet

Co. Recorder

RECORDED
 APR 23 PM 2:15

Bernard Horn

To

Daniel M. Murphy

This Indenture, made the 31st day of March in the year of
 our Lord one thousand eight hundred and eighty seven, between
 Bernard Horn of the City and County of San Francisco, State
 of California, the party of the first part, and Daniel M. Mur-
 phy and Diana Murphy Heil of the City of San Jose, County
 of Santa Clara, State of California the parties of the second
 part, Witnesseth: That the said part of the first part, for and
 in consideration of the sum of one dollar lawful money
 of the United States of America, to him in hand paid by the
 said parties of the second part, the receipt whereof is hereby
 acknowledged, does by these presents grant, bargain, sell, con-
 vey and confirm unto the said parties of the second part, and
 to their heirs and assigns forever, all that certain lot, piece or
 parcel of land situate, lying and being in the County of Elko
 State of Nevada and particularly described as follows, to wit:
 An undivided two thirds of the West-half of the West-half
 (N² of W²) of section Thirty Four (34), Township Thirty Six (36)
 North, of Range Fifty eight (58) East - N. E. M. containing one
 hundred and sixty acres. Together with all and singular

Deed of April 1887

West Wendover 15984.009

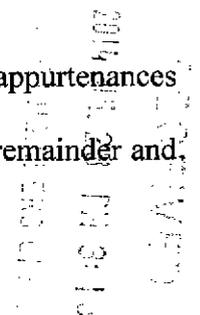
MS Horan to Wesley Johnson

This indenture made the 6th day of April in the year of our Lord, one thousand, eight hundred and eighty-seven between MS Horan of the city and county of San Francisco, State of California, the party of the first part and Wesley Johnson of the county of Elko, State of Nevada, party of the second part.

Witnesseth: That the said party of the first part for and in consideration of the sum of \$2,500 (twenty-five hundred) dollars lawful money of the United States of America to him in hand paid by the said party of the second part the receipt whereof is hereby acknowledged, as by these presents grant, bargain, sale, convey and confirm unto the said party of the second part and to his heirs and assigns forever all and singular, all of my right, title to and interest in the pieces: parcels and tracts of land situate, lying and being in Elko County, State of Nevada, comprising what has heretofore been generally known, called and described as Mathers Ranch and William Mathers Ranch, and more particularly described in a deed made by Emma Horan, daughter of William Mathers, and wife of M.S. Horan, to her husband, on or about the 5th day of February, a.d. 1887, and subsequently delivered to I.W. Dorsey, attorney at-law, Elko, Elko County, State of Nevada to be recorded in the Recorder's Office of said county, as more particular description of which I am at present, unable to give.

This is intended as a conveyance of all my right title and interest in all water, water rights, privileges, flumes, ditches, aqueducts, thereon or connected therewith.

Together with all in singular the tenements or hereditaments and of appurtenances thereunto belonging or in any ways appertaining and the reversion and reversions remainder and remainders rents issues and profits thereof.



To have and to hold all in singular the said premises, together with the appurtenance unto the said party, the second part and to his heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part, has hereinto set his hand and seal the day and year first above written.

Signed by: MS Horan

2014 JUL 23 PM 3:13
RECORDING OFFICE

DONATION DOCUMENT

Seal THIS DONATION DOCUMENT made and entered into this day of December, 1975, by and between FRED D. WEST and LYNN WEST, his wife; GRANT WATSON and STELLA WATSON, his wife; ARDEN J. BODELL and JUANITA M. BODELL, his wife; DAN C. SIMONS and SALLY J. SIMONS, his wife; J. REED TUFT and PATRICIA G. TUFT, his wife; and JAY L. DAHL, a single man, Parties of the First Part, hereinafter called "DONORS," and the UNINCORPORATED TOWN OF WEST HENDOVER, created and existing pursuant to NRS Chapter 269, by and through its governing board, the County Commissioners of the County of Elko, State of Nevada, Party of the Second Part, hereinafter called "DONEE."

WITNESSETH:

That the DONORS hereby donate, and the DONEE does hereby accept the following water rights situate in the County of Elko, State of Nevada, more particularly described as follows:

All of the right, title and interest of the DONORS to a water right in Johnson Springs situate in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T 36 N, R 66 E, MDB&N, more specifically described as the first cubic foot per second (CFS) of water from said Johnson Springs covered by Application No. 11074, Certificate No. 3936 and all supplemental applications and certificates thereto, including Permit No. 28527 on file in the Office of the Nevada Division of Water Resources in the Department of Conservation and Natural Resources, Carson City, Nevada.

Except and reserving to Robert J. Beaumont the right to use without charge, any unused part or any unused portion of said 1 CFS of water during such time as the full 1 CFS is not being used by the DONEE, its successors and assigns.

It is understood by and between the parties hereto, that this place of beneficial use of said water right shall be within the limits of the Unincorporated Town of West Wendover, Nevada, and the city limits of the City of Wendover, Utah.

CONVEYANCES:

On or before December 31, 1975, the DONORS will execute and deliver to the DONEE, a Deed to said water right, to be delivered without obligation on the part of the DONEE, except that it be used for the exclusive benefit of the Public.

IN WITNESS WHEREOF the parties have set their hands

BOOK 224 PAGE 104

2014 JUL 29 PM 3:13
REC'D - CIVIL
CLERK

the day and year first above written.

DONORS:

Fred West
FRED D. WEST

Lynn West
LYNN WEST

Graht Watson
GRAHT WATSON

Stella Watson
STELLA WATSON

Arden J. Bodell
ARDEN J. BODELL

Juanita M. Bodell
JUANITA M. BODELL

Dan C. Symons
DAN C. SYMONS

Sally J. Symons
SALLY J. SYMONS

J. Reed Tuffy
J. REED TUFT

Patricia G. Tuft
PATRICIA G. TUFT

Jay L. Dahl
JAY L. DAHL

DONEE:

UNINCORPORATED TOWN OF
WEST WENDOVER

BY: Eyes W. Boies
CHAIRMAN, BOARD OF COUNTY
COMMISSIONERS, COUNTY OF
ELKO, STATE OF NEVADA

ATTEST:

R. P. Kew
ELKO COUNTY CLERK



- 2 -

File 496116
FILED FOR RECORD
AT ELKO, NEVADA
Elko Co. Manager
DEC 31 11 05 AM '75
REC'D ELKO 224 104
JERRY L. REED
ELKO COUNTY RECORDER

File

INDEXED

96116

BOOK 224 PAGE 105

2014 JUL 23 PM 3:13

W A T E R D E E D

FILED
FEB 6 1976
STATE ENGINEER'S OFFICE

KNOW ALL MEN BY THESE PRESENTS, that we, FRED D. WEST and LYNN WEST his wife, GRANT WATSON and STELLA WATSON his wife, ARDEN J. BODELL and JUANITA M. BODELL his wife, DAN C. SIMONS and SALLY J. SIMONS his wife, JAY L. DAHL and J. REED TUFT and PATRICIA J. TUFT his wife, hereinafter called "Grantors," for and in consideration of a Donation Document and the sum of one dollar (\$1.00) to us in hand paid by the Unincorporated Town of West Wendover, an unincorporated town created and existing pursuant to Chapter 269 of the Nevada Revised Statutes, by and through its governing board, the Board of Commissioners of Elko County, State of Nevada, the receipt of which is hereby acknowledged, do hereby grant unto the Unincorporated Town of West Wendover, in the County of Elko, the following:

All of the right, title and interest of the Grantors to a water right in Johnson Springs situate in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T 36 N, R 66 E, MDB&M, more specifically described as the first cubic foot per second (CFS) of water from said Johnson Springs covered by Application No. 11074, Certificate No. 3936 and all supplemental applications and certificates thereto, including Permit No. 28527 on file in the Office of the Nevada Division of Water Resources in the Department of Conservation and Natural Resources, Carson City, Nevada.

Except and reserving to Robert J. Beaumont the right to use without charge, any unused part or any unused portion of said 1 CFS of water during such time as the full 1 CFS is not being used by the Grantee, its successors and assigns.

The water rights herein conveyed are further identified as having been conveyed to Grantors by Robert Beaumont, on the 6th day of May, 1975. This Deed is for the specific purpose of conveying to the Unincorporated



2014 JUN 23 PM 9:18
STATE ENGINEER'S OFFICE

Town of West Wendover in the County of Elko, the first cubic foot per second (CFS) of water from the Johnson Springs covered by Application No. 11074, Certificate No. 3936 and all supplemental applications and certificates thereto, and including No. 28527 on file in the Office of the Nevada Division of Water Resources and the Department of Conservation of Natural Resources, Carson City, Nevada.

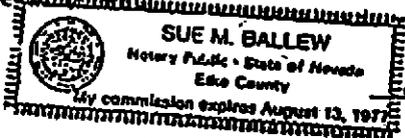
IN WITNESS WHEREOF the Grantors have set their hand this 30th day of December, 1975.

Fred D. West Lynn West
FRED D. WEST LYNN WEST

STATE OF NEVADA,)
) SS.
COUNTY OF ELKO.)

On this 30th day of December, 1975, personally appeared before me, a Notary Public in and for said County and State, FRED D. WEST and LYNN WEST, his wife, known to me to be the persons described in and who executed the foregoing instrument, and acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this certificate last above.



Sue M. Ballew
NOTARY PUBLIC

My Commission Expires: _____

Grant Watson Stella Watson
GRANT WATSON STELLA WATSON

STATE OF UTAH,)
) SS.
COUNTY OF Salt Lake)

On this 26th day of December, 1975, personally appeared before me, a Notary Public in and for said County and State, GRANT WATSON and STELLA WATSON, his wife, known to me to be the persons described in and who executed the foregoing

RECORDED
2014 JUL 23 PM 0:13

instrument, and acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein entioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this certificate last above written.

[Signature]
NOTARY PUBLIC



My Commission Expires: November 1, 1976

[Signature]
ARDEN J. BODELL

[Signature]
JUANITA H. BODELL

STATE OF UTAH,)
COUNTY OF Salt Lake) SS.

On this 20th day of December, 1975, personally appeared before me, a Notary Public in and for the said County and State, ARDEN J. BODELL & JUANITA H. BODELL, his wife, known to me to be the persons described in and who executed the foregoing instrument, and acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned, and also Dan C. Simons and Sally J. Simons, his wife.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this certificate last above written.



[Signature]
NOTARY PUBLIC

My Commission Expires: April 27, 1977

[Signature]
DAN C. SIMONS

[Signature]
SALLY J. SIMONS

~~STATE OF UTAH,)
COUNTY OF Salt Lake) SS.~~

~~On this 20th day of December, 1975, personally appeared before me, a Notary Public in and for the said County and State, DAN C. SIMONS and SALLY J. SIMONS, his wife, known to me to be the persons described in and who executed the foregoing instrument, and acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned.~~

~~IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this certificate~~

2015 JUN 28 PM 2:13

~~last above written.~~

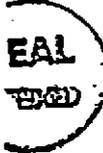
NOTARY PUBLIC

My Commission Expires: _____

Jay L. Dahl
JAY L. DAHL

STATE OF UTAH,)
COUNTY OF Salt Lake) SS.

On this 26th day of December, 1975, personally appeared before me, a Notary Public in and for the said County and State, JAY L. DAHL, known to me to be the person described in and who executed the foregoing instrument, and acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this certificate last above written.

[Signature]
NOTARY PUBLIC

My Commission Expires: April 29, 1977

J. Reed Tuft
J. REED TUFT

Patricia J. Tuft
PATRICIA J. TUFT

STATE OF UTAH,)
COUNTY OF Salt Lake) SS.

On this 21st day of December, 1975, personally appeared before me, a Notary Public in and for the said County and State, J. REED TUFT and PATRICIA J. TUFT, his wife, known to me to be the persons described in and who executed the foregoing instrument, and acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned.

STATE OF NEVADA,)
COUNTY OF ELKO) ss.

PROGRESS PRINT - WELLS

I, Jerry D. Reynolds County Recorder in and for Elko County, do hereby certify that I have compared the foregoing with the original record thereof as the same appears in my office under File Number 96117 and recorded in Volume 224 of Official Records Page 106 and that the foregoing document is a full, true and correct transcript, therefrom, and of the whole of such original record.

WITNESS my hand and official seal hereunto set this 6th day of January A.D. 19 76

Jerry D. Reynolds
County Recorder
Steve Madigan
Deputy Recorder

2014 JUL 23 PM 9:19

Official Record

Requested By
GOICOECHEA, ETAL

Elko County - NV

Jerry D. Reynolds - Recorder

Page 1 of 2 Fee: \$15.00

Recorded By: NR RPTT:

APN: None

Recording Requested by
& Return to:
Goicoechea, DiGrazia, Coyle & Stanton, Ltd.
530 Idaho Street
Elko, NV 89801



The undersigned affirms that this document
does not contain a social security number

Mail Tax Statements to:
City of West Wendover
P.O. Box 2825
West Wendover, NV 89883

QUITCLAIM DEED

THIS INDENTURE, made and entered into this 16 day of JULY, 2008,
between the COUNTY OF ELKO, acting in its own capacity and as the Town Board of the
UNINCORPORATED TOWN OF WEST WENDOVER, hereinafter referred to as "Grantor,"
and CITY OF WEST WENDOVER, a municipal corporation, hereinafter referred to as
"Grantee."

WITNESSETH:

That said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00),
lawful money of the United States of America, to it in hand paid by the Grantee, and for other
good and valuable consideration, the receipt whereof is hereby acknowledged, has remised,
released and forever quitclaimed, and by these presents does remise, release and forever
quitclaim unto the Grantee and to its successors and assigns, forever, all of its right, title and
interest in and to the following water rights which are on file in the Office of the Nevada State
Engineer, Division of Water Resources, more particularly described as follows:

Permit No. 27745, Certificate No. 9708

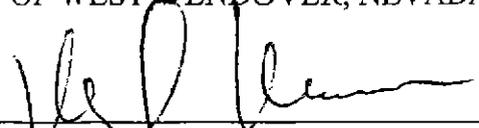
Together with all and singular the tenements, hereditaments and
appurtenances thereunto belonging or in anywise appertaining, and
the reversion and reversions, remainder and remainders, rents,
issues and profits thereof.

To have and to hold, all and singular, the said water rights with the appurtenances,
unto the said Grantee, and to its successors and assigns forever.

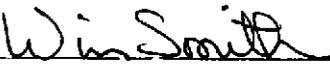


In witness whereof, the Grantor has hereunto executed this Quitclaim Deed the day and year first above written.

COUNTY OF ELKO, acting in its own capacity
and as the Town Board of the UNINCORPORATED
TOWN OF WEST WENDOVER, NEVADA.

By: 
MIKE NANNINI

ATTEST:


WIN SMITH
ELKO COUNTY CLERK

STATE OF NEVADA)
) SS.
COUNTY OF ELKO)

On this 16th day of July, 2008 personally appeared before me, MIKE NANNINI, Chairman of the Elko County Commission, who acknowledged that he executed the foregoing instrument; and he further acknowledged to me that in so doing he was acting in his capacity as the Chairman of the Board of Elko County Commissioners, acting in its own capacity and as the Town Board of the Unincorporated Town of West Wendover, Nevada.


NOTARY PUBLIC

MICHELE A. PETTY
Notary Public, State of Nevada
Appointment No. 98-3757-6
My Appt. Expires Aug. 11, 2010

MICHELE A. PETTY
Notary Public, State of Nevada
Appointment No. 98-3757-8
My Appt. Expires Aug. 11, 2010

(Not Compared to Original)

03/18/2009

02:09 PM

Official Record

Requested By
GOICOECHEA, ETAL

Elko County - NV
Jerry D. Reynolds - Recorder

APN: None

**Recording Requested
By and Return to:**

Goicoechea, DiGrazia, Coyle & Stanton
530 Idaho Street LTD.
Elko, NV 89801

The undersigned affirms that this document
does not contain a social security number.

**Grantee's Address/
Send Tax Statement to:**

P.O. Box 2825
West Wendover, NV 89883

QUITCLAIM DEED

FOR CONSIDERATION RECEIVED, CITY OF WENDOVER, UTAH, a municipal corporation of the State of Nevada, Grantor, hereby remises, releases and forever quitclaims to **CITY OF WEST WENDOVER, NEVADA**, a political subdivision of the State of Nevada, Grantee, forever, an undivided one-half interest in the property located in the County of Elko, State of Nevada, more particularly described on Exhibit A attached hereto and incorporated herein.

SUBJECT to all taxes, assessments, reservations, exceptions, and all easements, rights of way, conditions, restrictions and covenants as may now appear of record.

TOGETHER WITH any and all improvements, fixtures and pipelines situate thereon.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the Grantee, and its successors and assigns forever.

SIGNED this 17 day of March, 2009.

GRANTOR:

CITY OF WENDOVER, UTAH

BY: Brett Shelton
BRETT SHELTON, Mayor

ATTEST:

Tammara Weyland
WENDOVER, UTAH
CITY CLERK

STATE OF UTAH)

: ss.

COUNTY OF TOOLE)

This instrument was acknowledged before me on the 17 day of MARCH, 2009, by BRETT SHELTON, Mayor and TAMMARA WEYLAND, Clerk of the City of Wendover, Utah.

Mark Bell
NOTARY PUBLIC

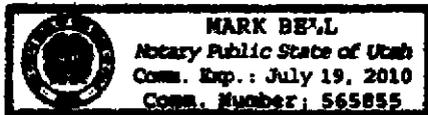


EXHIBIT "A"

PROPERTY DESCRIPTION:

The real property which is the subject of this Quitclaim Deed and identified as the Johnson Springs Water System Annex, State of Nevada, is hereby quitclaimed unto the Grantee, is more fully described as follows:

JOHNSON SPRINGS WATER SYSTEM ANNEX

This real property is situated in the County of Elko, State of Nevada, and includes the following leasehold, easements and improvements:

LEASEHOLD:

Leasehold between Robert J. Beaumont and the United States of America from July 1, 1972 to June 30, 1977 covering following tracts of land (See Attachment "C" showing location of tracts), as described below:

TRACT 21 W.E.-1 (207-1)

All that real property situate in Section 28, Township 36 North, Range 66 East, M.D.M., in the County of Elko, State of Nevada,

Commencing at the Southwest corner of said Section 28, thence, N 86°47'10" E, 2609.22 feet; thence, S 57°45' E, 39.55 feet; to the Point of Beginning; thence, N 0°08' E., 39.30 feet; thence S 64°40' E., 270.20 feet; thence, S. 75°40' W, 90.62 feet; thence, N 57°45' W., 185.05 feet, to the Point of Beginning; EXCEPTING THEREFROM, all that portion of the above described tract lying in the SE ¼ of the SW ¼ of said Section 28. Tract 207-1 contains 0.18 acre, more or less.

TRACT 21 WE-2 (207-2)

All that real property situate in Section 28, Township 36 North, Range 66 East, M.D.M., in the County of Elko, State of Nevada, described as follows:

Commencing at the Southwest corner of said Section 28, thence, N 86°47'10" E, 2609.22 feet; thence, S 57°45' E, 224.60 feet; thence, N 75°40' E, 129.98 feet, to the Point of Beginning; thence N 25°20' E., 61.13 feet; thence, S 14°20' E., 47.06 feet; thence, S 75°40' W., 39.02 feet, to the Point of Beginning. Tract 207-2 contains 0.02 acre, more or less.

EASEMENTS:

TRACT 16 WE

A strip of land 50.0 feet in width, situate, lying and being in Section 19, Township 1 South, Range 19 West, S.L.B.&M., County of Tooele, State of Utah, said strip lying within the Western Pacific Railroad Company's right of way between the west line of said Section 19 and the south line of said right of way, being 25.0 feet on each side of the following described center line:

Beginning at a point in the west line of said Section 19, distant 646.5 feet, measured southerly thereon from a 4 inch by 6 inch stone which marks the northwest corner of said Section 19; thence North 84°01' East, 202.0 feet to an angle point; thence South 59°29' East, 275.0 feet, more or less, to the south boundary line of the Western Pacific Railroad Company's right of way, distant 300.0 feet measured radially southerly from the center line of the Western Pacific Railroad Company's main track, containing an area of 0.55 of an acre, more or less.

Together with the use of access road leading to and connecting with the tract of land above described such access road now exists.

TRACT 17 WE

Beginning at a point east 1100.68 feet from the southwest corner of Section 26, Township 35 North, Range 68 East, Mount Diablo base and Meridian; thence north 36°54' West 1834.2 feet, more or less, to a point on the west line of said Section 25; thence continuing along said west line north 50.0 feet; thence south 36°54' east 1897.3 feet, more or less to a point on the south line of said Section 26, thence west 37.53 feet to the beginning, containing 1.3 acres, more or less.

IMPROVEMENTS:

50000-Water Storage Reservoir, 1,000,000 gal.

Located in the SE ¼ of Section 7, T 35 N, R 70 E, Mt. Diablo Meridian

50101-Water Supply Building, Size: 31' x 62'

50105-Family Housing (Residence), Size: 29' x 38'

50106-Hazard Storage, frame, Size: 14' x 18'

51087-Storage Diesel, 15,000 gal. capacity

50201-Primary Distribution Line, OH 200 Ft.

50400-Fence Boundary - 1,220 Ft. BW

50500-Sanitary Sewage Mains - 165 Ft.

70007-Sanitary Sewage Mains - 295 Ft.

50101-Electric Power Generating Plant 30 KW

50101-Water Pumping Plant

3 ea. 500 GPM Diesel Pumps

All of the above located in Tract 205 described as: All that real property situated in Section 28, Township 36 North, Range 66 East, M.D.M., in the County of Elko, State of Nevada, being more

particularly described as follows:

Commencing at the southwest corner of said Section 28, Township 36 North, Range 66 East, M.D.M., thence North $86^{\circ}47'10''$ East 2609.22 feet to the TRUE POINT OF BEGINNING:

THENCE, (1) North $0^{\circ}08'$ East 197.66 feet;
THENCE, (2) South $89^{\circ}52'$ East 315.70 feet;
THENCE, (3) South $0^{\circ}08'$ West 122.77 feet;
THENCE, (4) South $57^{\circ}45'$ East 69.77 feet;
THENCE, (5) South $25^{\circ}20'$ West 137.85 feet;
THENCE, (6) South $75^{\circ}40'$ West 39.36 feet;
THENCE, (7) North $64^{\circ}40'$ West 270.20 feet;
THENCE, (8) South $0^{\circ}08'$ West 39.30 feet;
THENCE, (9) North $57^{\circ}45'$ West, 39.55 feet, to the TRUE POINT OF BEGINNING containing 1.85 acres, more or less.

50200-Telephone Pole Facility 26,500'

Located in Sections 3, 10, 15, 22, 21 and 28, Township 36 North, Range 66 East M.D.M.

50301-Water Supply Mains 150,573'

This is the main line between Johnson Springs and Wendover A. F. Auxiliary Field.