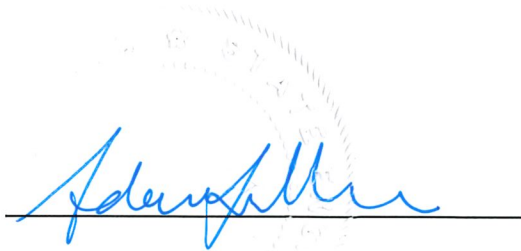


IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

ORDER OF DETERMINATION

IN THE MATTER OF THE DETERMINATION OF THE RELATIVE RIGHTS IN AND TO THE WATERS OF JERSEY HOT SPRINGS, BUTCHER CANYON, JERSEY CANYON (AKA OLD TOWN CANYON), CEDAR CANYON AND HOME STATION WASH AND THEIR TRIBUTARIES, AND SPRINGS LOCATED WITHIN THE JERSEY VALLEY HYDROGRAPHIC BASIN (NO. 132), PERSHING AND LANDER COUNTIES, NEVADA.



ADAM SULLIVAN, P.E.
STATE ENGINEER

Dated this 4th Day
of August, 2023.




CERTIFICATION OF STATE ENGINEER

* * * * *

I, Adam Sullivan, P.E., State Engineer of the State of Nevada, duly appointed and qualified, having charge of the records and files of the Office of the State Engineer, do hereby certify that the following is a full, complete and true copy of the *Order of Determination of the relative rights in and to the waters of Jersey Hot Springs, Butcher Canyon, Jersey Canyon (a.k.a. Old Town Canyon), Cedar Canyon and Home Station Wash and their tributaries, and springs located within the Jersey Valley Hydrographic Basin (No. 132), Pershing and Lander Counties, Nevada*. This Order of Determination was prepared and filed in the State Engineer's office on the 4th day of August, 2023.

IN WITNESS THEREOF, I have hereunto set my hand and affixed my seal of office at Carson City, Nevada, this 4th day of August, 2023.



ADAM SULLIVAN, P.E.
STATE ENGINEER

ADJUDICATION

* * * * *

JERSEY VALLEY

PERSHING AND LANDER COUNTIES, NEVADA

* * * * *

Presented herewith is the *Order of Determination defining the rights in and to the waters of Jersey Hot Springs, Butcher Canyon, Jersey Canyon (a.k.a. Old Town Canyon), Cedar Canyon and Home Station Wash and their tributaries, and springs located within the Jersey Valley Hydrographic Basin (No. 132), Pershing and Lander Counties, Nevada.* This Order is prepared pursuant to Chapter 533 of the Nevada Revised Statutes.



Adam Sullivan, P.E.

State Engineer

Made, filed and caused to be entered of
record in the Office of the State Engineer
this 4th day of August, 2023.

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I. INTRODUCTION

On July 9, 2010, the State Engineer issued a Notice of Order Initiating Proceedings to Determine Water Rights in *In the Matter of the Determination of the Relative Rights in and to All Waters of Jersey Hot Springs, a Surface Source, all the Water of Butcher Canyon, Jersey Canyon (a.k.a. Old Town Canyon), Cedar Canyon and Home Station Wash and their Tributaries, and Springs Located Within the Jersey Valley Hydrographic Basin (No. 132), Pershing and Lander Counties, Nevada*. This Notice initiated proceedings to adjudicate pre-statutory claims of vested rights to waters in the described area, according to Nevada Revised Statutes (NRS) sections 533.090 through 533.320, inclusive.

A copy of the Notice of Order Initiating Proceedings was served by certified mail on July 14, 2010, pursuant to NRS 533.095 to persons identified as owning land within the subject area that could be potential claimants. The Notice was published pursuant to NRS 533.095(3) on July 15, 22, 29, and August 5, 2010, in newspapers of general circulation within the adjudication boundary area—the Lovelock Review-Miner located in Lovelock, Nevada, and on July 21, 28, August 4 and August 11, 2010, in the Battle Mountain Bugle, located in Battle Mountain, Nevada.

On August 25, 2010, the State Engineer issued the Notice of Order for Taking Proofs to Determine Water Rights, pursuant to NRS 533.110. This Notice set forth the requirement that all those making claims to the waters of Jersey Hot Springs, Butcher Canyon, Jersey Canyon (a.k.a. Old Town Canyon), Cedar Canyon and Home Station Wash and their tributaries and springs located within the Jersey Valley Hydrographic Basin (No. 132) were required to make proof of their claims between September 30, 2010, and December 31, 2010. A copy of the Notice of Order for Taking Proofs was served by certified mail August 30, 2010, to persons identified as owning land within the subject area that could be potential claimants. The Notice was published on September 2, 9, 16, and 23, 2010, in the Lovelock Review-Miner located in Lovelock, Nevada, and on September 1, 8, 15, and 22, 2010, in the Battle Mountain Bugle, located in Battle Mountain, Nevada.

A request for extension of the time for filing proofs was submitted on behalf of claimant Joe Saval Co., LLC on December 15, 2010. The State Engineer granted this request, extending the period for filing proofs to January 31, 2011.

Field investigations of the Proofs of Appropriation (claims) were conducted by staff of the Office of the State Engineer between 2009 and 2013 for claims in Jersey Valley and at the range front. The field investigators' observations and measurements were reduced to reports of field investigation and are on file in the Office of the State Engineer.

Pursuant to NRS 533.140, the State Engineer issued the Preliminary Order of Determination on March 31, 2014.

Pursuant to NRS 533.145 the following claimants filed objections to the Preliminary Order of Determination:

1. Mike and Barbara Stremblers' (Strembler) objection filed October 1, 2014, asserts the following issues:
 - a. The Stremblers' claims have not been protested for 130 years;
 - b. The State Engineer erred by setting stockwater quantities based on current BLM permitted numbers for seasons of use, contrary to federal and state law and other court decisions;
 - c. The range line agreement was not a conveyance of any claim of vested water rights from Strembler to Saval;
 - d. Non-use of vested rights appropriated pursuant to the Act of July 26, 1866, does not meet the standard for abandonment or forfeiture of vested rights;
 - e. Stremblers hold valid rights at Hot Springs Ranch;
 - f. Saval's stockwater claims are deficient.
2. Joe Saval Co., LLC's (Saval) objection filed on June 11, 2014, to the State Engineer's finding that each and every water source within the subjection of the adjudication was declared fully appropriated. Saval argues that there was insufficient evidence to support a declaration that all sources within the adjudication area were fully appropriated.
3. Bert Paris's (Paris) objection filed on June 4, 2014, providing documents accompanying the objection purporting to show chain of title to Paris's claim to a stockwater right.

After all parties were duly noticed by certified mail, an administrative hearing was held on the objections on July 7-8, and October 14-16, 2015.

II. WATER SOURCES AND FLOWS

The sources of water that are the subject of this adjudication include the waters of Butcher Canyon, Jersey Canyon (a.k.a. Old Town Canyon), Cedar Canyon, Home Station Wash, the six springs that make up the Jersey Hot Spring Complex located roughly one-mile west of the range-bounding fault, and various spring sources along the western slope of the Fish Creek Mountains and northern extent of the Augusta Mountains. (Figure 1). The area is located within portions of T.25N., R.40E., M.D.B.&M., T.26N., R.40E., M.D.B.&M., T.26N., R.41E., M.D.B.&M., T.27N., R.40E., M.D.B.&M., and T.27N., R.41E., M.D.B.&M., within Pershing and Lander Counties, Nevada.

The Fish Creek range is dominated by Miocene tuffaceous sedimentary rocks, underlain by older tertiary and pre-tertiary volcanic rocks. The crest of the range is near 8,000 feet and the Jersey Valley floor is approximately 4,000 feet in elevation. Springs are widely distributed in the adjudication area. Streams within the adjudication area generally flow in a westerly direction into Jersey Valley. Typical of Nevada's mountain streams, runoff peaks in the spring and then recedes during the summer months until there is minimal or zero flow. Total annual discharge is heavily dependent on winter snowfall and varies from year to year.

The Jersey Hot Spring Complex (Springs A-F) is located on the pediment surface roughly one-mile west of the range bounding fault near Butcher and Jersey Canyons. The alignment of the springs suggests that they lie along a projection of the mountain front fault.¹ The largest of the springs is commonly called Jersey Hot Spring, and is also referred to as Spring "F" in this proceeding. Flow measurements of springs and streams recorded during field investigations by staff of the Office of the State Engineer are shown in Table 1.

¹ L.J. Garside and J.H. Schilling, *Thermal Waters of Nevada*, Bulletin 91, (Nevada Bureau of Mines and Geology), 1979.

Table 1: Flow Measurements

Source	4/28/09	5/27/10	8/17/10	4/26/11	7/1/10	7/19/11	8/10/11	1/15/12	11/21/13	8/1/14	1/30/15	11/21/17	8/16/18
Jersey Spring A	2.9	1.0	--	1.5	--	--	--	--	--	--	--	--	0
Jersey Spring B	1.0	1.2	--	1.3	--	--	--	--	1.0	--	--	--	0
Jersey Spring C	2.0	1.2	--	1.9	--	--	--	--	--	--	--	DRY	--
Jersey Spring D	1.0	2.1	--	1.0	--	--	--	--	--	--	--	--	--
Jersey Spring E	0.8	1.5	--	4.3	--	--	--	--	--	--	--	--	--
Jersey Spring F	50	60	40	40	50	50	42	35	20	0	0	--	--
Butcher Canyon	69	0	--	378	--	12	--	--	0	--	--	0	0
Jersey Canyon	1200	104	--	850	--	16	--	--	1.7	--	--	--	--
Able Spring	--	4.3	--	--	--	--	--	--	--	--	--	0	0
Home Station Wash	--	0.4	--	1500	--	32	--	--	0	--	--	0	0
Cedar Canyon	--	19	--	80	--	--	--	--	0	--	--	0	0

All measurements in gallons per minute

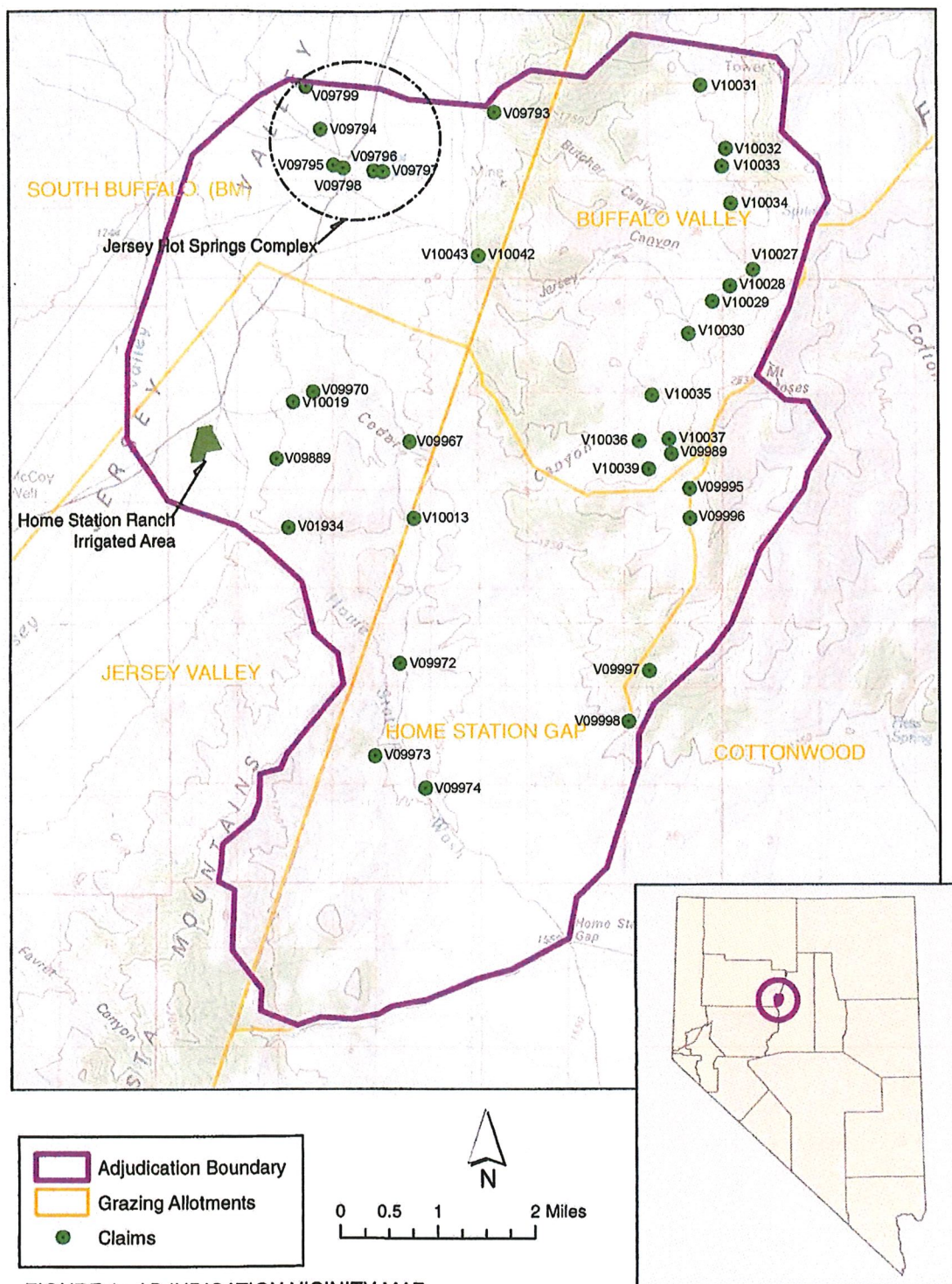


FIGURE 1: ADJUDICATION VICINITY MAP

Figure 1. Map showing the areal extent of the present adjudication.

III. DETERMINATION OF RIGHTS TO THE USE OF WATER

All claims² to pre-statutory vested water rights on sources of water are established by filing proofs of appropriation in the Office of the State Engineer and require evidence to support the claimed date of priority, manner of use (MOU), point of diversion (POD), place of use (POU) and the amount of water actually diverted and applied to beneficial use.³ Priority date is established as the year in which a water source was initially diverted and beneficially used. For surface water pre-statutory claims, water must have been diverted and beneficially used prior to March 1, 1905.⁴ For pre-statutory claims to artesian underground sources, water must have been used prior to March 22, 1913, and prior to March 25, 1939, for percolating underground sources.⁵

If the claimant can demonstrate the date when the diversion of water commenced, and that such work or construction necessary for diversion progressed with due and reasonable diligence until completion and beneficial use was established, the priority date for the claim will relate back to the date on which the diversion of water commenced (doctrine of “relation back”, or the relation-back doctrine).⁶ However, any work initiated by the claimant to promote additional beneficial use of water occurring after March 1, 1905, does not relate back to the earlier date because of the changes to State law on that date requiring a permit to appropriate water.

The limit and extent of water rights issued for all manners of use is limited to the quantity of water reasonably necessary for such use, without waste.⁷ The period of use for all manners of use is January 1 to December 31, unless otherwise specified. Irrigation and stockwater manners of use have additional specific considerations, as discussed in more detail below.

² The use of the noun “claim” (claim of vested right) is considered synonymous with the use of “proof” (Proof of Appropriation) and are used interchangeably in this Order.

³ NRS 533.087, 533.115(a) through 533.115(l), inclusive.

⁴ 1905 Nev. Stat. ch. 46.

⁵ NRS 534.080(1).

⁶ *Ophir Mining Co. v. Carpenter*, 4 Nev. 534, 543-44 (1869).

⁷ NRS 533.035.

The evidence the claimant provides with its proof is reviewed in conjunction with records of the State Engineer—such as permits, applications, proofs, maps, reports of conveyance, and field investigations—and other public records, including property records (Government Land Office (GLO) maps/plats/survey notes, land patents, etc.), census data, recent and historical aerial photography, and insurance maps, to determine the limit and extent of vested water rights claimed in this proceeding.

A. Irrigation

In the case of an irrigation claim, both federal and state courts have concluded that there must be an actual diversion from the surface water source, implying the existence of a delivery system.⁸ The Nevada Supreme Court has held that the cutting of wild grass produced by the overflow of a stream, or river waters “coming down and spreading over the land,” does not constitute an appropriation of the water.⁹ Similarly, the federal court found that the watering of meadowland by the use of natural overflow does not constitute a right of appropriation.¹⁰

Today, when a claim is filed for any MOU other than stockwater, the claim must provide a description and location of the POD, including a bearing and distance to a known and recognized survey monument. Additionally, a description of the actual works and infrastructure is required.¹¹ Earlier versions of the claim applications may not have provided these details in relation to location descriptions or descriptions of the actual works of diversion. Many times, the supporting map clarified these shortcomings. If not, a letter was then sent to the owner of record of the claim asking for more information, if an adjudication had been initiated. The Division did not need to request additional information for the claims in this adjudication.

⁸ Hutchins, Wells A., LL.B., 1955, *The Nevada Law of Water Rights*, State of Nevada in cooperation with the United States Department of Agriculture, Carson City, Nevada, pp. 14-15, discussing *Walsh v. Wallace*, 26 Nev. 299, 327, 67 Pac. 914 (1902); *Rodgers v. Pitt*, 129 F. 932, 939-940 (D. Nev. 1904); *Anderson Land & Stock Co. v. McConnell*, 188 Fed. 818, 822 (D. Nev. 1910); *Prosole v. Steamboat Canal Co.*, 37 Nev. 154, 140 P. 720 (1914).

⁹ *Walsh v. Wallace*, *supra*.

¹⁰ *Anderson Land & Stock Co. v. McConnell*, *supra*.

¹¹ NRS 533.115.

Because of the need for an actual diversion from the water source by the claimant to show beneficial use for irrigation as outlined in the above-mentioned court cases, the State Engineer will not find a valid claim of vested right for irrigation where the water utilized is the result of sub-irrigation with no physical works of diversion.

The amount of water allowed, or the duty, for irrigation purposes is determined by the area where the crop is grown, as well as the class of culture type.

The duty numbers assigned to these crop types have varied through Nevada's history. The duty has been established through court issued decrees and to some extent, are set through water right permits and certificates issued pursuant to Nevada's statutory water law.

Certificates under applications filed prior to February 20, 1909, were assigned a duty set by statute for all crops of 3.0 acre-feet per acre, with no limit on the rate of diversion and no distinction as to the period of use or location.¹² Certificates under applications filed between February 20, 1909, and March 22, 1913, were assigned the statutory duty of 3.0 acre-feet per acre (all areas with a season not exceeding nine months) or 3.0 acre-feet per acre for the first five months from May 15 through October 15, plus ½ acre-foot for each additional month (all areas with a season of nine months or more) with no limitation on the rate of diversion.¹³ In 1913, the statute was changed so that certificated duty was computed from the direct diversion flow rate and length of season, not to exceed the amount established in the permit or 1.0 cfs per 100 acres.¹⁴ The laws were modified again in 1945 to limit the certificates to the amount of water required for beneficial use based on the amount of diversion and the length of the growing season with no limitation on diversion or duty.¹⁵ The 1945 amendments authorized the State Engineer to determine what would be the appropriate duties and diversion rates necessary for the extent of beneficial use, utilizing the best information and science available.

Consideration of these historic changes to methods of determining certificated duty and diversion rate have influenced findings in Orders of Determination and decrees that

¹² 1903 Nev. Stat. 25.

¹³ 1909 Nev. Stat. 31.

¹⁴ 1913 Nev. Stat. 194.

¹⁵ 1945 Nev. Stat. 87.

were finalized during those corresponding time intervals. For example, in a challenge to the Duck Creek decree, the decree court apportioned the water based upon the acres of land, not based upon the number of inches of water diverted.¹⁶ This method of apportionment of water was affirmed by the Nevada Supreme Court and that such apportionment was appropriate to limit large quantities of water otherwise subject to waste.¹⁷ Consistently, courts in reviewing and considering evidence of historic diversions and use of water have limited such claims to only the quantity of water actually placed to beneficial use for the purposes upon which the water was diverted, regardless of the quantity of water actually diverted.¹⁸

Moreover, the Nevada Supreme Court has affirmed that an irrigator of land is only entitled to divert the quantity of water necessary to irrigate during the particular year, an amount that varies based upon the humidity and number of acres under cultivation.¹⁹ This approach of limiting beneficial use of water to the quantity of water necessary to irrigate the land was further defined through the Bartlett Decree for the waters of the Humboldt River. In the Bartlett Decree, which was issued in 1931, the Court measured duty from the point at which water entered the field and assigned a duty of 3.0 acre-feet per acre for the cultivation of Harvest crop.²⁰ The duty findings of the Bartlett Decree were based on extensive research done by the State Engineer in preparation of the Order of Determination for that river system.²¹

In *The United States of America vs. Orr Water Ditch Company, et al.*, which established the Orr Ditch Decree, the District Court assigned duties between 5.00 acre-feet

¹⁶ See *Dick v. Ogden, et al*, Sixth Judicial District Court of the State of Nevada, In and For the County of White Pine, Hamilton Court (July 5, 1877)(“Duck Creek Decree”).

¹⁷ See *Dick v. Caldwell*, 14 Nev. 167, 169-70 (1879).

¹⁸ See, e.g., *Simpson v. Williams*, 18 Nev. 432 (1884).

¹⁹ *Gotelli v. Cardelli*, 26 Nev. 382, 386 (1902) (“The law is that an appropriator is only entitled to so much water, economically used, within his appropriation, as is necessary to irrigate his land. The necessary amount of water varies with the seasons.”)

²⁰ Bartlett Decree, *supra*, pp. 52.

²¹ *Order of Determination of the Relative Rights of Claimants and Appropriators to the use of the water of the Humboldt River Stream System and its Tributaries*, issued January 17, 1923, official records in the Division of Water Resources.

and 3.25 acre-feet from the Truckee River depending on the type of cultivation.²² The duties assigned in the Orr Ditch Decree were based on the amount of water consumed within the field, without any adjustment to account for transportation losses to or within the field.²³ Just as acknowledged by the *Gotelli* court case, over time, duties have been assigned in a manner that more accurately matches actual crop water requirements by considering information such as mean annual rainfall, frost free days (length of growing season), and crop physiology. Specifically, the District Court of Nevada, in *The United States of America vs. Alpine Land & Reservoir Company, a corporation, et al.*, held that there were two major components of duty as assigned within the Alpine decree: water consumed by the growing of crops and losses from the transportation of water.²⁴ The *Alpine* court, in determining the duties of water assigned for rights from the Carson River, weighed two sets of hydrologic evidence to make its final determinations.²⁵ In doing so, the Court selected the evidence it believed to be more credible, or, in other words, the best available science.²⁶ This analysis is consistent with Nevada water law precedence of limiting the quantity of water only to that which is necessary for the beneficial use in which the water is diverted, and excess from that duty necessary to fulfil the beneficial use constitutes excess, or waste.²⁷

Recognizing that Nevada statutory law can guide the Court in determining the apportionment of water under a decree, the Nevada Supreme Court has looked to Nevada

²² Final Decree, *The United States of America vs. Orr Water Ditch Company*, In Equity, Docket No. A3, District Court of the United States, In and For the District of Nevada (September 8, 1944), pp. 12.

²³ *Id.* pp. 87. The District Court of Nevada did allow for an increased diversion rate to account for transportation losses to the field from the river but did not increase the duties allotted by a corresponding amount.

²⁴ Opinion, *The United States of America vs. Alpine Land & Reservoir Company, a corporation, et al.*, Case No. D-183 BRT (December 18, 1980), pp. 21-22.

²⁵ *Id.*

²⁶ *Id.*

²⁷ See generally *Barnes v. Sabron*, 10 Nev. 217, 243-244 (1875); *Roeder v. Stein*, 23 Nev. 92, 96, 42 P. 867 (1895); *Vineyard Land & Stock Co. v. Twin Falls Salmon River Land & Water Co.*, 245 F. 9, 22 (C.C.A. 9th 1917); *Reno Power, Light & Water Co. v. Public Service Commission*, 300 F. 645, 652 (D. Nev. 1921).

statutes in establishing the amount of water apportioned within a decree.²⁸ The Nevada Legislature stated that:²⁹

It is the policy of this State to encourage the State Engineer to consider the best available science in rendering decisions concerning the available surface and underground sources of water in Nevada.

Based upon this directive, the Division has continually sought to enhance the science relied upon in making determinations regarding the quantity of water necessary to irrigate a crop and apply to a beneficial use without resulting in waste. In 2010, the Division published *Evapotranspiration and Net Irrigation Water Requirements for Nevada*. This publication provides scientifically sound estimates of the evapotranspiration (ET) and net irrigation water requirements (NIWR) within the state of Nevada by basin and crop types. The ET for each locality and crop type set forth in the NIWR is calculated using data that takes into consideration the specific geographic, climatic and hydrologic conditions within the basin. The NIWR defines the amount of water necessary to supplement rainfall in a given region to grow a full yield of an irrigated crop under pristine crop conditions and a full supply of water without waste, or non-beneficial use, of water.³⁰

The NIWR accounts for the consumptive use of water by transpiration of the crop and evaporation from the irrigated soil surface. Noting the limitations of the study, the State Engineer finds that the NIWR values calculated in the 2010 report represent the best available science for determining the duty of water consumed during crop growth in Nevada.

For the purposes of this adjudication, duty is assigned at the point where the water enters the POU and the diversion rate is calculated from that duty. Therefore, no adjustment to the duty based on losses from the transportation of water once inside the POU will be granted in this Order of Determination. The amount of water granted in this adjudication does not represent the total historical diversion from the water source that occurred prior to

²⁸ See *Ramelli v. Sorgi*, 38 Nev. 552 (1915).

²⁹ NRS 533.024(c).

³⁰ *Evapotranspiration and Net Irrigation Water Requirements for Nevada* (ET and NIWR), Huntington and Allen, 2010, State of Nevada, Division of Water Resources Publication, pp. 83.

the enactment of statutory water law in Nevada, but rather, the historical quantity of water used beneficially and without waste.³¹

Where a claimant seeks to demonstrate that water more than the quantity of water necessary to beneficially irrigate the particular crop was used beneficially, the claimant must provide substantial evidence as to that specific beneficial use. In making such a showing, the claimant should put forth evidence of the specific method, manner, and structure of the works of diversion extant within the POU, prior to the enactment of statutory water law, so that a full quantitative evaluation of the uses of water within the POU could be undertaken. Where such proof has not been made by the claimant, as required under the provisions of NRS 533.095(2)(a), the State Engineer is unable to grant an adjustment to the duty based on the supposition of transportation losses within the field.

In the Jersey Valley, the NIWR for alfalfa is 3.3 acre-feet per acre, while the NIWR for grass hay is 3.1 acre-feet per acre and for low managed pasture grass is 2.6 acre-feet per acre.³² Therefore, the State Engineer finds that the duty of water required to be diverted from the source to grow a full season of harvest crop (such as alfalfa) is 3.3 acre-feet per acre. Sources of water that are commingled for irrigation at the same POU will have a total combined duty dependent on the crop type. Duty is described as acre-feet per annum (afa) if the period of use is year-round, or acre-feet per season (afs) if the period of use is less than 365 days per calendar year.

Generally, throughout Northern Nevada, early July is the common time for harvesting crops of hay, both native/wild and a mixture of domestic pasture grasses. The reason for this date is two-fold: first, the crop of grass has reached its peak growth for harvest at this time, and second, stream flow has receded to a point where there is no longer a sufficient flow to adequately irrigate the crop for a second harvest. However, water may be available for a second irrigation season of a crop if there is upstream storage in a reservoir or if the water source is a spring that has sufficient flow for a longer period during the year. Generally, if it is a good water year, any additional flow would be used to grow as much grass as possible to be grazed later in the fall. Water utilized by livestock as a secondary use in an irrigation claim is included in the duty for the claim and is not an additional amount.

³¹ See e.g. *Gotelli, supra*.

³² ET and NIWR, pp. 253.

The State Engineer recognizes that full utilization of the diversion rate and delivery of the associated duty is ultimately limited by water availability at the source, and in many years, water at the source is not sufficient to meet crop water demands. It is understood that no rights more than the naturally occurring amount from these surface sources are implied or inferred.

In some instances, portions of the place of use claimed were or are lands controlled by the federal government. Irrigation occurred on the open public lands even though the irrigator had no title to the place of use. The non-federal claimants in this proceeding are the successors in interest to the early settlers who originally appropriated the water through diversion of various streams and springs that existed and crossed the federal public lands and put it to beneficial use by irrigating the public range. Congress later adopted legislation that officially recognized appropriations of non-navigable waters on the public range for various purposes, including agriculture, as acts of settlement that had been only tacitly recognized before.³³ The State Engineer finds that the waters claimed in this adjudication are non-navigable waters, and that federal law specifically recognized irrigation as a rightful use of the water on the public range.

Even though the original settlers were trespassers on the public range, the federal government did not act to evict them. The failure to evict the trespassers created a possessory interest to land and water rights that could be conveyed from one holder to another. The conveyance of possessory rights on the public range for irrigation or stockwater would transfer in the same manner as water appurtenant to private lands. A settler in good faith might convey his possessory interest in the land and in the water right appurtenant thereto by voluntary surrender to one who takes possession from him.

The lands where the possessory claimants and initial appropriators originally irrigated were unsurveyed public lands and often did not have definite metes and bounds. These appropriations already made on the public lands and recognized by Congress were a confirmation of the right to insist on the use of the waters to the extent necessary for beneficial purposes for the entire place of use before any control of the public domain was exerted by the federal government. The State Engineer previously found that the waters claimed for irrigation are not “federal property.” The State Engineer finds that the claims for irrigation

³³ Mining Act, 14 Stat. 253, § 9 (1866); Homestead Act, 16 Stat. 218 (1870); Desert Land Act, 19 Stat. 377 (1877), 43 U.S.C. § 321 et seq. (1964).

where portions of the places of use claimed are lands controlled by the federal government are viable claims unless otherwise determined in this Order.

B. Stock Watering

Claims filed for stock watering refer to differing numbers and types of animals from their earliest date of beneficial use to the present. Stock water diversion rates are determined based on the type of animal using the water. Cattle and horses are assigned a diversion rate of 0.00003125 cfs/animal and sheep are assigned a diversion rate of 0.00000625 cfs/animal. Stock water duty is quantified based on the number and type of animals that historically used these water sources utilizing the following formula: duty = diversion rate (cfs) X 1.98346 acre-feet/day/cfs X number of days. The animal numbers are determined utilizing county tax records, property deeds, records of sale, encumbrances and estate documents. Duty is not a measure of water continually available at a source on a perennial basis. The State Engineer recognizes that livestock are opportunistic and that the number and type of animals that utilize water from the different sources varies, depending on available feed in different parts of the range at different times of year, the amount of water actually available at the source, and on management practices on the public lands. Stockwater rights on public land pass by priority of possession.³⁴

IV. FINDINGS OF FACT

A. Chain of Title

The Hot Springs Ranch (a.k.a. Jersey Hot Springs Ranch)

Jersey Hot Springs was initially used for irrigation at a different location than Home Station Ranch. This occurred at least as early as 1878 when James Watt filed a water claim establishing the “Watt Irrigation Milling and Mining Ditch and Flume” later referred to as the “Watt Irrigation Ditch” from which he used the water to raise a crop.³⁵ The ditch

³⁴ *Rand Props., LLC v. Filippini*, Case No. 78319. *Order Affirming in Part and Reversing in Part*, April 9, 2021.

³⁵ Stremler Exhibit 2 (referencing Exhibit 8); *See also* Saval Exhibit 98-26 for approximate locations of Watt Ditch, Hot Springs Ranch and Home Station Ranch.

extended 0.53 miles (42 chains) southwesterly from the hot springs, known as Jersey Hot Springs. Watt stated his intent was to purchase the property served by the ditch as soon as the U.S. surveys were conducted, intending that the purchase include the hot springs.³⁶ The property known as the Hot Springs Ranch and Jersey Hot Springs were conveyed by deed from Watt to G.W. Gilbert in 1880.³⁷ No additional conveyances from Gilbert to another party were identified.³⁸

The Hot Springs Ranch (a.k.a. Jersey Hot Springs Ranch) was later claimed by E.E. Starrett, who paid property taxes on the ranch in 1883, 1884, and 1885.³⁹ In 1886, Starrett quitclaimed the Watt irrigation ditch, the Jersey Hot Springs and the Hot Springs Ranch to W.T. Jenkins.⁴⁰ Starrett paid property taxes on the ranch in 1886,⁴¹ and in 1887, W.T. Jenkins paid the property taxes under Starrett's name.⁴² In 1895, Jenkins conveyed the lands to Mrs. W.H. Hood,⁴³ but he continued paying taxes on the possessory claim to the property in 1895, 1896, and 1898.⁴⁴ The property was conveyed from Mrs. Hood back to W.T. Jenkin's wife, Edith Jenkins, in 1898.⁴⁵ The W.T. Jenkins Co. paid taxes on the possessory claim until 1943.⁴⁶ There is no evidence of a conveyance of the Hot Springs Ranch to another party and this Ranch is no longer in existence.⁴⁷

³⁶ Stremmer Exhibit 2 (referencing Exhibit 8).

³⁷ Stremmer Exhibit 2 (referencing Exhibit 10).

³⁸ Stremmer Exhibit 2 (referencing Exhibit 31).

³⁹ Stremmer Exhibit 2 (referencing Exhibits 12, 13 and 14).

⁴⁰ Stremmer Exhibit 2 (referencing Exhibit 26).

⁴¹ Stremmer Exhibit 2 (referencing Exhibit 27).

⁴² Stremmer Exhibit 2 (referencing Exhibit 33).

⁴³ Stremmer Exhibit 2 (referencing Exhibit 48).

⁴⁴ Stremmer Exhibit 2 (referencing Exhibits 52, 56 and 60).

⁴⁵ Stremmer Exhibit 2 (referencing Exhibit 62).

⁴⁶ Stremmer Exhibit 2 (referencing Exhibits 80, 82, 88, 93, 94, 97, 99, 100, 102-03, 107, 111, 112, and 114). Beginning in 1944, the properties were described by legal description in the tax rolls, and the Hot Springs Ranch located in Sections 28 and 29, T.27N., R.40E., does not appear in the Assessor's legal description. *See generally*, Stremmer Exhibit 2.

⁴⁷ Testimony Ferrigan, Transcript, 521-522.

Jersey Ranch

The 1886 Starrett to Jenkins deed also conveyed a parcel of land at the mouth of Jersey Canyon (a.k.a. Old Town Canyon).⁴⁸ In 1895, Jenkins conveyed the land to Mrs. W.H. Hood,⁴⁹ but he continued paying taxes on the possessory claim in 1895, 1896, and 1898.⁵⁰ These lands were reconveyed from Mrs. Hood to Edith Jenkins, in 1898.⁵¹ In a later deed, the ranch was called the Jersey Ranch.⁵² Edith Jenkins paid property taxes on the claim in 1900 and 1901,⁵³ and in 1902 she conveyed the property to the W.T. Jenkins Co.⁵⁴ W.T. Jenkins Co. paid property taxes on the possessory claim from 1903 to 1904, 1905, 1906.⁵⁵

The Jersey Ranch was acquired by the Saval Estate from Marius Allard in 1951. Allard was in possession of the property with his partner Joseph Hermelin, who had settled the property “in the month of April 1917, when the lands were unsurveyed and unreserved.”⁵⁶ The Jersey Ranch had been occupied previous to Hermelin’s acquisition, but there was no conveyance of ranching interests at the Jersey Ranch from previous occupants to Allard and/or Hermelin. The Jersey Ranch is currently owned by Saval.

Home Station Ranch

Home Station Ranch is located at the mouth of Home Station Wash and Cedar Canyon. In 1886, Starrett filed a water claim to the waters of Home Station Canyon for irrigation, known as the Home Station Water Claim.⁵⁷ The 1886 Starrett to Jenkins deed

⁴⁸ Stremmer Exhibit 2 (referencing Exhibit 26).

⁴⁹ Stremmer Exhibit 2 (referencing Exhibit 48) (improvements; *and see also*, Stremmer Exhibit 2 (referencing Exhibit 26) (the Watt to Jenkins quitclaim deed was recorded as Humboldt County Deed Book 27, page 195).

⁵⁰ Stremmer Exhibit 2 (referencing Exhibits 52, 56, 60).

⁵¹ Stremmer Exhibit 2 (referencing Exhibit 62).

⁵² Stremmer Exhibit 2 (referencing Exhibit 76); *and see* Saval Exhibit 98-26 for approximate location of Jersey Ranch.

⁵³ Stremmer Exhibit 2 (referencing Exhibits 66 and 72).

⁵⁴ Stremmer Exhibit 2 (referencing Exhibit 76).

⁵⁵ Stremmer Exhibit 2 (referencing Exhibits 80, 83, 88 and 93).

⁵⁶ Affidavit of Marius Allard in support of Settlement Claim after Hermelin’s death, 1945.

⁵⁷ Stremmer Exhibit 2 (referencing Exhibit 23).

also conveyed the Home Station Water Claim to W.T. Jenkins.⁵⁸ No evidence was presented that the water under this claim was beneficially used, or that it was conveyed from W.T. Jenkins to another party.

In November 1900, George Lamberson quitclaimed 20 acres of land at the junction of Willow Creek and Home Station Creek, known as the Home Station Ranch, located about 3 miles from the Jenkins Hot Springs Ranch, to John and Jake E. Abel.⁵⁹ The deed included the water rights to Willow Creek and Home Station Creek. The Abels paid taxes on the property in 1901, 1903, and 1904⁶⁰ and on April 3, 1905, deeded the ranch and water rights to the W.T. Jenkins Co.⁶¹ Both Abel and the W.T. Jenkins Co. paid taxes on the property in 1905.⁶² The W.T. Jenkins Co. paid taxes on the property from 1906 as it passed through successive conveyances to the Stremlers, who are the current owners.⁶³ The State Engineer finds chain of title has been established from Lamberson through the Stremlers.⁶⁴

B. Evidence of Irrigation

All vested claims for irrigation in this adjudication were asserted by Stremler for the Home Station Ranch, using commingled waters of Home Station Wash, Cedar Canyon, Jersey Hot Springs and Butcher Canyon. The historical record of irrigation by Jenkins at Home Station Ranch is disputed in this adjudication.

Two proofs are pertinent to the irrigation claims, which are V-01933 and V-01934. Proof V-01933 was filed on August 1, 1925, by the W.T. Jenkins Co. The Proof claimed the irrigation of 59.28 acres within the center of Section 7, T.26N., R.40E., with a priority

⁵⁸ Stremler Exhibit 2 (referencing Exhibit 26).

⁵⁹ Stremler Exhibit 2 (referencing Exhibit 65). Willow Creek is understood to be the same sources as what is now called Cedar Canyon, which flows directly to Home Station Ranch near the mouth of Home Station Wash.

⁶⁰ Stremler Exhibit 2 (referencing Exhibits 71, 79, and 81).

⁶¹ Stremler Exhibit 2 (referencing Exhibit 85).

⁶² Stremler Exhibit 2 (referencing Exhibits 86 and 88).

⁶³ Stremler Exhibit 2 (referencing Exhibits 93, 94, 97, 99, 100, 102, 103, 107, 111, 112, 114, 115, 116, and 117).

⁶⁴ Stremler asserts that the Home Station Ranch was formerly called the Cleveland Corral, and thus can show an earlier priority date than back to Lamberson. The State Engineer did not find substantial evidence to support this position.

date of 1880 and the source identified as “hot springs.” The proof asserts that the waters were conveyed by pipeline, dam, and ditch, with the works being completed “prior to 1905.”⁶⁵

Proof V-01934 was filed on August 1, 1925, by the W.T. Jenkins Co. The Proof claimed the irrigation of 102.88 acres within Section 7, T.26N., R.40E., with a priority date of 1880 and the source identified as Home Station Creek.^{66,67}

Stremler asserts that Jenkins and his predecessors irrigated Home Station Ranch prior to 1905. Stremler argues the best evidence supporting the irrigation proofs is the proofs themselves, as having been filed near the time of vesting and due to the fact that the proofs were never contested until the adjudication.

In addition to the proofs, Stremler cites the publication, *Humboldt County 1905*, as support for the claim that water had been piped from Jersey Hot Spring “F” to Home Station Ranch prior to 1905. *Humboldt County 1905* was published by The North Central Nevada Historical Society from a collection of newspaper articles written by reporter J.C. Bragg, who toured the ranches of Jersey Valley in 1905 with a Mr. Guthrie, the county assessor. Appearing on page 9 of *Humboldt County*, is an entry concerning Mrs. W.T. Jenkins. The Jenkins entry indicated that she was a widower, that she owned a small ranch in Buffalo Valley and three in Jersey Valley, that these ranches were primarily used for winter use, and that she cut 250 tons of hay in Jersey Valley.⁶⁸

Stremler assigns great weight to *Humboldt County*, alternately referring to it as “a published report,” “reliable evidence,” “an uncontroverted, reliable, historical record” or “a historical report” that water must have been piped from Spring “F” to arrive at a harvest

⁶⁵ Stremler Exhibit 171. As discussed in Section VII, the proof was amended twice; however, all evidence presented by Stremler at the hearing was directed toward supporting the proof as originally filed, except for claiming a “pre-1905” priority, rather than 1880. *See* Stremler Closing Br. at 4:14.

⁶⁶ Home Station Creek and Home Station Wash are different names for the same source of water.

⁶⁷ As discussed in Section VII, the proof was later amended (*see* Saval Exhibit 102); however, all evidence presented by Stremler at the hearing was directed toward supporting the proof as originally filed.

⁶⁸ Stremler Exhibit 84.

of 250 tons of hay. The heavy reliance placed on *Humboldt County* is problematic in several respects.

First, Bragg's accounts from a particular ranch visit are quite detailed. He describes his travels to each location; once there, gives detailed accounts of the occupants of the ranch and his conversations with them, the condition of the land, what was cultivated and in what amounts, the water sources, livestock descriptions and any other notable information.⁶⁹ A close reading of the various entries around the Jenkins entry reveals that Bragg arrived at the Abel ranch on Wednesday, April 19, 1905.⁷⁰ Bragg gives an account of Abel's ranch consistent with having visited it and in speaking with the Abels. In an entry entitled "A Mirage" Bragg states that he left from Abel's ranch *that morning*.⁷¹ Consequently, it appears if Bragg arrived at Abel's ranch on April 19th, and then left from it the next morning, there is no indication Bragg visited the Jenkins ranch operations or spoke to Mrs. Jenkins.⁷² The entry about Jenkins is quite brief compared to other entries, the Jenkins ranches are not identified, and there is no indication how Bragg obtained the information he reported. The reference to Jenkins still fails to account for how much hay was actually cultivated at any particular ranch, and does not describe any water sources used at any ranch.⁷³ Some testimony was elicited at the hearing regarding the soil condition of the various ranches and that only Home Station could produce that tonnage of hay. Although Demar Dahl testified that there was not any way to grow crops at Home Station

⁶⁹ Stremler Exhibit 84.

⁷⁰ Bragg described Abel's ranch as 160 acres and a 5-acre millsite at the mouth of Old Town Canyon.

⁷¹ Although clearly not the same day, it is also dated April 19, 1905, for reasons unknown.

⁷² An introductory page of *Humboldt County* contains a map entitled "Route of First Trip, April 1905," identifying the places visited and route traveled. The map contains a notation "JVT-1974," so it is not known whether Bragg created the map or if it was created later; however, the Jenkins ranches are not depicted on the map. *See Humboldt County 1905*, p. xii.

⁷³ Stremler misstates that 162.16 acres were under cultivation between the two proofs, which was close to the 250-ton figure referenced in the Bragg article. Stremler Closing Br. 5:37; 6:27. The two proofs show that they share 55.97 acres in common (the exception being .42 ac. in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.89 ac. in the SE $\frac{1}{4}$ NW) in V-01933, which does not overlap with V-01934; therefore, the *most* that could be claimed between the two proofs is 106.19 acres.

without the hot springs water,⁷⁴ the surveyor notes state that the township has several streams of running water, principal among them being the Home Station Wash, which furnishes *abundant water for all purposes* to cultivated areas in Sections 7 and 8.⁷⁵

Second, reliance on *Humboldt County* fails to overcome the logical problem raised by Saval. W.T. Jenkins acquired Home Station Ranch on April 3, 1905; just after the period for establishing vested surface water rights ended. None of the prior owners of the Hot Springs Ranch are in the chain of title to Home Station Ranch (*e.g.*, Watt, Gilbert or Starrett), so it is logically inconsistent why Jenkins, or any other owner of the Hot Springs Ranch would pipe water from Spring “F” down to Home Station Ranch, when Home Station Ranch was owned by Lamberson or Abel.⁷⁶

Third, a great amount of testimony at the hearing concerned efforts to establish a date that an “Old Pipe Line” was constructed from the hot springs down to Home Station Ranch. Modernly, a pipeline conveyed water from Jersey Hot Springs to Home Station Ranch, approximately three miles. In the 1920s the General Land Office (GLO) surveyed the township where Home Station Ranch is located in T.26N., R.40E.⁷⁷ Two pipelines are depicted on the GLO map of the survey one township to the north in 27N., R.40E.:⁷⁸ the first, thought to be the newer pipeline, runs from the hot springs south through Section 32 to Home Station; the second pipeline, thought to be the older pipeline, begins in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32 going into the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31 and then south, with the notation

⁷⁴ Transcript 31.

⁷⁵ Stremmer Exhibit 109.

⁷⁶ Moreover, Saval’s point that in all the deeds between Lamberson, Abel and Jenkins, there was no mention of a pipeline or right to water from Jersey Hot Springs through a pipeline, is a compelling one. Saval Closing Br. at 10. Although Stremmer asserts that the April 1905, deed is a culmination of negotiations, suggesting the parties negotiated the transaction prior to the date on the deed, no evidence was produced regarding such negotiations, or that during the negotiations any party in the Jenkins chain of title occupied Home Station and used water from Spring “F” at that location. Although Stremmer made reference to different parties and Jenkins sharecropping, there is no evidence that Jenkins had an arrangement with Lamberson or Abel to conduct sharecropping at Home Station, using water from the Hot Springs. *See* Transcript 247-251.

⁷⁷ Saval Exhibit 98-22.

⁷⁸ Saval Exhibit 98-24.

“Old Pipe Line.”⁷⁹ On the GLO map of T.26N., R.40E, the Old Pipe Line converges with the newer pipe line, which runs down to Home Station.⁸⁰

Joe Dahl, a predecessor to Stremler, testified that the newer pipeline was used by his family to pipe water from Spring “F” down to Home Station Ranch. Mr. Dahl stated that he had found bits and pieces of the older pipeline, stating it looked like it had been repaired and/or moved, and that he assumed it had been put in by the creators of Home Station, which was originally a stage stop.⁸¹ James Ferrigan, testifying for Saval stated neither he, nor his family members have located the older pipeline, either visually or with a metal detector, when they inspected the Old Pipe Line location by walking, ATV or horseback.⁸² An additional theory advanced that the Old Pipe Line was installed from pipe repurposed from the Jersey mine when it went out of business.⁸³

Stremler’s Objection asserts that the surveyor’s statement that an “Old Pipe Line” does not mean the pipeline was abandoned and that the “Old Pipe Line” is evidence of a diversion-right-of-way constructed before the 1913 Water Act.⁸⁴ Based on the foregoing discussion, the State Engineer cannot agree with this assertion.

With no evidence of when the pipeline was installed, it is speculative that the description of “Old Pipe Line” means it was installed prior to March 1, 1905, as Stremler asserts. Likewise, the State Engineer cannot conclude that the pipeline was repurposed from an old mill, or that the pipeline was installed by the settlers who created Home Station at the time it was a stage stop, although those competing theories were advanced.⁸⁵ In sum, the evidence only shows the existence of multiple pipelines at the time the GLO survey

⁷⁹ See also Saval Exhibit 98-26 for approximate pipeline depictions; Stremler testified he put in a new, third pipeline from the hot springs to Home Station, which is not depicted in the hearing exhibits, Transcript 294.

⁸⁰ It appears a pipeline or portion of a pipeline is not depicted, as a pipeline appears just below the bend in the Old Pipe Line in the NE¼ NW¼ of Section 6, and runs parallel to the Quarter-Quarter line, and is labeled Pipe Line. This pipeline was not discussed by the parties to the proceeding.

⁸¹ Testimony Dahl, Transcript 48-49.

⁸² Testimony Ferrigan, Transcript 512-513.

⁸³ Testimony Ferrigan, Transcript 518.

⁸⁴ Objection p. 24.

⁸⁵ Testimony J. Dahl, Transcript 49.

was completed, but not when they were constructed; because the evidence is inconclusive, Stremler has failed to prove this fact by a preponderance of the evidence.

Finally, Stremler asserts that Jenkins' piping water from Spring "F" down to Home Station constituted a change in the place of use of the vested right at the hot springs, for which it would retain a pre-1905 priority. The Act of March 1, 1905, required that a change application be filed after that date if a water right owner desired to change the water right. Therefore, when Jenkins acquired Home Station after March 1, 1905, he was required to file an application to pipe Spring "F" water down to Home Station once he owned it. Therefore, the State Engineer rejects the claim that there was a change in the place of use from the Hot Springs Ranch to Home Station Ranch, for which no change application was received.

With a lack of evidence for the date of construction of the "Old Pipe Line," difficulty in assigning weight to *Humboldt County*, that piping water to Home Station Ranch prior to March 1, 1905, is logically inconsistent with the ownership of Home Station, and that no proper change in the place of use was filed, the State Engineer cannot find that there is sufficient evidence to support proof V-01933.

With respect to proof V-01934, the Preliminary Order of Determination advanced a consolidation theory, which found that one year after W.T. Jenkins Co. purchased the Abel parcel, the W.T. Jenkins Co. recorded a 160 acre possessory claim and improvements at the mouth of Home Station Canyon about three miles south of the old town of Jersey formerly owned by J.W. and Jacob E. Abel, and that this 160 acre possessory claim was consolidated with the Abel 20 acre parcel.⁸⁶ Stremler embraced the consolidation theory at the hearing, arguing that Jenkins had owned the remainder of Home Station Ranch and the acquisition of Abel's 20-acre parcel was to consolidate the holdings at the ranch.⁸⁷

Upon further review of the 1906 assessment roll referenced in the Preliminary Order, that entry does not reference 160 acres for any of the possessory claims mentioned in relation to the W.T. Jenkins Co. Instead, in 1905, the Abels quitclaimed the 20-acre parcel at Home Station to the W.T. Jenkins Co.⁸⁸ In 1906, the W.T. Jenkins Co. started

⁸⁶ Preliminary Order of Determination at 6.

⁸⁷ Stremler Closing Br. at 7:15-8:9.

⁸⁸ Stremler Exhibit 2 (referencing Exhibit 85).

paying taxes on “a possessory claim and improvements at the mouth of Home Station Canyon about 3 miles south of the old town of Jersey formerly owned by J.W. and Jacob E. Abel.” There is no record of Jenkins having paid taxes on any possessory claim at Home Station until he acquired the 20-acre parcel from the Abels. After that, the tax rolls consistently refer to W.T. Jenkins Co. paying taxes on the possessory claim acquired at the mouth of Home Station from Abel—meaning the 20-acre Abel parcel.⁸⁹ The State Engineer finds that Jenkins did not have a 160 acre possessory claim at Home Station Ranch, and therefore there was no consolidation by the W.T. Jenkins Co. of a larger holding with Abel’s 20-acre parcel.⁹⁰ It was only 20 acres that Jenkins acquired from Abel at Home Station.⁹¹ Therefore, the State Engineer affirms the finding in the Preliminary Order of Determination that Stremler has shown evidence supporting a pre-statutory claim to 20 acres at Home Station back to Lamberson in 1900.

While the Preliminary Order correctly describes that Jenkins may have expanded Home Station Ranch using improved storage efficiencies and conveyance efficiencies once the land and water sources were under common ownership (*see* Preliminary Order at 6), the State Engineer finds this likely occurred post-April 1905, and therefore this expansion of Home Station is not properly categorized as part of the vested rights.

⁸⁹ *See* Stremler Exhibit 2 (referencing Exhibit 93).

⁹⁰ While there was testimony that possessory claims were usually 160 acres and that a 20-acre possessory claim would be unusual, this fact does not overcome the timing of the conveyance and payment of taxes on the Home Station possessory claim set out above. Moreover, the Act of March 9, 1865, concerning Possessory Actions on Public Lands required that possessory claims be *no more than* 160 acres, and did not define a minimum acreage that must be claimed. *See* N.C.L. §§ 9433, 9438; *see also* Testimony Morrison, Transcript 263-264 (upward limit of possessory claim is 160 acres, and no minimum acreage required).

⁹¹ Stremler argues the consolidation into a larger ranch holding by Jenkins is shown by the Bragg article referencing 250 tons of hay, which has already been addressed; and also, by a patent to 240 acres at Home Station acquired by the W.T. Jenkins Co. in 1943. The patent obtained by W.T. Jenkins Co. to 240 acres was pursuant to § 8 of the Taylor Grazing Act (Stremler Exhibit 113). Section 8 of the Taylor Grazing Act allowed other private land to be exchanged for the patent to land of equal value of grazing land or unreserved public land; accordingly, Stremler’s position on the amount of land under its irrigation claim should not be confused or conflated with the patent obtained under the Taylor Grazing Act.

Stremler argues in the Objection that the fact that the proofs were not contested until now is proof of their validity. The State Engineer finds that it is not unusual that proofs may be uncontested until the time of an adjudication; thus, this fact is not evidence of the validity of vested rights. Moreover, in closing briefs, Stremler asserts that Saval has not presented information to disprove the information contained in Stremlers' proofs. Stremler carries the burden of proof on his claims to vested rights and simply stating that the opposing party has not presented evidence to disprove it, where Stremler has not carried his own burden of proof, is not cause for the State Engineer to grant Stremlers' vested rights.

In 1906, the W.T. Jenkins Co. filed a water claim to Home Station for a different part of the ranch possessed by Rees Jenkins, demonstrating that the W.T. Jenkins Co. was either not aware of, and/or not following statutory procedure in 1906. However, by 1925 at the time the proofs were filed, the State Engineer's records demonstrate that the W.T. Jenkins Co. had been made aware that a change application was required; thus, the fact that the Company never filed a change application in addition to, or instead of proofs V-01933 and V-01934, raises an inference that Jenkins affirmed he only claimed vested rights, and not appropriative rights. However, absent any other evidence that the pipeline existed, this inference, alone, does not rise to meet the preponderance of the evidence standard.

C. Evidence of Stock Watering

Evidence to support proof of the continuous use of surface water for stock watering prior to March 1, 1905, was filed by three claimants. Claimants in this proceeding are successors to past ranch operators with a long history of sharing range and water resources, and they are also successors to a range line agreement that divided livestock access to range and water resources beginning in 1971. The total stock water duty for each ranch is quantified based on the number and type of animals that were present prior to statutory water law and historically used these water sources. It is not a measure of water actually available on a perennial basis at a given source. If more livestock animals were present on the range after 1905, the additional waters necessary for their support would have to have been obtained through the statutory process.

The evidence provided with claims to water sources in this adjudication support pre-statutory vested water rights for stockwater with a priority date of 1872. All claimants are successors, in part, to the W.T. Jenkins Company, who was a successor to the Kyle Ranch operators who raised livestock in the area subject to this adjudication beginning in 1872.

1. Claimant Stremler

Stremler claims a stockwater right with a priority date of 1872, when C.A. Kyle recorded improvements at ranches in Pleasant Valley and Buena Vista Valley. In 1874, C. A. Kyle recorded “[i]mprovements on ranch 10 miles south of Jersey District,”⁹² which was later described as Kyle’s Horse Ranch. Testimony from the 1881 district court case *Kyle v. Kyle*⁹³ describes grazing use in the area encompassed by this adjudication. C.T. Kyle sold the Kyle Horse Ranch, along with the Cleveland Corral located four miles southwest of Jersey Mining Camp, to Frank Martin in 1887. Frank Martin sold these holdings to the W.T. Jenkins Co. in 1902, to which claimant Stremler is a successor in interest.

Joe Dahl testified that prior to installation of the range fencing, cattle drank north of the line from the hot springs, similar to other operators having cattle in the area who could allow their cattle to drink from the springs.⁹⁴ After the range line agreement was approved, BLM established grazing allotments commensurate with the division of the range pursuant to the Range Line Agreement. Saval grazes in the South Buffalo Allotment, north of the range line fence where the Jersey Hot Springs are located, while Stremler grazes in the Jersey Valley Allotment, south of the line.⁹⁵

Although the Kyle Ranch is outside the adjudication area, the range upon which the Kyle stock grazed is within the adjudication area, consequently vested stockwater rights within the adjudication area are not precluded.

⁹² Humboldt County Assessor’s Book, 1874.

⁹³ *Kyle v. Kyle*, 4th Jud. Dist Ct. of Nev., Case No. 783.

⁹⁴ Testimony Dahl, Transcript pp. 22-23.

⁹⁵ Transcript 26; *and see* Saval Exhibit 98-26 and 98-29.

2. Claimant Saval

The Joe Saval Company, LLC claims a stockwater right with a priority date of 1875, acquired through conveyances of Jersey Ranch, Buffalo Ranch, the Clark Ranches, and their appurtenant range and water rights.

Title to the Buffalo Ranch was acquired by Joe Saval in 1917 from Moses and Clara Gilbert, who acquired it from Lena Leick in 1915. Leick acquired title in 1914 from partners Marius Allard and Rudolf Hofman. Leick, Allard and Hofman had purchased the ranch in 1906 from Jacob and Mary Hofman. Jacob Hofman first registered a cattle and horse brand with Humboldt County in 1890.

The Joe Saval Company, LLC is also successor to the Clark Ranches. Although Wm. Clark recorded a brand with Humboldt County in 1873, William Clark was determined in the hearing to have no relation to these Clark ranches.⁹⁶ The earliest documentation of a Clark in the area subject to this adjudication was an application to appropriate spring water in the Fish Creek Mountains in 1919 by Samuel R. Clark, Harry L. Clark, and Prudencio Mendive. The application was protested by Hermelin but approved by State Engineer George Malone in 1922. Appropriators named on the 1929 certificate of appropriation are Samuel R. Clark, Harry L. Clark, and Joe Saval. Joe Saval later acquired the Clark properties through bank holdings in the 1930s.

The Joe Saval Estate acquired an additional portion of the Clark Ranches through property referred to as the Belzarena Lands. W.T. Jenkins acquired the parcel in 1964, and quickly conveyed it to Ormachea. Ormachea conveyed to the Dahls in 1969. After the 1970 Range Line Agreement, the Belzerena Lands were the only property that Dahl owned north of the range divide. In 1976 the Dahls conveyed this portion to the Hoopers, and the Hoopers conveyed to the Joe Saval Estate. Although this land is outside the area being adjudicated, the range and water rights appurtenant to the Belzerena Lands are relevant for purposes of this adjudication.

⁹⁶ Testimony Morrison, Transcript 239; Testimony Thiel, Transcript 637-638.

3. Claimant Paris

Bert Paris claims a stockwater right with a priority date of 1886, when W.T. Jenkins acquired rights to land and water resources in Jersey Valley from E.E. Starrett. Bert Paris claims a vested water right to Wildcat Gap Spring (a.k.a. Moses Spring #3). This spring lies within the United States Bureau of Land Management Cottonwood grazing allotment, on which Paris is a currently licensed operator. Documentation showing chain of title from W.T. Jenkins to Bert Paris was submitted with the objection showing the change of title from inception of the right to Paris.

4. The 1971 Range Line Agreement

On November 30, 1971, five parties, including the Joe Saval Estate, Demar and Joe Dahl, M.L. Investment Co., Manuel Chalagas, and Paul L. Engel, executed a Range Line Agreement (Agreement), which was subsequently approved by the BLM.⁹⁷ The Agreement proposed to divide the South Buffalo Valley Unit into two allotments. At the time of the Agreement, all signatories to the Agreement were actively grazing this range in common. After the Agreement was approved by BLM, the range was fenced according to the description set out in the document. Saval grazes in the South Buffalo Allotment, north of the range line fence where the Jersey Hot Springs are located, and Stremler grazes south of the range-line fence, in the Home Station Allotment and Jersey Valley Allotments.⁹⁸ The Stremlers are successors in interest to Demar and Joe Dahl, a signatory to the 1971 range line agreement. In his objection, Stremler contends that the Agreement was not a conveyance of any water rights to Saval, and the Agreement does not demonstrate an intent to abandon any vested rights Stremler holds north of the range line.

a) Did the Agreement convey water rights?

A range line agreement is a species of contract. *See Foxley & Co. v. Ellis*, 201 P.3d 425 (Wyo. 2009). Generally, when a contract is clear on its face, it will be construed from the written language and enforced as written. *Canfora v. Coast Hotels & Casinos, Inc.*, 121

⁹⁷ Stremler Exhibit No. 125.

⁹⁸ *See generally*, Saval Exhibit 98, Attachment 21 (range line fence depicting Saval allotment to the north and Stremler allotment to the south, according to the agreement).

Nev. 771, 776, 121 P.3d 599, 603 (2005) (quoting *Ellison v. Cal. State Auto. Ass'n*, 106 Nev. 601, 603, 797 P.2d 975, 977 (1990)). Since 1995, any conveyance of a water right must be made by deed. NRS 533.382. Prior to 1995, water rights could be conveyed by assignment. *See generally*, S.B. 93 (1995). The Agreement is clear on its face that the intent was to divide the range by a fence line specifying where each allottee would be permitted to graze within the newly created allotments. The State Engineer finds no reference to a deed, assignment or conveyance of any water rights, and therefore concludes the Agreement was not a conveyance of any water rights.

b) Did the Dahl's abandon any vested rights north of the range-line by signing the Agreement?

The Agreement contained special conditions regarding several water sources. And, although the parties agreed to the shared use of three identified water sources in the Agreement, no mention was made of the Jersey Hot Springs. The parties disagree about the significance of the silence of the Agreement concerning Jersey Hot Springs regarding whether any rights were abandoned by execution of the Agreement.

Abandonment must be shown by clear and convincing evidence,⁹⁹ which is evidence that falls somewhere between a preponderance of the evidence and the higher standard of beyond a reasonable doubt.¹⁰⁰ To establish a fact by clear and convincing evidence a party must persuade the trier of fact that the proposition is highly probable, or must produce in the mind of the fact finder a firm belief or conviction that the allegations in question are true. *Ferguson v. Las Vegas Metro. Police Dep't*, 364 P.3d 592 (Nev. 2015) (citing *In re Discipline of Drakulich*, 111 Nev. 1556, 1567, 908 P.2d 709, 715 (1995) (additional citation omitted)). Nonuse alone does not constitute abandonment. *United States v. Alpine Land & Reservoir Co.*, 510 F.3d 1035, 1038 (2007); *see also King v. St. Clair*, 414 P.3d 314 (Nev. 2018). Abandonment of a water right is the voluntary "relinquishment of the right by the owner with the intention to forsake and desert it." *In re Manse Spring*, 60 Nev. 280, 108 P.2d 311, 315 (1940). Abandonment is the union of acts and intent and, under Nevada law is "a question of fact to be determined from all the

⁹⁹ *U.S. v. Alpine Land & Reservoir Co.*, 340 F.3d 903 (9th Cir. 2003).

¹⁰⁰ Clifford S. Fishman, *Jones on Evidence* Section 3:10, at 238 (7th Ed. 1992).

surrounding circumstances.” *Revert v. Ray*, 95 Nev. 782, 786, 603 P.2d 262, 264 (1979); *see also, In re Manse Spring*, 108 P.2d at 316 (stating that courts must determine the intent of the claimant to decide whether abandonment has taken place, and in this determination may take non-use and other circumstances into consideration); *Franktown Creek Irr. Co., Inc. v. Marlette Lake Co. and the State Engineer of the State of Nevada*, 77 Nev. 348, 364 P.2d 1069 (1961) (non-use for a period of time may inferentially be some evidence of intent to abandon a water right).

“The parol evidence rule forbids the reception of evidence which would vary or contradict the contract, since all prior negotiations and agreements are deemed to have been merged therein.” If the terms of an agreement are clear, definite and unambiguous, parol evidence may not be introduced to vary those terms. *E.A. Strout Western Realty Agency, Inc. v. Broderick*, 522 P.2d 144 (Utah 1974). However, “the existence of a separate oral agreement as to any matter on which a written contract is silent, and which is not inconsistent with its terms, may be proven by parol.” *Alexander v. Simmons*, 90 Nev. 23, 24, 518 P.2d 160, 161 (1974); *Crow-Spieker No. 23 v. Robinson*, 97 Nev. 302, 305, 629 P.2d 1198, 1199 (1981). While it is clear that the Agreement was not a conveyance of any water rights, it is unclear whether the parties to the Agreement intended to cease using and give up any rights to waters on the other side of the range line, once installed. Therefore, parol evidence is helpful to the State Engineer to make this determination.

Jerry Annis testified that the purpose behind the negotiation and execution of the Agreement was that since the passage of the Taylor Grazing Act, the BLM was dividing the open range into grazing allotments, and the parties to the Agreement sought to clarify the boundaries to the grazing allotments collaboratively pursuant to an agreement rather than wait for the BLM to parcel out grazing allotments.¹⁰¹ Demar Dahl testified that the Agreement was to separate the livestock operations, and that generally, the Saval’s were entitled to graze north of the line, and the Dahl’s (now Stremlers) were entitled to graze south of the line.¹⁰²

Joe Dahl testified prior to installation of the range fence, their cattle drank north of the line from the hot springs, similar to other operators having cattle in the area that could

¹⁰¹ Testimony Annis, Transcript 530-531.

¹⁰² Testimony Demar Dahl, Transcript 25-26.

allow their cattle to drink from the springs.¹⁰³ Demar Dahl testified that the Dahl's continued to own the water rights to Jersey Hot Spring even after signing the Agreement.¹⁰⁴ The State Engineer considers Dahl's direct testimony about what the Dahl's intended by signing the Agreement the best evidence concerning whether they intended to abandon their vested rights. His testimony supports a finding that there was no intent to abandon any water rights.

Further, NRS 533.060(4) provides that in a determination of whether a right to use surface water has been abandoned, a presumption that the right to use the surface water has not been abandoned is created upon the submission of records, photographs, receipts, contracts, affidavits or any other proof of the occurrence of any of the following events or actions within a 10-year period immediately preceding any claim that the right to use the water has been abandoned:

- (a) The delivery of water;
- (b) The payment of any costs of maintenance and other operational costs incurred in delivering the water;
- (c) The payment of any costs for capital improvements, including works of diversion and irrigation; or
- (d) The actual performance of maintenance related to the delivery of the water.

Demar Dahl testified that water use continued via the pipeline during the time he owned Home Station because there was no well.¹⁰⁵ Jerry Annis confirmed that the pipeline to Home Station existed when the range fence was put in.¹⁰⁶ Stremmler testified that he has continued using water from the hot springs via the third pipeline, which he installed,¹⁰⁷ and Mr. Annis testified that he encountered Stremmler's children attempting to make repairs to this pipeline.¹⁰⁸

Although Saval argues that the range line fence is construction incompatible with continued use of the water, the facts above, specifically continued use through the pipeline and performance of maintenance of the pipeline, demonstrates a presumption against

¹⁰³ Testimony Joe Dahl, Transcript 22-23.

¹⁰⁴ Testimony Demar Dahl, Transcript 39.

¹⁰⁵ Testimony Demar Dahl, Transcript 33.

¹⁰⁶ Testimony Annis, Transcript 491.

¹⁰⁷ Testimony Stremmler, Transcript 268-269.

¹⁰⁸ Testimony Annis, Transcript, 485.

abandonment. The State Engineer concludes that Dahl's testimony of the intent not to abandon any rights by the executing the Agreement, coupled with the operation of NRS 533.060(4) leads the State Engineer to conclude that rights owned by Stremmer north of the range line have not been abandoned.

V. PROOFS OF APPROPRIATION DETERMINED TO BE VALID

The proofs of appropriation summarized below are determined to be valid or partially valid vested water rights established prior to March 1, 1905. The limit and extent of each proof and existing permitted water rights and certificated water rights perfected under the applicable statutes are described in detail in Appendix A.

For a complete listing of all of the claims of vested rights submitted in response to this proceeding, or any permits and certificates filed in the Office of the State Engineer are set forth in the Abstract of Claims.

Proof of Appropriation V-01934, filed on August 1, 1925, by W. T. Jenkins Company, Inc., claims a vested right from Home Station Creek with a priority date "Prior to 1905" for irrigation of 102.88 acres of land within Section 7 of T.26N., R.40E., M.D.B.&M., and for domestic and stock watering purposes. A supporting cultural map was filed August 1, 1925, identifying specific areas supporting alfalfa, grain, meadow and vegetables. The proof was amended multiple times by Stremmer, the current owners. The final amendment was filed December 16, 2013, for irrigation of 127.55 acres of alfalfa within Section 7 of T.26N., R.40E., M.D.B.&M., with a priority date of 1872. A supporting map to the amended proof was filed on January 27, 2011, and an amended map was filed August 2, 2012, identifying 127.55 acres of alfalfa.

A vested right for irrigation of 20 acres from the above-named source with a priority date of 1900 is determined to be valid. Waters of Home Station Creek are commingled with waters identified under Proof V-10019 from Cedar Canyon to irrigate the same 20 acres. The place of use is located within the SE¼ and the S½ of the NE¼, of Section 7, T.26N., R.40E., M.D.B.&M. See, Sections III and IV for discussion of irrigation. Further, a vested right to waters of Home Station Creek for stock watering of 2,071 head of cattle

and for domestic uses with a priority date of 1872 is determined to be valid under Proof of Appropriation V-01934. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09793, filed on April 6, 2009, by Joe Saval Co., LLC claims a vested right from Butcher Canyon Spring for stock water. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stockwater for the needs of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See Sections III and IV for discussion of stock water.

Proof of Appropriation V-09794, filed on April 6, 2009, by Joe Saval Co., LLC claims a vested right from Un-named Spring [B] for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09795, filed on April 6, 2009, by Joe Saval Co., LLC claims a vested right from Unnamed Spring [C] for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09796, filed on April 6, 2009, by Joe Saval Co., LLC claims a vested right from Unnamed Spring [D] for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09797, filed on April 6, 2009, by Joe Saval Co., LLC claims a vested right from Unnamed Spring [E] for stock watering. The claimed number

of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09798, filed on April 6, 2009, by Joe Saval Co., LLC claims a vested right from Jersey Hot Spring [F] for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09799, filed on April 6, 2009, by Joe Saval Co., LLC claims a vested right from Unnamed Spring [A] for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09889, filed on January 29, 2010, by Mike and Barbara Stremmler claiming a vested right from Edith Spring for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09967, filed on August 9, 2010, by Mike and Barbara Stremmler claims a vested right from Cedar Spring for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the

above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09970, filed on August 9, 2010, by Mike and Barbara Stremmler claims a vested right from Lower Cedar Spring for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09972, filed on August 9, 2010, by Mike and Barbara Stremmler claims a vested right from Stage Stop Spring for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09973, filed on August 9, 2010, by Mike and Barbara Stremmler claims a vested right from Sidehill Spring for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09974, filed on August 9, 2010, by Mike and Barbara Stremmler claims a vested right from Lone Tree Spring for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle

from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09982, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Butcher Spring #1 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09983, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Butcher Spring #2 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09984, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Butcher Spring #3 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09985, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Butcher Spring #4 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle

from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09986, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Cedar Spring #1 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09987, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Cedar Spring #2 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09988, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Cedar Spring #3 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09989, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Cedar Spring #4 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle

from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09990, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Cedar Spring #5 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09991, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Jersey Spring #1 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09992, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Jersey Spring #2 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09993, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Jersey Spring #3 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle

from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09994, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Jersey Spring #4 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09995, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Moses Spring #1 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09996, filed on October 6, 2010, by Mike and Barbara Stremmler claiming a vested right from Moses Spring #2 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09997, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Moses Spring #3 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle

from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09998, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Moses Spring #4 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10000, filed on October 20, 2010, by Bert Paris claims a vested right from Wildcat Gap Spring a.k.a., Mosses Spring #3 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 478 head of cattle in subsequent years. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10013, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Tamarisk Spring for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10019, filed on January 27, 2011, by Mike and Barbara Stremmler claims a vested right from Cedar Canyon for irrigation of 127.55 acres of alfalfa within Section 7 of T.26N., R.40E., M.D.B.&M., and for stock watering and domestic uses. An amended proof was filed December 16, 2013, changing the priority date to 1872. A supporting map was filed on January 27, 2011, and an amended map was filed August 2, 2012. A vested right for irrigation of 20 acres from the above-named source is established

from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-09998, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Moses Spring #4 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10000, filed on October 20, 2010, by Bert Paris claims a vested right from Wildcat Gap Spring aka, Mosses Spring #3 for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 478 head of cattle in subsequent years. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10013, filed on October 6, 2010, by Mike and Barbara Stremmler claims a vested right from Tamarisk Spring for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10019, filed on January 27, 2011, by Mike and Barbara Stremmler claims a vested right from Cedar Canyon for irrigation of 127.55 acres of alfalfa within Section 7 of T.26N., R.40E., M.D.B.&M., and for stock watering and domestic uses. An amended proof was filed December 16, 2013, changing the priority date to 1872. A supporting map was filed on January 27, 2011, and an amended map was filed August 2, 2012. A vested right for irrigation of 20 acres from the above-named source is established

under this proof with a priority date of 1900. Waters of Cedar Canyon are commingled with waters identified under Proof V-01934 from Home Station Wash to irrigate the same 20 acres. The place of use is located within the SE¼ and the S½ of the NE¼, of Section 7, T.26N., R.40E., M.D.B.&M. See, Sections III and IV for discussion of irrigation. Further, a vested right to waters of Cedar Canyon for stock watering of 2,071 head of cattle and for domestic uses with a priority date of 1872 is determined to be valid under Proof V-10019. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10020, filed on January 27, 2011, by Mike and Barbara Stremmler claims a vested right from Butcher Canyon Ditch for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and the same number of cattle and sheep in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10021, filed on January 27, 2011, by Mike and Barbara Stremmler claims a vested right from Jersey Hot Spring F, for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and 300 head of cattle in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10022, filed on January 27, 2011, by Mike and Barbara Stremmler claims a vested right from Jersey Hot Spring E, for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and the same number of cattle and sheep in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872 and claiming 300 head of cattle watered in subsequent years. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10023, filed on January 27, 2011, by Mike and Barbara Stremmler claims a vested right from Jersey Hot Spring D, for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and the same number of cattle and sheep in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872 and claiming 300 head of cattle watered in subsequent years. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10024, filed on January 27, 2011, by Mike and Barbara Stremmler claims a vested right from Jersey Hot Spring C, for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and the same number of cattle and sheep in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872 and claiming 300 head of cattle watered in subsequent years. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10025, filed on January 27, 2011, by Mike and Barbara Stremmler claims a vested right from Jersey Hot Spring B, for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and the same number of cattle and sheep in subsequent years. An amended proof was filed December 16, 2013, changing the priority date to 1872 and claiming 300 head of cattle watered in subsequent years. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10026, filed on January 27, 2011, by Mike and Barbara Stremmler claims a vested right from Jersey Hot Spring A, for stock watering. The claimed number of animals watered was 7,000 head of cattle and 33,000 sheep in the first year and the same number of cattle and sheep in subsequent years. An amended proof was filed

December 16, 2013, changing the priority date to 1872 and claiming 300 head of cattle watered in subsequent years. A vested right for stock watering of 2,071 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10027, filed on January 28, 2011, by Joe Saval Co., LLC claims a vested right from Jersey Spring #1 for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10028, filed on January 28, 2011, by Joe Saval Co., LLC claims a vested right from Jersey Spring #2 for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10029, filed on January 28, 2011, by Joe Saval Co., LLC claiming a vested right from Jersey Spring # 3 for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10030, filed on January 28, 2011, by Joe Saval Co., LLC claims a vested right from Jersey Spring #4 for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10031, filed on January 28, 2011, by Joe Saval Co., LLC claims a vested right from Butcher Spring #1 for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10032, filed on January 28, 2011, by Joe Saval Co., LLC claims a vested right from Butcher Spring #2 for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10033, filed on January 28, 2011, by Joe Saval Co., LLC claims a vested right from Butcher Spring #3 for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10034, filed on January 28, 2011, by Joe Saval Co., LLC claims a vested right from Butcher Spring #4 for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10035, filed on January 28, 2011, by Joe Saval Co., LLC claiming a vested right from Cedar Spring #1 for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of

cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10036, filed on January 28, 2011, by Joe Saval Co., LLC claims a vested right from Cedar Spring #2 for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10037, filed on January 28, 2011, by Joe Saval Co., LLC claims a vested right from Cedar Spring #3 for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10038, filed on January 28, 2011, by Joe Saval Co., LLC claims a vested right from Cedar Spring #4 for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10039, filed on January 28, 2011, by Joe Saval Co., LLC claims a vested right from Cedar Spring #5 for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10040, filed on January 28, 2011, by Joe Saval Co., LLC claims a vested right from Cedar Spring for stock watering. The claimed number of

animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10041, filed on January 28, 2011, by Joe Saval Co., LLC claims a vested right from Lower Cedar Spring for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10042 was filed on January 28, 2011, by Joe Saval Co., LLC claiming a vested right from Jersey Canyon Spring for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. This Proof supersedes the water right under Permit 77711. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10043, filed on January 28, 2011, by Joe Saval Co., LLC claims a vested right from Jersey Canyon Wash [a.k.a. Old Town Canyon] seasonal flow for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. This Proof supercedes the water right under Permit 80759. See, Sections III and IV for discussion of stock watering.

Proof of Appropriation V-10044, filed on January 28, 2011, by Joe Saval Co., LLC claims a vested right from Butcher Canyon Wash seasonal flow for stock watering. The claimed number of animals watered was 500 head of cattle and 5,000 sheep in the first year and 1,044 to 2,000 head of cattle in subsequent years. A vested right for stock watering

of 247 head of cattle from the above-named source with a priority date of 1872 is determined to be valid. See, Sections III and IV for discussion of stock watering.

VI. PERMITTED AND CERTIFICATED WATER RIGHTS AND SUBSEQUENT CHANGES IN THE POINT OF DIVERSION, MANNER AND PLACE OF USE

There are numerous permitted and certificated water rights for surface water and groundwater sources within the area encompassed by this adjudication proceeding. These appropriations were acquired pursuant to statutory procedure found at NRS 533.324, *et seq.* These permits and certificates are not part of this adjudication and are provided solely for background information only. The existing permitted and certificated water rights along with pending applications are described in detail in Appendices D and E.

Existing permitted and certificated rights that are superseded by vested claims are subject to being voided upon finalization of the decree. Voiding of existing permitted or certificated rights is subject to the State Engineer's determination that the permit or certificate is redundant to a decreed water right.

VII. REJECTED PROOFS

Proof of Appropriation V-01933, filed on August 1, 1925, by W. T. Jenkins Company, Inc. claims a vested right from Hot Springs with a priority date of 1880 for irrigation of 59.28 acres of land within Section 7 of T.26N., R40E., M.D.B.&M., and for domestic and stock watering uses. A supporting map was filed August 1, 1925, identifying specific areas supporting alfalfa, grain, meadow and vegetables. This proof was amended on November 29, 2010, by Stremmler, the current owners claiming a vested right from Jersey Hot Spring(s) with a priority date of 1878 for irrigation of 240 acres within Section 7 of T.26N., R40E., M.D.B.&M., and 40 acres within Section 12 of T.26N., R.39E., M.D.B.&M. This claim was amended a second time on December 16, 2013, by Mike and Barbara Stremmler claiming a vested right from Jersey Hot Spring "F" with a priority date of 1872 for irrigation of 127.55 acres of alfalfa within Section 7 of T.26N., R.40E., M.D.B.&M. A supporting map to the amended proof was filed on January 27, 2011, and an amended map was filed August 2, 2012, identifying 127.55 acres of alfalfa. This proof

is denied for lack of evidence for pre-statutory use of the above-named source for irrigation at the described location. *See*, Sections III and IV for further discussion of irrigation.

Proof of Appropriation V-05761, filed on June 30, 1992, by Jerry Kelly, claims a vested right from Jersey Hot Spring for irrigation of 240 acres of alfalfa and diversified pasture within Section 7 of T.26N., R.40E., M.D.B.&M., with a priority date of 1878, and 40 acres within Section 12 of T.26N., R.39E., M.D.B.&M., with a priority date of 1900. This proof was amended multiple times by Stremler, the current owners with the final amendment filed December 16, 2013, for irrigation of 127.55 acres of alfalfa within Section 7 of T.26N., R.40E., M.D.B.&M., with a priority date of 1872. This proof has the identical source, place of use, duty, owner, priority date, and supporting documentation as V-01933. This proof is denied for lack of evidence for pre-statutory use of the above-named source for irrigation at the described location. Relation back to irrigation at Hot Springs Ranch is not valid because the use of water from Jersey Hot Spring “F” for irrigation at Home Station Ranch was not pursued with reasonable diligence. *See*, Sections III and IV for further discussion of irrigation.

Proof of Appropriation V-10012, filed on November 29, 2010, by Stremler claims a vested right from Spring C in the Jersey Hot Spring Complex for irrigation of 127.55 acres of alfalfa within Section 7 of T.26N., R.40E., M.D.B.&M. An amended proof was filed December 16, 2013, changing the priority date to 1872. A vested right for irrigation from the above-named source is denied. There are no existing structures that support the diversion of water from Spring C to the pipeline that routes water from Jersey Spring “F” to Home Station Ranch. There is also a lack of evidence that supports the pre-statutory use of water from Spring C at Home Station Ranch. Relation back to irrigation at Hot Springs Ranch is not valid because the use of water from Spring C for irrigation at Home Station Ranch was not pursued with reasonable diligence. *See*, Sections III and IV for further discussion of irrigation.

Proof of Appropriation V-10016, filed on November 29, 2010, by Stremler, claims a vested right from Butcher Canyon Creek for irrigation of 127.55 acres of alfalfa within Section 7 of T.26N., R.40E., M.D.B.&M. An amended proof was filed December

16, 2013, changing the priority date to 1872. A vested right for irrigation from the above-named source is denied. Historical records and maps show a ditch existed from an earthen dam structure at the mouth of Butcher Canyon to Jersey Spring “F”. The washed-out dam structure was identified during field investigations conducted by staff of the Office of the State Engineer. Currently, there are no existing structures that support the diversion of water from Butcher Canyon to Jersey Spring “F”. There is also a lack of evidence that supports the pre-statutory use of water from Butcher Canyon at Home Station Ranch. Relation back to irrigation at Hot Springs Ranch is not valid because the use of water from Butcher Canyon for irrigation at Home Station Ranch was not pursued with reasonable diligence. *See*, Sections III and IV for further discussion of irrigation.

VIII. CHANGES TO WATER RIGHTS DETERMINED IN THIS PROCEEDING

All water rights established under this adjudication shall be appurtenant to the place of use designated herein, pursuant to NRS 533.040. Any water user desiring to change the point of diversion, manner of use or place of use of the water rights established herein must make application to the State Engineer for permission to make a change pursuant to NRS 533.325 and 533.345.

The amount of water under a proposed change application shall not exceed the amount of water available at the source for beneficial use. For streams or springs without sufficient data to accurately represent actual runoff characteristics and volumes, the State Engineer may require additional information prior to the approval or denial of any change application. The amount of water allowed to be changed shall not exceed the duty of water as decreed under the terms and conditions of this adjudication proceeding and may be limited to the consumptive use.

IX. AVAILABLE WATERS

The duty of water found to be valid under the proofs of appropriation determined to be valid is based on a demonstration of the historical perfection of the right and is not a reflection of water currently available at the source. For example, as shown in Table 1, flows of Jersey Hot Spring “F” have declined over time and are now 0. Any future

appropriations to be considered will require a showing of unappropriated water available at the source.

X. ENTRY TO INVESTIGATE AND RETENTION OF JURISDICTION

The State Engineer or authorized designee shall have the right to enter the premises of any owner or proprietor where any stream, spring or well mentioned in this Order of Determination is situated at any reasonable hour of the day for the purposes of investigating and carrying out the duties required for the administration of this Order (NRS 533.0247 and 534.130).

Once decreed, the State Engineer requests the Court expressly reserve jurisdiction over all matters that are the subject of this adjudication and authorize the state engineer to appoint a water commissioner and prepare an annual budget pursuant to NRS 533.270 through 533.295.

XI. RIGHTS OF APPROPRIATORS

In Appendix A (Summary of the Determination of Claims) the proofs of water rights are summarized as valid or rejected and are determined by the State Engineer in this Order of Determination. Appendix B (Table of Relative Rights Determined to Be Valid) describes each claim determined to be valid in more detail. Appendix D (Permitted and Certificated Rights) and Appendix E (Applications to Appropriate or Change) are not part of this adjudication but are included for the reader's convenience.

Appendix A: Summary of the Determination of Claims

SUMMARY OF THE DETERMINATION OF CLAIMS					
JERSEY VALLEY					
CLAIM	OWNER OF RECORD	MANNER OF USE*	SOURCE TYPE**	DIVERSION RATE (CFS)	DUTY (AFA/AFS)∞
V-01933	MIKE AND BARBARA STREMLER	IRR - STK - DOM	SPR	REJECTED	
V-01934	MIKE AND BARBARA STREMLER	IRR - STK - DOM	STR	2.0	80.0 AFA
V-05761	MIKE AND BARBARA STREMLER	IRR	SPR	REJECTED	
V-09793	JOE SA VAL CO, LLC	STK	SPR	0.008	5.53 AFA
V-09794	JOE SA VAL CO, LLC	STK	SPR	0.008	5.53 AFA
V-09795	JOE SA VAL CO, LLC	STK	SPR	0.008	5.53 AFA
V-09796	JOE SA VAL CO, LLC	STK	SPR	0.008	5.53 AFA
V-09797	JOE SA VAL CO, LLC	STK	SPR	0.008	5.53 AFA
V-09798	JOE SA VAL CO, LLC	STK	SPR	0.008	5.53 AFA
V-09799	JOE SA VAL CO, LLC	STK	SPR	0.008	5.53 AFA
V-09889	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09967	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09970	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09972	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09973	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09974	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09982	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09983	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09984	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09985	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09986	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09987	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09988	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09989	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09990	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09991	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09992	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09993	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09994	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09995	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09996	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09997	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-09998	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-10000	BERT PARIS	STK	SPR	0.064	46.4 AFA
V-10012	MIKE AND BARBARA STREMLER	IRR	SPR	REJECTED	
V-10013	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-10016	MIKE AND BARBARA STREMLER	IRR - STK - DOM	STR	REJECTED	
V-10019	MIKE AND BARBARA STREMLER	IRR - STK - DOM	STR	1.0	80.0 AFA
V-10020	MIKE AND BARBARA STREMLER	STK	STR	0.064	46.4 AFA
V-10021	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-10022	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-10023	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-10024	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-10025	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-10026	MIKE AND BARBARA STREMLER	STK	SPR	0.064	46.4 AFA
V-10027	JOE SA VAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA
V-10028	JOE SA VAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA
V-10029	JOE SA VAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA

SUMMARY OF THE DETERMINATION OF CLAIMS					
JERSEY VALLEY					
CLAIM	OWNER OF RECORD	MANNER OF USE*	SOURCE TYPE**	DIVERSION RATE (CFS)	DUTY (AFA/AFS) [∞]
V-10030	JOE SAVAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA
V-10031	JOE SAVAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA
V-10032	JOE SAVAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA
V-10033	JOE SAVAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA
V-10034	JOE SAVAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA
V-10035	JOE SAVAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA
V-10036	JOE SAVAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA
V-10037	JOE SAVAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA
V-10038	JOE SAVAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA
V-10039	JOE SAVAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA
V-10040	JOE SAVAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA
V-10041	JOE SAVAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA
V-10042	JOE SAVAL COMPANY, LLC	STK	SPR	0.008	5.53 AFA
V-10043	JOE SAVAL COMPANY, LLC	STK	STR	0.008	5.53 AFA
V-10044	JOE SAVAL COMPANY, LLC	STK	STR	0.008	5.53 AFA

* MANNER OF USE: IRR = IRRIGATION, STK = STOCK WATER, DOM = DOMESTIC

** SOURCE TYPE: SPR = SPRING, STR = STREAM

[∞] AFA/AFS: AFA = ACRE-FEET PER ANNUM, AFS = ACRE-FEET PER SEASON

Appendix B: Table of Relative Rights Determined to Be Valid

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.
V-01934	MIKE AND BARBARA STREMLER	HOMESTATION CREEK	SW¼NE¼ SEC. 17, T.26N., R.40E., M.D.B.&M., BEARS N.53°17'06"W., 3,502 FEET FROM THE NE CORNER OF SECTION 18, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	IRRIGATION 1899	2.0	4.00	80.0
					STOCKWATER AND DOMESTIC 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	<p>THE TOTAL COMBINED DUTY OF WATER UNDER THIS CLAIM AND CLAIM V-10019 SHALL NOT EXCEED 4.0 ACRE-FEET PER ACRE FOR IRRIGATION PURPOSES.</p> <p>WATER USE UNDER THIS CLAIM IS COMMINGLED WITH WATER USED UNDER CLAIM V-10019.</p> <p>THE PRIORITY DATE UNDER V-01934 FOR STOCK WATERING AND DOMESTIC PURPOSES PRECEDES THE PRIORITY DATE FOR IRRIGATION.</p> <p>STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION.</p> <p>DUTY UNDER V-01934 IS NOT A MEASURE OF WATER THAT IS ACTUALLY AVAILABLE AT THE SOURCE.</p>			
S1/2	NE	7	T.26N.	R.40E.				
ALL	SE	7	T.26N.	R.40E.				
TOTAL ACRES ACCEPTED: 20.0								

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.
V-09793	JOE SAVAL CO, LLC	BUTCHER CANYON SPRING	SE¼NW¼ SEC. 27, T.27N., R.40E., M.D.B.&M., BEARS S.35°25'15.6"W., 4,358.76 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	<p>STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.</p>			
SE	NW	27	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09794	JOE SAVAL CO, LLC	UN-NAMED SPRING [B]	SW¼NE¼ SEC. 29, T.27N., R.40E., M.D.B.&M., BEARS S.69°36'7.2"E 7,638.86 FEET FROM THE SE CORNER OF SECTION 28, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR- QTR	QTR	SECTION	TOWN- SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SW	NE	29	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09795	JOE SAVAL CO, LLC	UNNAMED SPRING [C]	SE¼SE¼ SEC. 29, T.27N., R.40E., M.D.B.&M., BEARS S.83°22'55.2"E 6,505.19 FEET FROM THE SE CORNER OF SECTION 28, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR- QTR	QTR	SECTION	TOWN- SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
S1/2	SE	29	T.27N.	R.40E.				
SE	SE	31	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09796	JOE SAVAL CO, LLC	UNNAMED SPRING [D]	SW¼SW¼ SEC. 28, T.27N., R.40E., M.D.B.&M., BEARS S.83°56'2.4"E 4,312.69 FEET FROM THE SE CORNER OF SECTION 28, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR- QTR	QTR	SECTION	TOWN- SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SW	SW	28	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09797	JOE SAVAL CO, LLC	UN-NAMED SPRING [E]	SE¼SW¼ SEC. 28, T.27N., R.40E., M.D.B.&M., BEARS N.83°47'20.4"E 3,837.59 FEET FROM THE SE CORNER OF SECTION 28, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SE	SW	28	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09798	JOE SAVAL CO, LLC	JERSEY HOT SPRING - SPRING [F]	SE¼SE¼ SEC. 29, T.27N., R.40E., M.D.B.&M., BEARS S.84°18'0.0"E 5,916.75 FEET FROM THE SE CORNER OF SEC.28, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SE	SE	29	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09799	JOE SAVAL CO, LLC	UN-NAMED SPRING [A]	NE¼NW¼ SEC. 29, T.27N., R.40E., M.D.B.&M., BEARS S.57°45'25.2"E 9,391.23 FEET FROM THE SE CORNER OF SEC.28, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NE	NW	29	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09889	MIKE AND BARBARA STREMLER	EDITH SPRING	NE¼SW¼ SEC. 8, T.26N., R.40E., M.D.B.&M., BEARS S.52°55'39.7"W. 2,699.2 FEET FROM THE NE CORNER OF SEC.18, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NE	SW	8	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09967	MIKE AND BARBARA STREMLER	CEDAR SPRING	NE¼SE¼ SEC. 9, T.26N., R.40E., M.D.B.&M., BEARS S.74°16'6.3" W., 9,743.5 FEET FROM THE SE CORNER OF SEC.7, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.40
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. FLOW REPORTED HERE IS FROM A SINGLE MEASUREMENT, AND MAY NOT REPRESENT PERENNIAL SPRING DISCHARGE.			
NE	SE	9	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09970	MIKE AND BARBARA STREMLER	LOWER CEDAR SPRING	NE¼NE¼ SEC. 8, T.26N., R.40E., M.D.B.&M., BEARS S.38°2'36.8"W. 6,691.9 FEET FROM THE SE CORNER OF SECTION 7, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. FLOW REPORTED HERE IS FROM A SINGLE MEASUREMENT, AND MAY NOT REPRESENT PERENNIAL SPRING DISCHARGE.			
NE	NE	8	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09972	MIKE AND BARBARA STREMLER	STAGE STOP SPRING	SW¼SE¼ SEC. 21, T.26N., R.40E., M.D.B.&M., BEARS N.44°7'44.3"W. 12,948.3 FEET FROM THE SE CORNER OF SECTION 7, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. FLOW REPORTED HERE IS FROM A SINGLE MEASUREMENT, AND MAY NOT REPRESENT PERENNIAL SPRING DISCHARGE.			
SW	SE	21	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09973	MIKE AND BARBARA STREMLER	SIDEHILL SPRING	NE¼SW¼ SEC. 28, T.26N., R.40E., M.D.B.&M., BEARS N.28°20'31"W. 16,269.6 FEET FROM THE SE CORNER OF SECTION 7, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. FLOW REPORTED HERE IS FROM A SINGLE MEASUREMENT, AND MAY NOT REPRESENT PERENNIAL SPRING DISCHARGE.			
NE	SW	28	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09974	MIKE AND BARBARA STREMLER	LONE TREE SPRING	NE¼NE¼ SEC. 33, T.26N., R.40E., M.D.B.&M. BEARS N.33°15'51.3"W., 19,168.7 FEET FROM THE SE CORNER OF SECTION 7, 26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. FLOW REPORTED HERE IS FROM A SINGLE MEASUREMENT, AND MAY NOT REPRESENT PERENNIAL SPRING DISCHARGE.			
NE	NE	33	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.
V-09982	MIKE AND BARBARA STREMLER	BUTCHER SPRING #1	NW¼NE¼ SEC. 25, T.27N., R.40E., M.D.B.&M., BEARS S.68°37'26.3"E, 14,396.5 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR- QTR	QTR	SECTION	TOWN- SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NW	NE	25	T.27N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.
V-09983	MIKE AND BARBARA STREMLER	BUTCHER SPRING #2	NE¼SE¼ SEC. 25, T.27N., R.40E., M.D.B.&M., BEARS S.82°59'28.7"W., 14,929.4 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR- QTR	QTR	SECTION	TOWN- SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NE	SE	25	T.27N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.
V-09984	MIKE AND BARBARA STREMLER	BUTCHER SPRING #3	SE¼SE¼ SEC. 25, T.27N., R.40E., M.D.B.&M., BEARS S.86°37'23.7"W., 16,642.7 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR- QTR	QTR	SECTION	TOWN- SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SE	SE	25	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.
V-09985	MIKE AND BARBARA STREMLER	BUTCHER SPRING #4	NE¼NE¼ SEC. 36, T.27N., R.40E., M.D.B.&M., BEARS N.85°37'56.5"W., 15,154.8 FEET FROM THE SW CORNER OF SECTION 27,T.27N.,R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NE	NE	36	T.27N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.
V-09986	MIKE AND BARBARA STREMLER	CEDAR SPRING #1	NE¼NW¼ SEC. 12, T.26N., R.40E., M.D.B.&M., BEARS N.43°34'9.3"E., 15,928.6 FEET FROM THE SW CORNER OF SECTION 27,T.27N.,R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NE	NW	12	T.26N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.
V-09987	MIKE AND BARBARA STREMLER	CEDAR SPRING #2	NW¼SW¼ SEC. 12, T.26N., R.40E., M.D.B.&M., BEARS S.2°50'8.7"E., 13,223.0 FEET FROM THE SW CORNER OF SECTION 24,T.26N.,R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NW	SW	12	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.
V-09988	MIKE AND BARBARA STREMLER	CEDAR SPRING #3	SE¼NW¼ SEC. 12, T.26N., R.40E., M.D.B.&M., BEARS N.40°39'26"W., 18,272.0 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SE	NW	12	T.26N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.
V-09989	MIKE AND BARBARA STREMLER	CEDAR SPRING #4	NE¼SW¼ SEC. 12, T.26N., R.40E., M.D.B.&M., BEARS S.10°49'34.4"W., 12,788.2 FEET FROM THE SW CORNER OF SECTION 24, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NE	SW	12	T.26N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.
V-09990	MIKE AND BARBARA STREMLER	CEDAR SPRING #5	SW¼SW¼ SEC. 12, T.26N., R.40E., M.D.B.&M., BEARS S.5°42'17"W., 11,792 FEET FROM THE SW CORNER OF SECTION 24, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SW	SW	12	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09991	MIKE AND BARBARA STREMLER	JERSEY SPRING #1	SW¼SW¼ SEC. 31, T.27N., R.41E., M.D.B.&M., BEARS N.74°53'4"E., 17,028.0 FEET FROM THE SW CORNER OF SECTION 27,T.27N.,R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SW	SW	31	T.27N.	R.41E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09992	MIKE AND BARBARA STREMLER	JERSEY SPRING #2	NW¼NW¼ SEC. 6, T.26N., R.41E., M.D.B.&M., BEARS N.69°47'49"W., 16,121.3 FEET FROM THE SW CORNER OF SECTION 27,T.27N.,R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NW	NW	6	T.26N.	R.41E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09993	MIKE AND BARBARA STREMLER	JERSEY SPRING #3	NE¼NE¼ SEC. 1, T.26N., R.40E., M.D.B.&M., BEARS N.65°41'2.4"E., 15,583.7 FEET FROM THE SW CORNER OF SECTION 27,T.27N.,R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NE	NE	1	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09994	MIKE AND BARBARA STREMLER	JERSEY SPRING #4	SW¼NE¼ SEC. 1, T.26N., R.40E., M.D.B.&M., BEARS N.57°36'16.5" W., 15.275 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SW	NE	1	T.26N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09995	MIKE AND BARBARA STREMLER	MOSES SPRING #1	SW¼SE¼ SEC. 12, T.26N., R.40E., M.D.B.&M., BEARS S.17°38'16.3" W., 11,242.7 FEET FROM THE SW CORNER OF SECTION 24, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. FLOW REPORTED HERE IS FROM A SINGLE MEASUREMENT, AND MAY NOT REPRESENT PERENNIAL SPRING DISCHARGE.			
SW	SE	12	T.26N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09996	MIKE AND BARBARA STREMLER	MOSES SPRING #2	SW¼NE¼ SEC. 13, T.26N., R.40E., M.D.B.&M., BEARS S.20°35'25.2" W., 9,856.9 FEET FROM THE SW CORNER OF SECTION 24, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. FLOW REPORTED HERE IS FROM A SINGLE MEASUREMENT, AND MAY NOT REPRESENT PERENNIAL SPRING DISCHARGE.			
SW	NE	13	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09997	MIKE AND BARBARA STREMLER	MOSES SPRING #3	SE¼SW¼ SEC. 24, T.26N., R.40E., M.D.B.&M., BEARS S.58°21'47.5"W., 1,586.8 FEET FROM THE SW CORNER OF SECTION 24, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SE	SW	24	T.26N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-09998	MIKE AND BARBARA STREMLER	MOSES SPRING #4	SW¼NW¼ SEC. 25, T.26N., R.40E., M.D.B.&M., BEARS N.8°40'49.5" W., 1,919 FEET FROM THE SW CORNER OF SECTION 24, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1880	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. FLOW REPORTED HERE IS FROM A SINGLE MEASUREMENT, AND MAY NOT REPRESENT PERENNIAL SPRING DISCHARGE.			
SW	NW	25	T.26N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10000	BERT PARIS	MOSES SPRING #3	SE¼SW¼ SEC. 24, T.26N., R.40E., M.D.B.&M., BEARS S.58°21'47.5"W., 1,586.8 FEET FROM THE SW CORNER OF SECTION 24, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SE	SW	24	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10013	MIKE AND BARBARA STREMLER	TAMARISK SPRING	SE¼NE¼ SEC. 16, T.26N., R.40E., M.D.B.&M., BEARS N.81°21'52.4" E., 9,804.7 FEET FROM THE SE CORNER OF SECTION 7, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. FLOW REPORTED HERE IS FROM A SINGLE MEASUREMENT, AND MAY NOT REPRESENT PERENNIAL SPRING DISCHARGE.			
SE	NE	16	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10019	MIKE AND BARBARA STREMLER	CEDAR CANYON	NW¼NE¼ SEC. 08, T.26N., R.40E., M.D.B.&M., BEARS N.78°52'56"W. 3,139.00 FEET FROM THE NW CORNER OF SECTION 8, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	IRRIGATION 1899	1.0	4.00	80.0
					STOCKWATER AND DOMESTIC 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	THE TOTAL COMBINED DUTY OF WATER UNDER THIS CLAIM AND CLAIM V-01934 SHALL NOT EXCEED 4.0 ACRE-FEET PER ACRE FOR IRRIGATION PURPOSES.			
S1/2	NE	7	T.26N.	R.40E.				
ALL	SE	7	T.26N.	R.40E.				
TOTAL ACRES ACCEPTED: 20.0					WATER USE UNDER THIS CLAIM IS COMMINGLED WITH WATER USED UNDER CLAIM V-01934.			
					THE PRIORITY DATE UNDER V-10019 FOR STOCK WATERING AND DOMESTIC PURPOSES PRECEDES THE PRIORITY DATE FOR IRRIGATION.			
					STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION.			
					DUTY UNDER V-10019 IS NOT A MEASURE OF WATER THAT IS ACTUALLY AVAILABLE AT THE SOURCE.			
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10020	MIKE AND BARBARA STREMLER	BUTCHER CANYON DITCH	SE¼NW¼ SEC. 27, T.27N., R.40E., M.D.B.&M., BEARS S.29°15'51.37"W., 4,043.6 FEET FROM THE SE CORNER OF SECTION 28, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SE	NW	27	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10021	MIKE AND BARBARA STREMLER	JERSEY HOT SPRING ("F")	SE¼SE¼ SEC. 29, T.27N., R.40E., M.D.B.&M., BEARS S.84°18'0.0"E, 5,916.75 FEET FROM THE SE CORNER OF SECTION 28, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SE	SE	29	T.27N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10022	MIKE AND BARBARA STREMLER	JERSEY HOT SPRING ("E")	SE¼SW¼ SEC. 28, T.27N., R.40E., M.D.B.&M., BEARS S.83°47'20.4"E, 3,837.59 FEET FROM THE SE CORNER OF SECTION 28, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SE	SW	28	T.27N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10023	MIKE AND BARBARA STREMLER	JERSEY HOT SPRING ("D")	SW¼SW¼ SEC. 28, T.27N., R.40E., M.D.B.&M., BEARS S.83°56'2.4"E, 4,312.69 FEET FROM THE SE CORNER OF SECTION 28, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SW	SW	28	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10024	MIKE AND BARBARA STREMLER	JERSEY HOT SPRING ("C")	SE¼SE¼ SEC. 29, T.27N., R.40E., M.D.B.&M., BEARS S.83°22'55.2"E., 6,505.19 FEET FROM THE SE CORNER OF SECTION 28, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SE	SE	29	T.27N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10025	MIKE AND BARBARA STREMLER	JERSEY HOT SPRINGS ("B")	SW¼NE¼ SEC. 29, T.27N., R.40E., M.D.B.&M., BEARS S.69°36'7.2"E., 7,638.86 FEET FROM THE SE CORNER OF SECTION 28, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SW	NE	29	T.27N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10026	MIKE AND BARBARA STREMLER	JERSEY HOT SPRINGS ("A")	NE¼NW¼ SEC. 29, T.27N., R.40E., M.D.B.&M., BEARS S.57°45'25.2"E., 9,391.23 FEET FROM THE SE CORNER OF SECTION 28, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.064	--	46.4
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 2,071 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NE	NW	29	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10027	JOE SAVAL COMPANY, LLC	JERSEY SPRING #1	SW¼SW¼ SEC. 31, T.27N., R.41E., M.D.B.&M., BEARS N.74°53'4"W. 17,028.0 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SW	SW	31	T.27N.	R.41E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10028	JOE SAVAL COMPANY, LLC	JERSEY SPRING #2	NW¼NW¼ SEC. 6, T.26N., R.41E., M.D.B.&M., BEARS N.69°47'49"W. 16,121.3 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NW	NW	6	T.26N.	R.41E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10029	JOE SAVAL COMPANY, LLC	JERSEY SPRING #3	NE¼NE¼ SEC. 1, T.26N., R.40E., M.D.B.&M., BEARS N.65°41'2.4"W. 15,583.7 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NE	NE	1	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10030	JOE SAVAL COMPANY, LLC	JERSEY SPRING #4	SW¼NE¼ SEC. 1, T.26N., R.40E., M.D.B.&M., BEARS N.57°36'16.5"W. 15,275.0 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SW	NE	1	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10031	JOE SAVAL COMPANY, LLC	BUTCHER SPRING #1	NW¼NE¼ SEC. 25, T.27N., R.40E., M.D.B.&M., BEARS S.68°37'26.3"W. 14,396.5 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NW	NE	25	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10032	JOE SAVAL COMPANY, LLC	BUTCHER SPRING #2	NE¼SE¼ SEC. 25, T.27N., R.40E., M.D.B.&M., BEARS S.82°59'28.7"W. 14,929.4 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NE	SE	25	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT/ ACRE	TOTAL AC.-FT.
V-10033	JOE SAVAL COMPANY, LLC	BUTCHER SPRING #3	SE¼SE¼ SEC. 25, T.27N., R.40E., M.D.B.&M., BEARS S.86°37'23.7"W. 16,642.7 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SE	SE	25	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10034	JOE SAVAL COMPANY, LLC	BUTCHER SPRING #4	NE¼NE¼ SEC. 36, T.27N., R.40E., M.D.B.&M., BEARS N.85°37'56.5"W. 15,154.8 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NE	NE	36	T.27N.	R.40E.				
NE	NW	36	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10035	JOE SAVAL COMPANY, LLC	CEDAR SPRING # 1	NE¼NW¼ SEC. 12, T.26N., R.40E., M.D.B.&M., BEARS N.43°34'9.3"W. 15,928.6 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NE	NW	12	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10036	JOE SAVAL COMPANY, LLC	CEDAR SPRING # 2	NW¼SW¼ SEC. 12, T.26N., R.40E., M.D.B.&M., BEARS S.2°50'8.7" E. 13,223.0 FEET FROM THE SW CORNER OF SECTION 24, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR- QTR	QTR	SECTION	TOWN- SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NW	SW	12	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10037	JOE SAVAL COMPANY, LLC	CEDAR SPRING # 3	SE¼NW¼ SEC. 12, T.26N., R.40E., M.D.B.&M., BEARS N.40°39'26" W. 18,272.0 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR- QTR	QTR	SECTION	TOWN- SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SE	NW	12	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10038	JOE SAVAL COMPANY, LLC	CEDAR SPRING # 4	NE¼SW¼ SEC. 12, T.26N., R.40E., M.D.B.&M., BEARS S.10°49'34.4" W. 12,788.2 FEET FROM THE SW CORNER OF SECTION 24, T.26N., R.40E., M.D.B.M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR- QTR	QTR	SECTION	TOWN- SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NE	SW	12	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10039	JOE SAVAL COMPANY, LLC	CEDAR SPRING # 5	SW¼SW¼ SEC. 12, T.26N., R.40E., M.D.B.&M., BEARS S.5°42'17"W. 11,792.0 FEET FROM THE SW CORNER OF SECTION 24, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SW	SW	12	T.26N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10040	JOE SAVAL COMPANY, LLC	CEDAR SPRING	NE¼SE¼ SEC. 9, T.26N., R.40E., M.D.B.&M., BEARS S.74°16'6.3"W., 9,743.5 FEET FROM THE SE CORNER OF SECTION 7, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NE	SE	9	T.26N.	R.40E.				
PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10041	JOE SAVAL COMPANY, LLC	LOWER CEDAR SPRING	NE¼NE¼ SEC. 8, T.26N., R.40E., M.D.B.&M., BEARS S.38°2'36.8"W., 6,691.9 FEET FROM THE SE CORNER OF SECTION 7, T.26N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
NE	NE	8	T.26N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10042	JOE SAVAL COMPANY, LLC	JERSEY CANYON SPRING	SE¼SW¼ SEC.34, T.27N., R.40E., M.D.B.&M., BEARS N.17°51'50.4"W. 4,390.96 FEET FROM THE NW CORNER OF SECTION 34, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SE	SW	34	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10043	JOE SAVAL COMPANY, LLC	JERSEY CANYON WASH [AKA OLD TOWN CANYON] SEASONAL FLOW	SE¼SW¼ SEC.34, T.27N., R.40E., M.D.B.&M., BEARS N.17°51'50.4"W. 4,390.96 FEET FROM THE NW CORNER OF SECTION 34, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SE	SW	34	T.27N.	R.40E.				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-10044	JOE SAVAL COMPANY, LLC	BUTCHER CANYON WASH - SEASONAL FLOW	SE¼NW¼ SEC.27, T.27N., R.40E., M.D.B.&M., BEARS S.35°25'15.6"W. 4,358.76 FEET FROM THE SW CORNER OF SECTION 27, T.27N., R.40E., M.D.B.&M.	JAN 1 TO DEC 31	STOCKWATER 1872	0.008	--	5.53
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCK WATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 247 CATTLE. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE.			
SE	NW	27	T.27N.	R.40E.				

Appendix C: Range Line Agreement

(December 1965)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RANGE LINE AGREEMENT

Place

Date

November 20, 1970

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.

RECEIVED

JUN 15 '71

WINNEMUCCA, NEV.

District Mgr. _____
Resource Mgmt. _____
Lands _____
Wildlife _____
Operations _____
Environing _____
Fire Control _____
Administration _____
FBO _____
Radio Area _____

ACTION ROUTE.

DISTRICT MGR _____
Resource Mgmt _____
Operations _____
Administration _____

JAN 8 1971

RECEIVED _____ COPIES

BUREAU LAND MGT, BATTLE MT. NEV.
Shoshone _____
Eureka _____
Tonopah _____

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 department base property under the Grazing Regulations, and as such shall be binding upon our respective heirs, executors, administrators, successors in interest or assigns.

Joe Saval Est. by Telo Bartlett.

Joe Saval Estate

DeMar & Joe Dahl

(Signature of Applicant)

DeMar & Joe Dahl

John Basabe

(Signature of Applicant)

Manuel Chabagno

Paul L. Engel

(Signature of Applicant)

12/8/70

12/28/70

(Date)

Jan 4 / 71

(Date)

Mar 2 / 71

June 14 - 71

(Date)

RECOMMENDED APPROVAL

Leslie J. Stewart

(Chairman, Advisory Board)

NOV 30 1971

(Date)

APPROVED

W. Moore

(District Manager)

NOV 30 1971

(Date)



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Post Office Box 71
Winnemucca, Nevada 89445

IN REPLY REFER TO:
4115
(71-127)

CERTIFIED MAIL #10,044
RETURN RECEIPT REQUESTED

December 10, 1971

Joe Saval Estate
DeMar & Joe Dahl
M&I Investment Company
Manuel Chabagno
Paul Engel

Notice of Advisory Board Recommendation

and

Decision of the District Manager

on

Range Line Agreement Dividing

The South Buffalo Valley Unit

Into Two Allotments

The Advisory Board of the State of Nevada, Winnemucca Grazing District No. 2, when considering the range line agreement, executed by the affected South Buffalo Valley Unit licensees, recommended as follows:

That the Range Line Agreement as presented, being properly executed by the range users involved, be approved.

The above recommendation, together with the range line agreement, has been considered by me, and you are hereby notified that my decision is as follows:

That the Range Line Agreement for the South Buffalo Unit is approved as of November 30, 1971. Livestock use in this area should be as customary until such time as the line as described in the enclosed agreement is fenced. After the fence is completed, individual use in the two allotments will be as

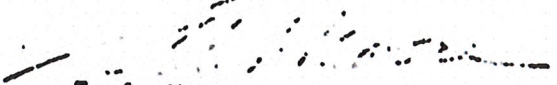


explained in the enclosed Range Line Agreement

This recommendation is taken in accordance with 43 CFR 4111.3-2(c).

If you wish to appeal this decision for the purpose of a hearing before an Examiner, in accordance with 43 CFR 1853.1, 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, Post Office Box 71, Winnemucca, Nevada 89445. The appeal should specify the reasons, clearly and concisely, as to why you think this decision is in error.

Very truly yours,


E. A. Moore
District Manager

Beginning at a point on the Fish Creek-Caraco Lake grazing unit boundary, on the watershed divide between the Fish Creek and Cottonwood Basins, thence running in a northwesterly direction along the watershed divide approximately 6 miles to a point on the section line between sections 28 and 33, T. 27 N., R. 41 E. then running west along the section line to the corner common to sections 29, 30, 31 and 32, T. 27 N., R. 41 E. Thence turning in a southwesterly direction along the watershed divide for approximately 3.2 miles (approximately the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7, T. 26 N., R. 41 E. unsurveyed). From this point turning in a southwesterly direction and following the main ridge between Cedar and Stonehouse Canyons to the corner common to sections 10, 11, 14 and 15, T. 26 N., R. 40 E. Then going north across Cedar Canyon to a point in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ section 10, T. 26 N., R. 40 E. Thence northwesterly along the ridge to a point on the Lander-Pershing County line (NE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 3, T. 26 N., R. 40 E.). Then running northwest for 2 miles to a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ section 32, T. 27 N., R. 40 E. above the junction of the Jersey Valley and Rock Corral roads. Then turning in a southwesterly direction to the quarter corner common to sections 32 and 33, T. 26 N., R. 39 E. Then continuing in a southwesterly direction to a point half way between the south fence around Section 6, T. 25 N., R. 39 E and the Lower Ranch fence in Section 7, T. 25 N., R. 39 E. Then turning northwest at this point and going 6.3 miles to the power line road in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, T. 26 N., R. 38 E. From this point running in a southwesterly direction for approximately 3.6 miles to the ridge just south of Old Man Canyon (NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34, T. 26 N., R. 37 E., unsurveyed). Thence west up this ridge approximately 1.6 mile to the Pleasant Valley-Buffalo Valley grazing unit boundary.

Joe Saval Estate will make all of their N-2 and N-6 use north of the line.

Manuel Chabango will make all of his N-2 Buffalo Valley Unit use north of the line.

DeMar H. and Joe A. Dahl will make all of their N-2 and N-6 use south of the line.

Paul Engle Ranches, leased to Sheldon Lamb, will make all of their N-2 use south of the line.

M. L. Investment Co. will make all of their N-2 and N-6 use south of the line.

Ellison Ranching Co. will make 595 AUMs of their N-6 use north of the line and 903 AUMs of use on the south side of the line.

Special Conditions

1. Sheep use south of the division line - Until such a time that further division of the range is necessary, Ellison Ranching Co. will restrict their use to that area east of Cottonwood Creek. M. L. Investment Co. will restrict their sheep use to that area west of Cottonwood Creek. This is in accord with Ellison Ranching Co. and M. L. Investment Co. customary use in the Fish Creek Grazing unit. Ellison Ranching Co. will continue to make their customary use in the Bridges Hills area of the Fish Creek Unit south of the Cottonwood area.
2. Water will be developed in Cedar Canyon and piped across the line to provide yearlong livestock water on both sides of the line.
3. Livestock water will be provided on both sides of the line at McCoy Spring and Sou Hot Springs. The main hot spring at McCoy Spring will be left on the west side of the fence with a water lane to the irrigation ditch for livestock water on the east side.

Appendix D: Permitted and Certificated Water Rights

APP NO.	CERT. NO.	PRIORITY DATE	SOURCE TYPE	SOURCE DESCRIPTION	POINT OF DIVERSION					DIV (CFS)	MOU	OWNER OF RECORD	COINCIDING WITH PROOF
					QQ	Q	SEC	TWN	RNG				
5778	1533	9/29/1919	SPR	UNNAMED SPRING	NW	NE	1	26N	40E	0.0156	STK	JOE SAVAL COMPANY LLC	--
5779	1534	9/29/1919	SPR	UNNAMED SPRING	SW	NE	1	26N	40E	0.0156	STK	JOE SAVAL COMPANY LLC	--
5780	1535	9/29/1919	SPR	UNNAMED SPRING	NE	NE	1	26N	40E	0.0156	STK	JOE SAVAL COMPANY LLC	--
77472	19270	10/13/2008	SPR	UN-NAMED SPRING A	NE	NW	29	27N	40E	0.0064	STK	JOE SAVAL COMPANY LLC	V - 09799
77474	--	10/13/2008	SPR	UN-NAMED SPRING E	SE	SW	28	27N	40E	0.0017	STK	JOE SAVAL COMPANY LLC	V - 09797
77475	19272	10/13/2008	SPR	UN-NAMED SPRING D	SW	SW	28	27N	40E	0.0022	STK	JOE SAVAL COMPANY LLC	V - 09796
77477	19275	10/13/2008	SPR	UN-NAMED SPRING B	SW	NE	29	27N	40E	0.0022	STK	JOE SAVAL COMPANY LLC	V - 09794
77710	20613	12/22/2008	SPR	BUTCHER CANYON SPRING	SE	NW	27	27N	40E	0.032625	STK	JOE SAVAL COMPANY LLC	V - 09793
77711	18905	12/22/2008	SPR	JERSEY CANYON SPRING	SE	SW	34	27N	40E	0.032625	STK	JOE SAVAL COMPANY LLC	V - 10042
77712	--	12/22/2008	UG	--	NW	SW	34	27N	40E	1	IRR	JOE SAVAL COMPANY LLC	--
77713	--	12/22/2008	UG	--	NW	SW	34	27N	40E	0.032625	STK	JOE SAVAL COMPANY LLC	--
80759	20814	4/6/2011	STR	JERSEY CANYON CREEK	SE	SW	34	27N	40E	0.033	STK	JOE SAVAL COMPANY LLC	V - 10043
80760	--	4/6/2011	STR	JERSEY CANYON CREEK	SE	SW	34	27N	40E	4	IRR	JOE SAVAL COMPANY LLC	--
81541	--	8/27/1918	STR	OLD TOWN CANYON CREEK (JERSEY CANYON)	SE	SW	34	27N	40E	0.1472	IRR	JOE SAVAL COMPANY LLC	--

Appendix E: Applications to Appropriate or Change

APP NO.	STATUS	PRIORITY DATE	SOURCE TYPE	SOURCE DESCRIPTION	POINT OF DIVERSION					DIV (CFS)	MOU	OWNER OF RECORD	COINCIDING WITH PROOF
					QQ	Q	SEC	TWN	RNG				
82955T	RFP	1/1/1875	SPR	JERSEY HOT SPRING SPRING F	SE	SE	29	27N	40E	0.0358	STK	JOE SAVAL COMPANY LLC	V01933, V05761, V09798, V10021
86924	RFP	2/8/2017	UG	--	NW	NE	21	27N	40E	0	STK	JOE SAVAL COMPANY LLC	--
87516	RFP	12/8/2017	UG	--	SE	NE	7	26N	40E	0.0124	STK	STREMLER, MICHAEL L.	--
87517	RFP	12/8/2017	UG	--	SE	NE	7	26N	40E	0.1114	IRR	STREMLER, MICHAEL AND BARBARA , STREMLER, MICHAEL L.	--
87518	RFP	12/8/2017	UG	--	SE	NE	7	26N	40E	2	IRR	STREMLER, MICHAEL AND BARBARA , STREMLER, MICHAEL L.	--
87927	RFP	5/8/2018	UG	--	NW	NE	21	27N	40E	0.0155	STK	JERSEY VALLEY CATTLE COMPANY, LLC	--