

**BLM-035**

Sadler-Bailey-Brown et al Allotment

The following described allotment comprises the common allotment for Sadler Brothers, Mary and Wilfred Bailey, George Brown, Roy Young, Ernest Merkley and Sons and the Pedro Corta Estate:

Beginning at a point on the drainage divide of the Sulphur Spings Mountains near the NW corner of Sec. 10, T. 23 N., R. 52 E., MDM, thence eastward down the ridge, to the NW corner of Sec 12, T. 23 N., R. 52 E., thence in a straight line, a distance of about two and one-half ( $2\frac{1}{2}$ ) miles just outside the Romano Ranch fences to the north quarter corner of Sec. 19, T. 23 N., R. 53 E., MDM, thence south just outside the Romano Ranch fences a distance of three (3) miles to the north quarter corner of Sec. 6, T. 22 N., R. 53 E., MDM, thence eastward in a straight line along the north boundary of T. 22 N., a distance of two and one-half ( $2\frac{1}{2}$ ) miles to the NW corner of Sec. 3, T. 22 N., R. 53 E., MDM, thence northeasterly, a distance of two and three-quarter ( $2\frac{3}{4}$ ) miles to the graded road that crosses the valley at a point on that road in the  $NW\frac{1}{4}SW\frac{1}{4}$  Sec. 23, T. 23 N., R. 53 E., MDM, thence in a northerly direction through the center of the dry lake bed, a distance of about sixteen (16) miles to a point in the  $SE\frac{1}{4}$  of Sec. 36 T. 26 N., R. 53 E., thence in a northeasterly direction in line with and along the existing fence known as the North Diamond fence, a distance of about four (4) miles to the point at which the fence corners near the north quarter corner of Sec. 27, T. 26 N., R. 54 E., MDM, thence along the fence in a southeasterly direction a distance of about two and one-half ( $2\frac{1}{2}$ ) miles to the top of the drainage divide at a point in the  $SW\frac{1}{4}SE\frac{1}{4}$  Sec. 25, T. 26 N., R. 54 E., MDM, thence north along the drainage divide, which is the Diamond Valley Unit line and the District line, a distance of about two miles to a point on the drainage divide, which is at the Elko-Eureka county line near the NE corner of Sec. 24, T. 26 N., R. 54 E., MDM, thence west along the county (and District) line about eleven and one-half ( $11\frac{1}{2}$ ) miles to the top of the drainage divide near the NW corner of Sec. 19, T. 26 N., R. 53 E., MDM, which is the corner common to the Diamond Valley and Roberts Creek Units and the Elko District, thence south along the drainage divide of the Sulphur Springs Mountains, a distance of about two (2) miles to a point just above Telegraph Canyon, thence eastward on the ridge above the Telegraph Canyon road, a distance of about

one and one-half (1½) miles to the NE corner of Sec. 31, T. 26 N., R. 53 E., MDM, thence southeasterly around the fenced field and patented land at the Flynn Ranch (Parman) to the SE corner of Sec. 6, T. 25 N., R. 53 E., MDM, thence westerly up the ridge to the top of the drainage divide to a point in the SE¼ of Sec. 1, T. 25 N., R. 52 E., MDM, thence south along the drainage divide a distance of about thirteen (13) miles to the point of beginning.

It was further agreed by Corta livestock in a meeting with Range Conservationist of Battle Mountain District on May 11, 1965, that his sheep use in the Diamond Valley Unit will be made in the Railroad Canyon area, entirely east of the mouth of the canyon as it opens into Diamond Valley. This use will be made during the period of time April 20 to May 15 annually.

General Conditions

We the undersigned, stipulate that the Federal range area within this described allotment constitutes our apportioned share of the available Federal range forage within the Diamond Valley grazing unit of the Battle Mountain District.

It is also agreed that in the event of the increase or diminution of the Federal range forage within this allotment for any past, present, or future cause whatsoever, the resultant adjustment of grazing privileges will be made within this allotment and will not affect grazing privileges in adjoining allotments, or be a cause for the amendment of this agreement, or a readjudication of the range.

This agreement shall be binding on heirs or assignees of all licensees or permittees who are party to this agreement unless otherwise altered or changed by the mutual consent of the undersigned licensees or permittees or their heirs or assignees, with the concurrence of the Bureau of Land Management.

Special Conditions

In addition to those conditions spelled out in the Hunter-Ithurrealde allotment, it shall be recognized that Labarrys shall be permitted to trail across the head of Walters Canyon to make use in the North Spring allotment area and that the sheep will be limited to this high country within the described boundaries of the North Spring allotment area.

E. P. Labarrys  
Hay Ranch (Lucky C)

4-5-65  
Date

John & Kay Hunter  
John & Kay Hunter  
Kay Hunter

3-25-65  
Date

James Ithurrealde  
James Ithurrealde

5-04-65  
Date

Joseph W Batcheller  
Romano Ranch (Batcheller)

Mar 23, 1965  
Date

Raymond Labarry  
Labarry & Labarry

Mar 25, 1965  
Date

Louis Maggini Estate  
By Robert, Trust Officer

March 30, 1965  
Date

Ted Thompson  
Ted Thompson

Mar 23, 1965  
Date

Milfred Bailey  
Mary & Milfred Bailey

May 27, 1965  
Date

Sadler Bros by Floyd Sadler  
Sadler Brothers

May 25, 1965  
Date

George Parman  
Jewelle Parman & George Parman

5-21-65  
Date

SEE ATTACHMENT "A"

Roy Young

\_\_\_\_\_  
Date

SEE ATTACHMENT "A"

Ernest Merkley & Son

\_\_\_\_\_  
Date

Henri Costa  
Pedro Costa Estate

May 11, 1965  
Date

George Brown  
George Brown

May 11, 65  
Date

Edward A. Melka  
Edward A. Melka

3-25-65  
Date

See Advisory Board Minutes -  
Approved Battle Mountain District Advisory Board

June 10, 1965

Jesse K. Lowe  
Concur District Manager

12/13/65  
Date



# United States Department of the Interior



**Bureau of Land Management**  
Battle Mountain Field Office  
50 Bastian Road  
Battle Mountain, Nevada 89820  
(775)635-4000 Fax(775)635-4034

**In Reply Refer to:**  
4160.1  
(NV-062.8)

DEC 6 1999

Cert. Mail # Z 188 116 682  
Return Receipt Requested

Joe and Ellen Rand  
HC 62, Box 140  
Eureka, Nevada 89316

## FINAL MULTIPLE USE DECISION FOR THE DIAMOND SPRINGS ALLOTMENT

The Northeastern Great Basin Resource Advisory Council (RAC) Standards and Guidelines were approved February 12, 1997. These Standards and Guidelines reflect the stated goals of improving rangeland health while providing for the viability of the livestock industry. The Record of Decision for the Shoshone-Eureka Environmental Impact Statement and the Resource Management Plan (RMP) was issued in March 1986. The Record of Decision for the RMP Amendment was issued in November 1987. These documents establish the multiple use goals and objectives which guide management of the public lands on the Diamond Springs allotment. The Rangeland Program Summary (RPS) was issued in December 1988, which further specifically identified the allotment specific objectives for the Diamond Springs allotment.

As identified in the Shoshone-Eureka RMP and the RPS, monitoring was established on the Diamond Springs allotment to determine if existing multiple uses for the allotment were consistent with attainment of the objectives established in the RPS and Standards for Rangelands Health approved by the Secretary of the Interior on February 12, 1997. Monitoring data has been collected between 1988 and 1998. These data have been analyzed, through the evaluation process, to determine what changes in existing management are required in order to meet specific multiple use objectives for this allotment.

The Northeastern Great Basin Area's Standards are listed below:

Standard 1. Upland Sites: Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate and land form.

Standard 2. Riparian and Wetland Sites: Riparian and wetland areas exhibit a properly functioning condition and achieve state water quality criteria.

Standard 3. Habitat: Habitats exhibit a healthy, productive, and diverse population of native and/or desirable plant species, appropriate to the site characteristics, to provide suitable feed, water, cover and living space for animal species and maintain ecological processes. Habitat conditions meet the life cycle requirements of threatened and endangered species.

Standard 4. Cultural Resources: Land use plans will recognize cultural resources within the context of multiple use.

The specific multiple use objectives for the Diamond Springs allotment are listed below:

#### Land Use Plan/Rangeland Program Summary (RPS) Objectives

##### Vegetation and Ecological Condition

1. Utilization not to exceed 50% on key species by seed dissemination, and 60% by the end of the grazing year.
2. In the long term, improve 6,271 acres to good, and 1,045 acres to excellent condition.
3. In the long term, manage for upward trend on 7,839 acres.

##### Livestock Existing Use/Management Objective

1. Existing use: 3,179 AUMs cattle.
2. In the short term, manage use at 3,179 AUMs.
3. In the long term, manage use at 3,465 AUMs in conformance with other objectives of the RMP.

##### Wildlife Management Objectives

1. Utilization of riparian habitat to be improved will not exceed 50% on key species.
2. In the short term, improve 69 acres of riparian habitat within the Diamond Hills Habitat Management Plan (HMP) Area to good condition.
3. Utilization of key browse species not to exceed 50% in terrestrial big game habitat areas.
4. Existing big game use (AUMs): 1,433. In the long term, provide habitat to support 1,158 AUMs (forage needs for reasonable numbers) of big game use, in conformance with the objectives of the RMP.
5. In the long term, within the Diamond Hills Habitat Management Plan Area, improve 3,136 acres of terrestrial big game habitat to good, and 523 acres to excellent condition. Manage for upward trends on 3,902 acres.
6. In the short term, within the Diamond Valley Habitat Management Plan Area, improve 35 acres of riparian/waterfowl habitat to good condition.
7. In the long term, within the Diamond Valley Habitat Management Plan Area, improve 40 acres of riparian/waterfowl habitat to good condition.
8. Manage rangeland habitat to maintain or enhance sagegrouse strutting and nesting areas, in conformance with other objectives of the RMP.

##### Wild Horse and Burro Management Objectives

1. Initially manage to provide 840 AUMs of forage for 70 horses within the Diamond Herd Management Area. 34.1% of the herd management area is within this allotment.



2. Maintain or improve wild horse habitat in a condition which enhances or preserves their wild and free roaming behavior, in conformance with other objectives of the RMP. (For example the absence of fences which disrupts normal distribution and movement patterns.)
3. Maintain or improve wild horse habitat by ensuring free access to water, in conformance with other objectives of the RMP.

#### Special Status Species

There are no known listed, proposed, or candidate species within the allotment.

Through the consultation, cooperation, and coordination process (CCC), protests of the Proposed Multiple Use Decision (PMUD) were received from Eureka County, T. M. Thompson and Joe and Ellen Rand, listing the following point(s) of protest:

1. Failure to adequately address Eureka's comments dated November 27, 1998 on the Diamond Mountain Complex. Of particular concern are the methodology and conclusions regarding utilization maps, stocking rates, ecological condition and trend, season of use and wildlife and riparian recommendations.

The point(s) of protest and comments received following the protest period and during a tour of the Diamond Mountain complex and meetings with the affected permittees have been considered in developing the Final Multiple Use Decision. The BLM has properly followed procedures in data collection as outlined in the Nevada Rangeland Monitoring Handbook and "Sampling Vegetation Attributes, Interagency Technical Reference, 1996", Riparian Area Management, Process for Assessing Proper Functioning Condition, TR 1737-9, 1993", Riparian Area Management, Process for Assessing Proper Functioning Condition for Lentic Riparian-Wetland Areas, TR 1737-11, 1994" and "BLM Manual 1630- Big Game Studies".

As a result of the evaluation and input received from the permittee(s) and interested publics I have determined the following standards and/or objectives have not been met:

Standard 1. Upland Sites could not be determined. Average utilization did not exceed 60% by the end of the grazing year since 1988, which provides appropriate quantities of litter and live vegetation on the upland sites. However, production (DPC) and frequency data showed the appropriate types of vegetation are not present in the upland sites. Several key species, including thurbers needlegrass, bluebunch wheatgrass, basin wildrye, and indian ricegrass, were not present or occurred in low percentages at several key areas.

Standard 2. Riparian and Wetland Sites is not being met through this evaluation period. Several of the lentic and some of the lotic riparian areas were determined to be non-functional or functional-at-risk with a static or downward trend. In order to meet this standard all riparian areas must be in proper functioning condition (PFC) or making significant progress towards PFC. In addition, utilization objectives for riparian areas are set at 50%. Throughout the evaluation period utilization was consistently observed at heavy/severe levels.

Standard 3. Habitat could not be determined. Mule deer habitat (key browse) studies showed that age class, form class, and diversity were appropriate at most of the wildlife study sites. However, production (DPC) and frequency data showed the appropriate types of herbaceous vegetation are not present or occurred in low percentages. Appropriate vegetation includes key species such as thurbers needlegrass, bluebunch wheatgrass, basin wildrye, and indian ricegrass.

Through the allotment evaluation process it was determined that changes in existing livestock and wild horse management are needed to meet the multiple use objectives established by the LUP and Standards for Rangeland Health as outlined by the Northeastern Great Basin RAC. It was determined that wildlife were not contributing to the non-attainment of these objectives and Standards, therefore, no wildlife decision is necessary. As a result of the evaluation conclusions and after consideration of input received through the CCC process, my final decision is:

### LIVESTOCK GRAZING MANAGEMENT DECISION

Changes in permitted use are identified below:

**From:**

<u>Allotment</u>	Livestock		<u>Season of Use</u>	<u>%PL</u>	<u>AUMs</u>
	<u>Kind</u>	<u>Number</u>			
Diamond Springs	Cattle	365	03/01-12/31	100	3,672
		8	03/01-03/30	100	8
	Total				3,680

**To:**

**Plan A:**

<u>Allotment</u>	Livestock		<u>Season of Use</u>	<u>%PL</u>	<u>AUMs</u>
	<u>Kind</u>	<u>Number</u>			
Diamond Springs	Cattle	456	05/01-12/31	100	3,673
	Cattle	7	05/01-05/31	100	7

Grazing use will be authorized in accordance with the following schedule:

<u>Pasture</u>	<u>Cattle</u>	Treatment A	Treatment B	Treatment C
		<u>Year 1 (AUMs)</u>	<u>Year 2 (AUMs)</u>	<u>Year 3 (AUMs)</u>
Telegraph	456	05/01-06/05 (540)	07/12-08/15 (540)	06/06-07/11 (540)
Willow	456	06/06-07/11 (540)	05/01-06/05 (540)	07/12-08/15 (540)
Five Mile	456	07/12-08/15 (525)	06/06-07/11 (525)	05/01-06/05 (525)
Home	456	08/16-09/30 (690)	11/16-12/31 (690)	10/01-11/15 (690)
Cox	456	10/01-11/15 (690)	08/16-09/30 (690)	11/16-12/31 (690)
Dibble	456	11/16-12/31 (690)	10/01-11/15 (690)	08/16-09/30 (690)

This grazing system identifies the first 3 years of a repeating grazing system. Starting in Year 4, livestock grazing will continue with Treatment A, etc..

**Plan B:**

The grazing system identified in Plan A was developed to improve the upland, riparian, and wildlife habitats, on the Diamond Springs allotment and to meet the Standards for Rangeland Health for the Northeastern Great Basin Area.. If the grazing schedule in Plan A is not followed or if it is determined

through monitoring that Plan A is not resulting in significant progress toward obtainment of the Standards for Rangeland Health within 5 years, then Plan B will be implemented upon notification from the Authorized Officer and permitted use will be changed upon receipt of this notification as follows:

<u>Allotment</u>	<u>Livestock</u>				
	<u>Kind</u>	<u>Number</u>	<u>Season of Use</u>	<u>%PL</u>	<u>AUMs</u>
Diamond Springs	Cattle	342	05/01-12/31	100	2,755

Grazing will be done in accordance with the same grazing schedule as defined in Plan A, with the addition of the reduction in AUMs.

<u>Pasture</u>	<u>Cattle</u>	<u>Treatment A</u>	<u>Treatment B</u>	<u>Treatment C</u>
		<u>Year 1 (AUMs)</u>	<u>Year 2 (AUMs)</u>	<u>Year 3 (AUMs)</u>
Telegraph	342	05/01-06/05 (405)	07/12-08/15 (540)	06/06-07/11 (540)
Willow	342	06/06-07/11 (405)	05/01-06/05 (540)	07/12-08/15 (540)
Five Mile	342	07/12-08/15 (393)	06/06-07/11 (525)	05/01-06/05 (525)
Home	342	08/16-09/30 (517)	11/16-12/31 (517)	10/01-11/15 (517)
Cox	342	10/01-11/15 (517)	08/16-09/30 (517)	11/16-12/31 (517)
Dibble	342	11/16-12/31 (517)	10/01-11/15 (517)	08/16-09/30 (517)

This grazing system identifies the first 3 years of a repeating grazing system. Starting in Year 4, livestock grazing would continue with Treatment A, etc..

In addition to the permitted use identified above, the following terms and conditions shall be made part of all grazing permits in the Diamond Springs allotment:

This permit reflects your adjusted grazing permitted use based upon the 1998 "Allotment Evaluation" for this allotment. The term of this permit shall be for ten years. The terms and/or conditions of this permit shall be amended or changed when additional and/or new monitoring data reflects the need to do so.

The terms and conditions of this permit must be consistent with the Standards and Guidelines approved February 12, 1997 for the Northeastern Great Basin Resource Advisory Council (RAC) area.

Cattle grazing will be done in accordance with the grazing system in Plan A identified in the "Final Multiple Use Decision for the Diamond Springs Allotment" dated December 6, 1999. If the grazing system in Plan A is not followed, or if it is determined through monitoring that Plan A is not resulting in significant progress toward obtainment of the Standards for Rangeland Health within 5 years, permitted use will be reduced to 2,755 AUMs. Plan B will be implemented upon notification from the Authorized Officer and permitted use will be changed upon receipt of this notification.

Utilization of "Key Forage Species" will not exceed 50% by seed dissemination or 60% by the end of the grazing year.

Key species at the 10 KMAs are to meet or be determined to make significant progress towards DPC by the re-evaluation of the Diamond Springs Allotment.

Residual riparian vegetation appropriate for the site will be in riparian or wetland habitats at the end of the growing year. Residual vegetation is considered appropriate when all riparian areas are at or making significant progress towards proper functioning condition (PFC).

In accordance with 43 CFR 4130.8-1(f): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10% of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date, shall include appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR sec. 4140.1(b)(1) and shall result in action by the authorized officer under 43 CFR sec. 4150.1 and 4160.1-2.

In accordance with 4130.3-2(d): Actual use information, for each use area, will be submitted to the authorized officer within 15 days of completing grazing use as specified on the grazing permit and/or grazing licenses. Actual use information will be provided for each pasture in the Diamond Springs allotment.

In accordance with 43 CFR 4120.3-1(a): Range improvements shall be installed, used, and maintained, and/or modified on the public lands, or removed from the public lands, in a manner consistent with multiple use management.

In accordance with 43 CFR 4130.3-2(c): In order to improve livestock and rangeland management on the public lands, all salt and/or mineral supplements will not be placed within 1/4 mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.

In accordance with 43 CFR 4130.3-2(h): All grazing permittees shall provide reasonable access across private and /or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.

Pursuant to 43 CFR 10.4(g): The holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2). Further, pursuant to 43 CFR 10.4(c) and (d) you must stop activities in the immediate vicinity of the discovery and protect it from your activities for 30 days or until notified by the authorized officer.

The following range improvements will be developed on the Diamond Springs allotment:

- ✓ 1a. Treatments to control tall larkspur will occur in the Five-Mile pasture approximately 2 weeks prior to livestock grazing as needed. Treatments will include both mechanical and chemical methods.
- NA 1b. Relocate North Diamond fence closer to the mountains;
- 1c. Establish permanent water haul locations in the valley pastures as needed.

2. Develop water sources (springs) in some or all of the following locations:  
T26N, R54E, sec. 36, T25N, R54E, sec 12, T24N, R54E, sec. 2, T23N, R53E, sec. 12

The Railroad Canyon Spring (R-0217) is located in the Corta allotment, but is on the Assignment of Range Improvements for the Diamond Springs allotment. Maintenance responsibility for the Railroad Canyon Spring is transferred from the permittee(s) on the Diamond Springs allotment to the permittee on the Corta allotment (primary user of the improvement).

**RATIONALE:** Through the allotment evaluation and multiple use decision process it was determined that the following standards and/or objectives are not being met.

Standard 1. Upland Sites could not be determined through this evaluation period. Average utilization did not exceed 60% by the end of the grazing year since 1988, which provides appropriate quantities of litter and live vegetation on the upland sites. However, production (DPC) and frequency data showed the appropriate types of vegetation are not present in the upland sites. Several key species, including thurbers needlegrass, bluebunch wheatgrass, basin wildrye, and indian ricegrass, were not present or occurred in low percentages at several key areas. In order to ensure that significant progress is being made towards achieving this standard the following management action(s) will be implemented: 1. delay turn-on date from March to May which will provide growing season rest for the native grass species; 2. implement a grazing system which will allow native grass species to reach seed dissemination at least every other year; 3. develop water sources and water haul sites which will help improve cattle distribution.

Standard 2. Riparian and Wetland Sites is not being met through this evaluation period. Several of the lentic and some of the lotic riparian areas were determined to be non-functional or functional-at-risk with a static or downward trend. In order to meet this standard all riparian areas must be in proper functioning condition (PFC) or making significant progress towards PFC. In addition, utilization objectives for riparian areas are set at 50%. Throughout the evaluation period utilization was consistently observed at heavy/severe levels. In order to ensure that significant progress is being made towards achieving this standard the following management action(s) will be implemented: 1. implement a grazing system which will provide for spring/early summer (05/01-07/11) grazing in 2 mountain pastures and provides for fall/winter grazing in all the valley pastures, which contain numerous springs and water fowl habitat.

Standard 3. Habitat could not be determined through this evaluation period. Mule deer habitat (key browse) studies showed that age class, form class, and diversity were appropriate at most of the wildlife study sites. However, production (DPC) and frequency data showed the appropriate types of herbaceous vegetation are not present or occurred in low percentages, which includes key species such as thurbers needlegrass, bluebunch wheatgrass, basin wildrye, and indian ricegrass. In order to ensure progress is being made towards achieving this standard the following management action(s) will be implemented: 1. delay turn-on date from March to May which will provide growing season rest for the native grass species; 2. implement a grazing system which will allow native grass species to reach seed dissemination at least every other year, and remove livestock from critical wildlife habitat in the late summer/fall before utilization levels on key browse species exceed objectives; 3. develop water sources and water haul sites which will help improve cattle distribution.

Use pattern mapping for the Diamond Springs allotment showed heavy/severe use occurred in portions of the valley pastures, particularly in the Home and Cox pastures in the areas immediately around the private property. Although this area is a part of the HMA the majority of this use is attributed to livestock. Heavy/severe use also occurred in portions of the mountain pastures, primarily around the riparian areas. The mountain pastures in the Diamond Springs allotment are readily used by both livestock and wild horses, therefore, a portion of the over utilization of riparian areas is attributed to livestock. Due to over utilization of riparian vegetation the majority of the riparian areas are not in PFC.

The selected management actions in this multiple use decision are appropriate and will result in significant progress toward fulfillment of the standards and conformance with the guidelines for the Northeastern Great Basin Area.

**AUTHORITY:** The authority for this decision is contained in Title 43 of the Code of Federal Regulations (CFR) including, but not limited to the following:

4100.0-8: "The authorized officer shall manage livestock grazing on public lands under the principle of multiple use and sustained yield, and in accordance with applicable land use plans. Land use plans shall establish allowable resource uses (either singly or in combination), related levels of production or use to be maintained, areas of use, and resource condition goals and objectives to be obtained. The plans also set forth program constraints and general management practices needed to achieve management objectives. Livestock grazing activities and management actions approved by the authorized officer shall be in conformance with the land use plan as defined at 43 CFR 1601.0-5(b)."

4110.3: "The authorized officer shall periodically review the permitted use specified in a grazing permit or lease and shall make changes in the permitted use as needed to manage, maintain or improve rangeland productivity, to assist in restoring ecosystems to properly functioning condition, to conform with land use plans or activity plans, or to comply with the provisions of subpart 4180 of this part. These changes must be supported by monitoring, field observations, ecological site inventory or other data acceptable to the authorized officer."

4110.3-2(b): "When monitoring or field observations show grazing use or patterns of use are not consistent with the provisions of subpart 4180, or grazing use is otherwise causing an unacceptable level or pattern of utilization, or when use exceeds the livestock carrying capacity as determined through monitoring, ecological site inventory or other acceptable methods, the authorized officer shall reduce permitted grazing use or otherwise modify management practices."

4110.3-3(a): "After consultation, cooperation, and coordination with the affected permittee or lessee, the State having lands or managing resources within the area, and the interested public, reductions of permitted use shall be implemented through a documented agreement or by decision of the authorized officer. Decisions implementing §4110.3-2 shall be issued as proposed decisions pursuant to §4160.1, except as provided in paragraph (b) of this section."

4130.3: "Livestock grazing permits and leases shall contain terms and conditions determined by the authorized officer to be appropriate to achieve management and resource condition objectives for the

public lands and other lands administered by the Bureau of Land Management, and to ensure conformance with the provisions of subpart 4180 of this part.”

4130.3-1: “(a) The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use, in animal unit months, for every grazing permit or lease. The authorized livestock grazing shall not exceed the livestock carrying capacity of the allotment. (b) All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or any term or condition of the permit or lease.”

4130.3-2: “The authorized officer may specify in grazing permits or leases other terms and conditions which will assist in achieving management objectives, provide for proper range management or assist in the orderly administration of the public rangelands. ...”

4130.3: “Following consultation, cooperation and coordination with the affected lessees or permittees, the State having lands or responsible for managing resources within the area, and the interested public, the authorized officer may modify terms and conditions of the permit or lease when the active use or related management practices are not meeting the land use plan, allotment management plan or other activity plan, or management objectives, or is not in conformance with the provisions of subpart 4180 of this part. To the extent practical, the authorized officer shall provide to affected permittees or lessees, States having lands or responsibility for managing resources within the affected area, and the interested public an opportunity to review, comment and give input during the preparation of reports that evaluate monitoring and other data that are used as a basis for making decisions to increase or decrease grazing use, or to change the terms and conditions of a permit or lease.”

4160.1(a): “Proposed decisions shall be served on any affected applicant, permittee or lessee, and any agent and lien holder of record, who is affected by the proposed actions, terms or conditions, or modifications relating to applications, permits and agreements (including range improvement permits) or leases, by certified mail or personal delivery. Copies of proposed decisions shall also be sent to the interested public.”

4160.2: “Any applicant, permittee, lessee or other interested public may protest the proposed decision under §4160.1 of this title in person or in writing to the authorized officer within 15 days after receipt of such decision.”

4180.1: “The authorized officer shall take appropriate action under subparts 4110, 4120, 4130 and 4160 of this part as soon as practicable but not later than the start of the next grazing year upon determining that existing grazing management needs to be modified to ensure that the following conditions exist.

(a) Watersheds are in, or are making significant progress toward, properly functioning physical condition, including their upland, riparian-wetland, and aquatic components; soil and plant conditions support infiltration, soil moisture storage, and the release of water that are in balance with climate and landform and maintain or improve water quality, water quantity, and timing and duration of flow.

(b) Ecological process, including the hydrologic cycle, nutrient cycle, and energy flow, are maintained, or there is significant progress toward their attainment, in order to support healthy biotic populations and communities.

- (c) Water quality complies with State water quality standards and achieves, or is making significant progress toward achieving, established BLM management objectives such as meeting wildlife needs.
- (d) Habitats are, or are making significant progress toward being, restored or maintained for Federal threatened and endangered species, Federal Proposed, Category 1 and 2 Federal candidate and other special status species.”

4180.2(c): “The authorized officer shall take appropriate action as soon as practicable but not later than the next grazing year upon determining that existing grazing management practices or levels of grazing use on public lands are significant factors in failing to achieve the standards and conform with the guidelines that are made effective under this section. Appropriate action means implementing actions pursuant to subparts 4110, 4120, 4130 and 4160 of this part that will result in significant progress toward conformance with the guidelines. Practices and activities subject to standards and guidelines include the development of grazing-related portions of activity plans, establishment of terms and conditions for permits, leases and other grazing authorizations, and range improvement activities such as vegetation manipulation, fence construction and development of water.

**APPEAL:** In accordance with 43 CFR 4160.4(a): “Any applicant whose interest is adversely affected by a final decision of the authorized officer may appeal the decision for the purpose of a hearing before an administrative law judge by following the requirements set out in § 4.470 of this title. As stated in that part, the appeal must be filed within thirty (30) days from receipt of this notice or within 30 days after the date the proposed decision becomes final as provided by § 4160.3(a). Appeals and petitions for stay of the decision shall be filed at the office of the authorized officer. The authorized officer shall promptly transmit the appeal and petition for stay and the accompanying administrative record to ensure their timely arrival at the Office of Hearings and Appeals.” Appeals and petitions for stay shall be filed with Jeffrey A. Weeks, Assistant Field Manager, Renewable Resources, 50 Bastian Road, Battle Mountain, Nevada 89820. The appeal shall state the reasons, clearly and concisely, why the appellant believes this decision was issued in error. All grounds of error not stated will be considered waived.

Should you wish to file a petition for stay, the appellant shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant’s success on the merits;
3. The likelihood of immediate and irreparable harm if the stay is not granted; and
4. Whether the public interest favors granting the stay.

WILD HORSE AND BURRO MANAGEMENT DECISION

It has been determined through monitoring that a thriving ecological balance can be obtained through an Appropriate Management Level (AML) of 54 wild horses or 646 AUMs for that portion of the Diamond Herd Management Area which occurs in the Diamond Springs allotment.

	Average	
	<u>Actual Use</u>	<u>AML</u>
Wild Horses	191	54
AUMs	2,292	646



**RATIONALE:** Although the Standards for Rangeland Health for the Northeastern Area were developed for livestock grazing, wild horse populations have contributed to the non-attainment of the standards.

Standard 1. Upland Sites could not be determined through this evaluation period. Average utilization did not exceed 60% by the end of the grazing year since 1988, which provides appropriate quantities of litter and live vegetation on the upland sites. However, production (DPC) and frequency data showed the appropriate types of vegetation are not present in the upland sites. Several key species, including thurbers needlegrass, bluebunch wheatgrass, basin wildrye, and indian ricegrass, were not present or occurred in low percentages at several key areas.

Standard 2. Riparian and Wetland Sites is not being met through this evaluation period. There are several lentic and lotic riparian areas that were determined to be non-functional or functional-at-risk with a static or downward trend. In order to meet this standard all riparian areas must be in proper functioning condition (PFC) or making significant progress towards PFC. In addition, utilization objectives for riparian areas are set at 50%. Throughout the evaluation period utilization was consistently observed at heavy/severe levels.

Standard 3. Habitat could not be determined through this evaluation period. Mule deer habitat (key browse) studies showed that age class, form class, and diversity were appropriate at most of the wildlife study sites. However, production (DPC) and frequency data showed the appropriate types of herbaceous vegetation are not present or occurred in low percentages, which includes key species such as thurbers needlegrass, bluebunch wheatgrass, basin wildrye, and indian ricegrass.

Use pattern mapping for the Diamond Springs allotment showed heavy/severe use occurred in portions of the valley pastures, particularly in the Home and Cox pastures in the areas immediately around the private property. Although this area is a part of the HMA the majority of this use is attributed to livestock. Heavy/severe use also occurred in portions of the mountain pastures, primarily around the riparian areas. The mountain pastures in the Diamond Springs allotment are readily used by both livestock and wild horses, therefore, a portion of the over utilization of riparian areas is attributed to wild horses. Due to over utilization of riparian vegetation the majority of the riparian areas are not in PFC.

In order to decrease year long grazing pressure and over utilization of riparian areas by wild horses on the Diamond Springs allotment, an AML for wild horses of 646 AUMs is appropriate. This AML will provide for improvement of both upland and riparian vegetation.

**AUTHORITY:** The authority for this decision is contained in Sec. 3(a), Wild Horse and Burro Act (P. L. 92-195) and Title 43 of the Code of Federal Regulations including, but not limited to the following:

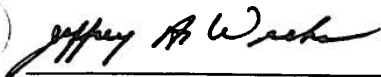
4700.0-6(a): "Wild horses and burros shall be managed as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat."

4700.0-6(d): "In administering these regulations, the authorized officer shall consult with Federal and State wildlife agencies and all other affected interests, to involve them in planning for and management of wild horses and burros on the public lands."

**APPEAL:** In accordance with 43 CFR 4770.3 (a) "Any person adversely affected by a decision of the authorized officer in the administration of these regulations may file an appeal. Appeals and petitions for stay of a decision of the authorized officer must be filed within 30 days of receipt of the decision in accordance with 43 CFR part 4." Appeals and petitions for stay shall be filed with Jeffrey A. Weeks, Assistant Field Manager, Renewable Resources, 50 Bastian Road, Battle Mountain, Nevada 89820. The appeal shall state the reasons, clearly and concisely, why the appellant believes this decision was issued in error. All grounds of error not stated will be considered waived.

Should you wish to file a petition for stay, the appellant shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant's success on the merits;
3. The likelihood of immediate and irreparable harm if the stay is not granted; and
4. Whether the public interest favors granting the stay.



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Jeffrey A. Weeks  
Assistant Field Manager,  
Renewable Resources

CASE FILE COPY

AUTH NUMBER: 2703237  
DATE PRINTED: 12/31/2012

Form 4130-2a  
(February 1999)

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

STATE NV  
OFFICE LLNVB01000  
AUTH NUMBER 2703237  
PREFERENCE CODE 03  
DATE PRINTED 12/31/2012  
TERM 03/01/2013 TO 02/28/2023

GRAZING PERMIT

BUREAU OF LAND MANAGEMENT  
MOUNT LEWIS FO  
50 BASTIAN RD  
BATTLE MOUNTAIN NV 89820

DAN & STEVEN VENTURACCI  
8500 SCHURZ HWY  
FALLON NV 89406

THIS GRAZING PERMIT IS OFFERED TO YOU UNDER 43 CFR PART 4100 BASED ON YOUR RECOGNIZED QUALIFICATIONS. YOU ARE AUTHORIZED TO MAKE GRAZING USE OF LANDS, UNDER THE JURISDICTION OF THE BUREAU OF LAND MANAGEMENT AND COVERED BY THIS GRAZING PERMIT, UPON YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS OF THIS GRAZING PERMIT AND PAYMENT OF GRAZING FEES WHEN DUE. CONTACT YOUR LOCAL BLM OFFICE AT 775-635-4000 IF YOU HAVE QUESTIONS.

MANDATORY TERMS AND CONDITIONS

ALLOTMENT	PASTURE	LIVESTOCK		GRAZING PERIOD		% PL TYPE USE	AUMS
		NUMBER	KIND	BEGIN	END		
10035 DIAMOND SPRINGS		458	CATTLE	05/01	12/30	100 ACTIVE	3674
		6	CATTLE	05/01	05/31	100 ACTIVE	6

OTHER TERMS AND CONDITIONS:

IN ACCORDANCE WITH SECTION 415, H.R.2055 (CONSOLIDATED APPROPRIATION ACT, 2012), THIS PERMIT OR LEASE IS ISSUED WITH THE SAME TERMS AND CONDITIONS AS THE EXPIRED OR TRANSFERRED PERMIT OR LEASE. THIS PERMIT OR LEASE MAY BE CANCELED, SUSPENDED, OR MODIFIED, IN WHOLE OR IN PART TO MEET THE REQUIREMENTS OF APPLICABLE LAWS AND REGULATIONS.

THIS PERMIT REFLECTS YOU ADJUSTED GRAZING PERMITTED USE BASED UPON THE 1998 "ALLOTMENT EVALUATION" FOR THIS ALLOTMENT. THE TERM OF THIS PERMIT SHALL BE FOR TEN YEARS. THE TERMS AND/OR CONDITIONS OF THIS PERMIT SHALL BE AMENDED OR CHANGED WHEN ADDITIONAL AND/OR NEW MONITORING DATA REFLECTS THE NEED TO DO SO.

THE TERMS AND CONDITIONS OF THIS PERMIT MUST BE CONSISTENT WITH THE STANDARDS AND GUIDELINES APPROVED FEBRUARY 12, 1997 FOR THE NORTHEASTERN GREAT BASIN RESOURCE ADVISORY COUNCIL (RAC) AREA.

CATTLE GRAZING WILL BE DONE IN ACCORDNACE WITH THE GRAZING SYSTEM IN PLAN A IDENTIFIED IN THE "FINAL MULTIPLE USE DECISION FOR THE DIAMOND SPRINGS ALLOTMENT" DATED DECEMBER 6, 1999. IF THE GRAZING SYSTEM IN PLAN A IS NOT FOLLOWED, OR IF IT IS DETERMINED THROUGH MONITORING THAT PLAN A IS NOT RESULTING IN SIGNIFICANT PROGRESS TOWARD ATTAINMENT OF THE STANDARDS FOR RANGELAND HEALTH WITHIN 5 YEARS, PERMITTED USE WILL BE REDUCED TO 2,755 AUMS. PLAN B WILL BE IMPLEMENTED UPON NOTIFICATION FROM THE AUTHORIZED OFFICER AND PERMITTED USE WILL BE CHANGED UPON RECEIPT OF THIS NOTIFICATION.

UTILIZATION OF "KEY FORAGE SPECIES" WILL NOT EXCEED 50% BY SEED DISSEMINATION OR 60% BY THE END OF THE GRAZING YEAR.

KEY SPECIES AT THE 10 KMAS ARE TO MEET OR BE DETERMINED TO MAKE SIGNIFICANT PROGRESS TOWARDS DPC BY THE RE-EVALUATION OF THE DIAMOND SPRINGS ALLOTMENT.

RESIDUAL RIPARIAN VEGETATION APPROPRIATE FOR THE SITE WILL BE IN RIPARIAN OR WETLAND HABITATS AT THE END OF THE GROWING YEAR.

RESIDUAL VEGETATION IS CONSIDERED APPROPRIATE WHEN ALL RIPARIAN AREAS ARE AT/OR MAKING SIGNIFICANT PROGRESS TOWARDS PROPER FUNCTIONING CONDITION (PFC).

UTILIZATION OF KEY BROWSE SPECIES NOT TO EXCEED 50% IN TERRESTRIAL BIG GAME HABITAT.

IN ACCORDANCE WITH 43 CFR 4130.8-1(F): FAILURE TO PAY GRAZING BILLS WITHIN 15 DAYS OF THE DUE DATE SPECIFIED IN THE BILL SHALL RESULT IN A LATE FEE ASSESSMENT OF \$25.00 OR 10 PERCENT OF THE GRAZING BILL, WHICHEVER IS GREATER, BUT NOT TO EXCEED \$250.00. PAYMENT MADE LATER THAN 15 DAYS AFTER THE DUE DATE, SHALL INCLUDE THE APPROPRIATE LATE FEE ASSESSMENT. FAILURE TO MAKE PAYMENT WITHIN 30 DAYS MAY BE A VIOLATION OF 43 CFR SEC. 4140.1(B)(1) AND SHALL RESULT IN ACTION BY THE AUTHORIZED OFFICER UNDER 43 CFR SECTIONS 4150.1 AND 4160.1-2.

IN ACCORDANCE WITH 43 CFR 4130.3-2(D): ACTUAL USE INFORMATION, FOR EACH PASTURE/USE AREA, WILL BE SUBMITTED TO THE AUTHORIZED OFFICER WITHIN 15 DAYS OF COMPLETING GRAZING USE AS SPECIFIED ON THE GRAZING PERMIT AND/OR GRAZING LICENSES.

IN ACCORDANCE WITH 43 CFR 4120.3-1(A): ALL RANGE IMPROVEMENTS SHALL BE INSTALLED, USED, MAINTAINED, AND/OR MODIFIED ON THE PUBLIC LANDS, OR REMOVED FROM THESE LANDS, IN A MANNER CONSISTENT WITH MULTIPLE-USE MANAGEMENT.

IN ACCORDANCE WITH 43 CFR 4130.3-2(C): IN ORDER TO IMPROVE LIVESTOCK AND RANGELAND MANAGEMENT ON THE PUBLIC LANDS, ALL SALT AND/OR MINERAL SUPPLEMENTS WILL NOT BE PLACED WITHIN 1/4 MILE OF ANY RIPARIAN AREA, WET MEADOW, OR WATERING FACILITY (EITHER PERMANENT OR TEMPORARY) UNLESS STIPULATED THROUGH A WRITTEN AGREEMENT OR DECISION.

IN ACCORDANCE WITH 43 CFR 4130.3-2(H): ALL GRAZING PERMITTEES SHALL PROVIDE REASONABLE ACCESS ACROSS PRIVATE AND/OR LEASED LANDS TO THE BUREAU OF LAND MANAGEMENT FOR THE ORDERLY MANAGEMENT AND PROTECTION OF THE PUBLIC LANDS.

IN ACCORDANCE WITH 43 CFR 4130.3-3: THE AUTHORIZED OFFICER MAY MODIFY TERMS AND CONDITIONS OF THE PERMIT OR LEASE WHEN THE ACTIVE USE OR RELATED MANAGEMENT PRACTICES ARE NOT MEETING THE LAND USE PLAN, ALLOTMENT MANAGEMENT PLAN OR OTHER ACTIVITY PLAN, OR MANAGEMENT OBJECTIVES, OR IS NOT IN CONFORMANCE WITH THE PROVISIONS OF SUBPART 4180 RAC STANDARDS AND GUIDELINES.

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

IN ACCORDANCE WITH 43 CFR 4130.3-1 (B) - ALL PERMITS AND LEASES SHALL BE MADE SUBJECT TO CANCELLATION, SUSPENSION, OR MODIFICATION FOR ANY VIOLATION OF THESE REGULATIONS OR OF ANY TERM OR CONDITION OF THE

CASE FILE COPY

AUTH NUMBER: 2703237  
DATE PRINTED: 12/31/2012

PERMIT OR LEASE.

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ALLOTMENT SUMMARY (AUMS)

<u>ALLOTMENT</u>	<u>ACTIVE AUMS</u>	<u>SUSPENDED AUMS</u>	<u>TEMP SUSPENDED AUMS</u>	<u>GRAZING PREFERENCE</u>
10035 DIAMOND SPRINGS	3680	1607	0	5,287

**Standard Terms and Conditions**

1. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
2. They are subject to cancellation, in whole or in part, at any time because of:
  - a. Noncompliance by the permittee/lessee with rules and regulations.
  - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
  - c. A transfer of grazing preference by the permittee/lessee to another party.
  - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described.
  - e. Repeated willful unauthorized grazing use.
  - f. Loss of qualifications to hold a permit or lease.
3. They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans MUST be incorporated in permits or leases when completed.
4. Those holding permits or leases MUST own or control and be responsible for the management of livestock authorized to graze.
5. The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
8. Livestock grazing use that is different from that authorized by a permit or lease MUST be applied for prior to the grazing period and MUST be filed with and approved by the authorized officer before grazing use can be made.
9. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
10. The holder of this authorization must notify the authorized officer immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (cultural items), stop the activity in the area of the discovery and make a reasonable effort to protect the remains and/or cultural items.
11. Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
12. No Member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App.1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

THIS GRAZING PERMIT:

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

ACCEPTED:

SIGNATURE OF PERMITTEE:

DATE: 1/4/13

APPROVED

BLM AUTHORIZED OFFICER:

DATE: 1/4/13

*Amended*  
STATE OF NEVADA

**PROOF OF APPROPRIATION OF WATER**

(Statutory vested water rights are those with a priority date prior to: March 1, 1905 for All Surface Sources; March 22, 1913 for Underground Artesian Waters; March 25, 1939 for Underground Percolating Water)

USE(S):

Primary (Please select only one):

Irrigation	<input type="checkbox"/>	Stock water	<input checked="" type="checkbox"/>	Mining and Milling	<input type="checkbox"/>	Domestic	<input type="checkbox"/>
Municipal	<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Quasi-Municipal	<input type="checkbox"/>	Commercial	<input type="checkbox"/>
Federal Reserved Right	<input type="checkbox"/>	Other (OTH) _____					

Secondary (Select all that may be applicable):

Stock water	<input type="checkbox"/>	Domestic	<input type="checkbox"/>
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NAME OF CLAIMANT Daniel S. Venturacci

Address 8500 Schurz Highway City of Fallon County of Churchill

State of Nevada Telephone No. 775-426-0918 Email Address buckaroodan@gmail.com

1. Source of water DIAMOND VALLEY SPRING #5  
Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion SPRING TO TROUGH  
Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):  
NE1/4SW1/4 Section 12, T.23N., R. <sup>3</sup>4E., M.D.B.&M, or at a point from which the SW corner of said Section 12, DT  
bears S40°22' 22"W a distance of 2296.97 feet

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun Prior to 1860  
and completed See historical research (Chain of title-proofs volume I-taxation rolls)

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:  
1859-Possesory interest to current patented owner through transfer of title  
Patented, deeded, public domain with grazing permit, etc.

6. The claimant's water right was / was not recorded in the office of the County Recorder of  
(circle one)  
\_\_\_\_\_ County, at Page \_\_\_\_\_ of Book \_\_\_\_\_ of \_\_\_\_\_ .

7. The amount of water diverted for the claim's purpose has been measured at  
0.025 cfs cubic feet per second.  
448.83 gallons per minute equals 1 cubic feet per second

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):

See Attachment A

(List all places of use for the primary and any secondary purposes being claimed, attaching additional sheet(s) as needed. Describe them as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated. If the watering of livestock is accomplished by utilizing the natural stream channel, then describe the 40-acre legal subdivision at the beginning (upstream point) and the legal subdivision at the end of the stream reach.)

**QUESTIONS REGARDING WATERING OF LIVESTOCK**

9. The approximate number of animals watered by the claimant during the first year of 1894 was \_\_\_\_\_ Year  
300 cattle 150 horses 2500 sheep \_\_\_\_\_ other (describe in remarks)

The watering was conducted during each of the following months: January 1 through December 31 of each year

10. The approximate number of animals watered by the claimant in subsequent years was:

600 cattle 150 horses 2000 sheep \_\_\_\_\_ other (describe in remarks)

11. The water is impounded in Troughs, and reservoir, natural channel  
Trough(s), tank(s), pool(s), reservoir, natural channel, etc.

**QUESTIONS WITH REGARD TO IRRIGATION**

12. The date of survey of ditch, canal, or pipe line was \_\_\_\_\_

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom \_\_\_\_\_ feet, width on top \_\_\_\_\_ feet, depth \_\_\_\_\_ feet, for \_\_\_\_\_ lineal feet of improvement, on a grade of \_\_\_\_\_ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of \_\_\_\_\_ inches with a type of pipe of \_\_\_\_\_ for \_\_\_\_\_ feet in length.  
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not been enlarged.  
(circle one)

16. The work of enlargement of the ditch, canal or pipeline commenced \_\_\_\_\_ and completed \_\_\_\_\_



17. The dimensions of the enlarged ditch or canal are: Width on bottom \_\_\_\_\_ feet, width on top \_\_\_\_\_ feet, depth \_\_\_\_\_ feet, for \_\_\_\_\_ lineal feet of improvement, on a grade of \_\_\_\_\_ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of \_\_\_\_\_ inches with a type of pipe of \_\_\_\_\_ for \_\_\_\_\_ lineal feet in length.  
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

19. The claimant is / is not the owner in the above-described conduit.  
(circle one)

\_\_\_\_\_  
If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of \_\_\_\_\_  
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)  
have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from \_\_\_\_\_ to \_\_\_\_\_ of each year. The average number of cuttings in a year is typically \_\_\_\_\_ cuttings and the maximum number of cuttings in a year is \_\_\_\_\_ cuttings.

22. The water claimed has / has not been used for irrigation each and every year since the right was initiated.  
(circle one)

23. The years during which no water was used for irrigation or during which the full water right was not used were (If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given, appending a sheet if necessary):  
\_\_\_\_\_

24. The characteristics of the soil are \_\_\_\_\_  
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is \_\_\_\_\_ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is \_\_\_\_\_ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is \_\_\_\_\_ cubic feet per second.

**ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING**

See supporting documentation by Ramona Hage Morrison, hearing exhibits and additional information filed in support of the filings

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

Daniel S. Venturacci are full and correct to the best of their knowledge and belief.  
(Name)

Agent for Daniel S. Venturacci

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name George M. Thiel, P.E., S.W.R.S Signature *George M. Thiel*  
(Please type or print name) (Please sign in the presence of a Notary Public)

Address 3950 Steamboat Drive State of NV ZIP Code 89701

Telephone Number 775-722-5380 Email Address GeorgeT@water4NV.com

State of Nevada

County of Washoe

Subscribed and sworn to before me on July 22, 2010  
(Date)

by *George M. Thiel*

*Rachel Ingraham*

Signature of Notary Public Required



Notary Stamp or Seal Required

**THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM, WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.**

**EXHIBIT A**

## Place of Use

**T.26N. R.54E., M.B.D. & M:**

- ALL OF SECTIONS 33, 34, 35
- ALL OF THE SW1/4, S1/2 OF THE NW1/4, NW1/4NW1/4, PORTIONS OF THE NE1/4NW1/4 AND PORTIONS OF THE E1/2 OF SECTION 36
- PORTIONS OF THE E1/2; SW1/4, PORTIONS OF THE NW1/4 OF SECTION 32
- PORTION OF THE SW1/4 OF SECTION 25
- S1/2, PORTIONS OF THE N1/2 OF SECTION 26
- S1/2, PORTIONS OF THE N1/2 OF SECTION 27
- PORTIONS OF THE SE1/4, PORTIONS OF THE SW1/4 AND PORTIONS OF THE NE1/4 OF SECTION 28
- PORTION OF THE SE1/4SE1/4SE1/4 SECTION 29
- PORTIONS OF THE SE1/4; SE1/4NE1/4 OF 31

**T.25N. R.54E., M.B.D. & M:**

- ALL OF SECTION 2, 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35
- PORTIONS OF THE W1/2 OF SECTION 1
- W1/2, PORTIONS OF THE W1/2E1/2, AND PORTIONS OF THE W1/2SE1/4 ALL WITHIN SECTION 12
- W1/2, PORTIONS OF THE W1/2 OF THE E1/2, PORTIONS OF THE SE1/4SE1/4 ALL WITHIN SECTION 24
- W1/2W1/2, PORTIONS OF THE E1/2 OF THE W1/2, PORTIONS OF THE NE1/4 ALL WITHIN SECTION 25
- PORTIONS OF THE NW1/4, ALL OF THE SW1/4, PORTIONS OF THE W1/2E1/2 AND PORTIONS WITHIN SECTION 36
- ALL OF THE E1/2, E1/2W1/2 AND PORTIONS OF THE W1/2 W1/2 ALL WITHIN SECTION 6
- PORTIONS OF THE W1/2, E1/2NE1/4, NE1/4, W1/2SE14 SECTION 13

**T.25N., R53E., M.B.D&M:**

- PORTIONS OF THE E1/2 OF SECTION 12
- PORTIONS OF THE E1/2 OF SECTION 13
- PORTIONS OF THE E1/2 AND PORTIONS OF THE E1/2W1/2 OF SECTION 24

- E1/2 AND PORTIONS OF THE E1/2 OF SECTION 25
- E1/2W1/2 AND PORTIONS OF THE W1/2W1/2 OF SECTION 36

**T.24N. R.54E., M.B.D. & M:**

- W1/2, W1/2E1/2, PORTIONS OF THE E1/2E1/2 OF SECTION 1
- SECTIONS 2 THROUGH 36

**T.23N. R.54E., M.B.D. & M:**

- SECTIONS 1-12, 18
- W1/2, NE1/4, PORTIONS OF THE SE1/4 ALL WITHIN SECTION 13
- ALL OF SECTION 14 EXCEPTING THEREFROM A PORTION OF THE SW1/4SW1/4 SECTION 14
- PORTIONS OF THE NE1/4, PORTIONS OF THE E1/2/4SE1/4 SECTION 15
- PORTIONS OF THE NW1/4 AND PORTIONS OF THE NW1/4SW1/4, PORTIONS OF THE NE1/4 ALL WITHIN 16
- N1/2, ~~S~~1/4, PORTIONS OF THE SE1/4 OF SECTION 17
- PORTIONS OF THE NE1/4, PORTIONS OF THE NW1/4, PORTIONS OF THE NW1/2SW1/4 ALL WITHIN SECTION 19 *or the nw1/4sw1/4*
- PORTION OF THE NW1/4NW1/4 OF SECTION 20

**T.23N. R.53E., M.B.D. & M:**

- PORTIONS OF THE E1/2, E1/2W1/2 ALL WITHIN SECTION 2
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 11
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 14
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 23
- W1/2, NE1/4, PORTION OF THE SE1/4 OF SECTION 24
- PORTIONS OF THE N1/2, PORTIONS OF THE NE1/4SW1/4 ALL WITHIN SECTION 26
- SECTIONS, 1, 12, 13 PORTIONS OF THE N1/2NW1/4 SECTION 25

**T.24N. R.53E., M.B.D. & M:**

- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 1
- E1/2, E1/2W1/2, PORTIONS OF THE W1/2W1/2 ALL WITHIN SECTION 12
- E1/2, SW1/4, PORTIONS OF THE NW1/4 ALL WITHIN SECTION 13
- PORTION OF THE SE1/4 OF SECTION 14

- PORTION OF E1/2 SECTION 23
- PORTION OF THE E1/2 OF SECTION 26
- E1/2 AND A PORTION OF THE W1/2 OF SECTION 35
- SECTIONS 24, 25, 36

**T.23N. R.55E., M.B.D. & M:**

- SECTIONS 6, 7
- W1/2, PORTION OF THE W1/2E1/2 ALL WITHIN SECTION 5
- W1/2, PORTIONS OF THE E1/2 ALL WITHIN SECTION 8
- PORTIONS OF THE N1/2N1/2 ALL WITHIN SECTION 17
- PORTIONS OF THE N1/2N1/2 ALL WITHIN SECTION 18

**T.24N. R.55E., M.B.D. & M:**

- PORTIONS OF THE W1/2SW14 ALL WITHIN SECTION 6
- W1/2, PORTIONS OF THE SE1/4 ALL WITHIN SECTION 7
- W1/2, W1/2E1/2, PORTIONS OF THE E1/2<sup>E1/2</sup>NE1/4 ALL WITHIN SECTION 18
- N1/2, PORTIONS OF THE S1/2 ALL WITHIN SECTION 19
- PORTION OF THE W1/2 SECTION 29
- W1/2, SE1/4, PORTIONS OF THE NE1/4 ALL WITHIN SECTION 30
- SECTION 31
- W1/2, PORTIONS OF E1/2 ALL WITHIN SECTION 32

STATE OF NEVADA  
**PROOF OF APPROPRIATION OF WATER**

(Statutory vested water rights are those with a priority date prior to: March 1, 1905 for All Surface Sources; March 22, 1913 for Underground Artesian Waters; March 25, 1939 for Underground Percolating Water)

USE(S):

Primary (Please select only one):

Irrigation  Stock water  Mining and Milling  Domestic   
Municipal  Industrial  Quasi-Municipal  Commercial   
Federal Reserved Right  Other (OTH) \_\_\_\_\_

Secondary (Select all that may be applicable):

Stock water  Domestic

NAME OF CLAIMANT Daniel S. Venturacci

Address 8500 Schurz Highway City of Fallon County of Churchill

State of Nevada Telephone No. 775-426-0918 Email Address buckaroodan@gmail.com

1. Source of water DIAMOND VALLEY SPRING #5  
Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion SPRING TO TROUGH  
Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):  
NE1/4SW1/4 Section 12, T.23N., R.54E., M.D.B.&M, or at a point from which the SW1/4 corner of said Section 12, bears S40°22' 22"W a distance of 2296.97 feet

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun Prior to 1860  
and completed See historical research (Chain of title-proofs volume 1-taxation rolls)

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:  
1859-Possesory interest to current patented owner through transfer of title  
Patented, deeded, public domain with grazing permit, etc.

6. The claimant's water right was / was not recorded in the office of the County Recorder of  
(circle one)  
\_\_\_\_\_ County, at Page \_\_\_\_\_ of Book \_\_\_\_\_ of \_\_\_\_\_

7. The amount of water diverted for the claim's purpose has been measured at  
0.025 cfs cubic feet per second.  
448.83 gallons per minute equals 1 cubic feet per second

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8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):

See Attachment A

(List all places of use for the primary and any secondary purposes being claimed, attaching additional sheet(s) as needed. Describe them as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated. If the watering of livestock is accomplished by utilizing the natural stream channel, then describe the 40-acre legal subdivision at the beginning (upstream point) and the legal subdivision at the end of the stream reach.)

**QUESTIONS REGARDING WATERING OF LIVESTOCK**

9. The approximate number of animals watered by the claimant during the first year of 1894 \_\_\_\_\_ was \_\_\_\_\_ Year  
300 cattle 150 horses 2500 sheep \_\_\_\_\_ other (describe in remarks)

The watering was conducted during each of the following months: January 1 through December 31 of each year

10. The approximate number of animals watered by the claimant in subsequent years was:  
600 cattle 150 horses 2000 sheep \_\_\_\_\_ other (describe in remarks)

11. The water is impounded in Troughs, and reservoir, natural channel  
Trough(s), tank(s), pool(s), reservoir, natural channel, etc.

**QUESTIONS WITH REGARD TO IRRIGATION**

12. The date of survey of ditch, canal, or pipe line was \_\_\_\_\_

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom \_\_\_\_\_ feet, width on top \_\_\_\_\_ feet, depth \_\_\_\_\_ feet, for \_\_\_\_\_ lineal feet of improvement, on a grade of \_\_\_\_\_ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of \_\_\_\_\_ inches with a type of pipe of \_\_\_\_\_ for \_\_\_\_\_ feet in length.  
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not been enlarged.  
(circle one)

16. The work of enlargement of the ditch, canal or pipeline commenced \_\_\_\_\_ and completed \_\_\_\_\_

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STATE ENGINEER'S OFFICE

17. The dimensions of the enlarged ditch or canal are: Width on bottom \_\_\_\_\_ feet, width on top \_\_\_\_\_ feet, depth \_\_\_\_\_ feet, for \_\_\_\_\_ lineal feet of improvement, on a grade of \_\_\_\_\_ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of \_\_\_\_\_ inches with a type of pipe of \_\_\_\_\_ for \_\_\_\_\_ lineal feet in length.  
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

19. The claimant is / is not the owner in the above-described conduit.  
(circle one)

\_\_\_\_\_  
If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of \_\_\_\_\_  
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)  
have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from \_\_\_\_\_ to \_\_\_\_\_ of each year. The average number of cuttings in a year is typically \_\_\_\_\_ cuttings and the maximum number of cuttings in a year is \_\_\_\_\_ cuttings.

22. The water claimed has / has not been used for irrigation each and every year since the right was initiated.  
(circle one)

23. The years during which no water was used for irrigation or during which the full water right was not used were \_\_\_\_\_  
(If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given, appending a sheet if necessary):

\_\_\_\_\_  
24. The characteristics of the soil are \_\_\_\_\_  
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is \_\_\_\_\_ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is \_\_\_\_\_ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is \_\_\_\_\_ cubic feet per second.

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27. List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with their corresponding subdivision. (Attach additional sheets as needed.)

Date	Acres	Quarter-Quarter	Section	Township	Range
_____	_____	acres in the _____ of Sec.	_____, T.	_____, R.	____ E.
				(N./S.), R.	(circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____, R.	____ E.
				(N./S.), R.	(circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____, R.	____ E.
				(N./S.), R.	(circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____, R.	____ E.
				(N./S.), R.	(circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____, R.	____ E.
				(N./S.), R.	(circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____, R.	____ E.
				(N./S.), R.	(circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____, R.	____ E.
				(N./S.), R.	(circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____, R.	____ E.
				(N./S.), R.	(circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____, R.	____ E.
				(N./S.), R.	(circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____, R.	____ E.
				(N./S.), R.	(circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____, R.	____ E.
				(N./S.), R.	(circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____, R.	____ E.
				(N./S.), R.	(circle one)

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**ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING**

See supporting documentation by Ramona Hage Morrison, hearing exhibits and additional information filed in support of the filings

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

Daniel S. Venturacci are full and correct to the best of their knowledge and belief.  
(Name)

Agent for Daniel S. Venturacci

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name George M. Thiel, P.E., S.W.R.S Signature *George M. Thiel*  
(Please type or print name) (Please sign in the presence of a Notary Public)

Address 3950 Steamboat Drive State of NV ZIP Code 89701

Telephone Number 775-722-5380 Email Address GeorgeT@water4NV.com

State of Nevada

County of Washoe

Subscribed and sworn to before me on 7/31/2010  
(Date)

by *George M. Thiel*

*Rachel Ingraham*  
Signature of Notary Public Required



Notary Stamp or Seal Required

**THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM, WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.**

# EXHIBIT A

## Place of Use

### **T.26N. R.54E., M.B.D. & M:**

- ALL OF SECTIONS 33, 34, 35
- ALL OF THE SW1/4, S1/2 OF THE NW1/4, NW1/4NW1/4, PORTIONS OF THE NE1/4NW1/4 AND PORTIONS OF THE E1/2 OF SECTION 36
- PORTIONS OF THE E1/2; SW1/4, PORTIONS OF THE NW1/4 OF SECTION 32
- PORTION OF THE SW1/4 OF SECTION 25
- S1/2, PORTIONS OF THE N1/2 OF SECTION 26
- S1/2, PORTIONS OF THE N1/2 OF SECTION 27
- PORTIONS OF THE SE1/4, PORTIONS OF THE SW1/4 AND PORTIONS OF THE NE1/4 OF SECTION 28
- PORTION OF THE SE1/4SE1/4SE1/4 SECTION 29

### **T.25N. R.54E., M.B.D. & M:**

- ALL OF SECTION 2,, 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35
- PORTIONS OF THE W1/2 OF SECTION 1
- W1/2, PORTIONS OF THE W1/2E1/2, AND PORTIONS OF THE W1/2SE1/4 ALL WITHIN SECTION 12
- W1/2, PORTIONS OF THE W1/2 OF THE E1/2, PORTIONS OF THE SE1/4SE1/4 ALL WITHIN SECTION 24
- W1/2W1/2, PORTIONS OF THE E1/2 OF THE W1/2, PORTIONS OF THE NE1/4 ALL WITHIN SECTION 25
- PORTIONS OF THE NW1/4, ALL OF THE SW1/4, PORTIONS OF THE W1/2E1/2 AND PORTIONS OF THE SW1/4NW1/4 ALL WITHIN SECTION 36
- ALL OF THE E1/2, E1/2W1/2 AND PORTIONS OF THE W1/2 W1/2 ALL WITHIN SECTION 6

### **T.24N. R.54E., M.B.D. & M:**

- PORTIONS OF THE E1/2E1/2 OF SECTION 1
- SECTIONS 2 THROUGH 36

### **T.23N. R.54E., M.B.D. & M:**

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STATE ENGINEER'S OFFICE 1

- SECTIONS 1-12, 18
- W1/2, NE1/4, PORTIONS OF THE SE1/4 ALL WITHIN SECTION 13
- PORTIONS OF THE NE1/4, PORTIONS OF THE NW1/4SE1/4 SECTION 15
- PORTIONS OF THE NW1/4 AND PORTIONS OF THE SW1/4NW1/4 ALL WITHIN 16
- PORTIONS OF THE NE1/4, PORTIONS OF THE NW1/4, PORTIONS OF THE NW1/4SW1/4 ALL WITHIN SECTION 19
- E1/2, E1/2W1/2, W1/2NW1/4, PORTIONS OF THE SW1/4 , ALL WITHIN SECTION 14
- N1/2, SW1/4, PORTIONS OF THE SE1/4 OF SECTION 13

**T.23N. R.53E., M.B.D. & M:**

- PORTIONS OF THE E1/2, E1/2W1/2 ALL WITHIN SECTION 2
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 11
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 14
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 23
- PORTIONS OF THE N1/2, PORTIONS OF THE NW1/4NW1/4 ALL WITHIN SECTION 26
- SECTIONS, 1, 12, 13, 24
- PORTIONS OF THE N1/2NW1/4 SECTION 25

**T.24N. R.53E., M.B.D. & M:**

- SECTIONS 24, 25, 36
- E1/2, SW1/4, PORTIONS OF THE NW1/4 ALL WITHIN SECTION 13
- E1/2, E1/2W1/2, PORTIONS OF THE W1/2W1/2 ALL WITHIN SECTION 12
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 1

**T.23N. R.55E., M.B.D. & M:**

- SECTIONS 6, 7
- W1/2, W1/2E1/2 ALL WITHIN SECTION 5
- W1/2, PORTIONS OF THE E1/2 ALL WITHIN SECTION 8
- PORTIONS OF THE N1/2N1/2 ALL WITHIN SECTION 17
- PORTIONS OF THE N1/2N1/2 ALL WITHIN SECTION 18

**T.24N. R.55E., M.B.D. & M:**

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- PORTIONS OF THE W1/2SW14 ALL WITHIN SECTION 6
- W1/2, PORTIONS OF THE SE1/4 ALL WITHIN SECTION 7
- W1/2, W1/2E1/2, PORTIONS OF THE W1/2NE1/4 ALL WITHIN SECTION 18
- N1/2, PORTIONS OF THE S1/2 ALL WITHIN SECTION 19
- W1/2, SE1/4, PORTIONS OF THE E1/2 OF THE NE1/4 ALL WITHIN SECTION 30
- SECTION 31
- W1/2, PORTIONS OF W1/2E1/2 ALL WITHIN SECTION 32

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3

*Amended*  
STATE OF NEVADA

**PROOF OF APPROPRIATION OF WATER**

(Statutory vested water rights are those with a priority date prior to: March 1, 1905 for All Surface Sources; March 22, 1913 for Underground Artesian Waters; March 25, 1939 for Underground Percolating Water)

USE(S):

Primary (Please select only one):

Irrigation	<input type="checkbox"/>	Stock water	<input checked="" type="checkbox"/>	Mining and Milling	<input type="checkbox"/>	Domestic	<input type="checkbox"/>
Municipal	<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Quasi-Municipal	<input type="checkbox"/>	Commercial	<input type="checkbox"/>
Federal Reserved Right	<input type="checkbox"/>	Other (OTH) _____					

Secondary (Select all that may be applicable):

Stock water	<input type="checkbox"/>	Domestic	<input type="checkbox"/>
-------------	--------------------------	----------	--------------------------

NAME OF CLAIMANT Daniel S. Venturacci

Address 8500 Schurz Highway City of Fallon County of Churchill

State of Nevada Telephone No. 775-426-0918 Email Address buckaroodan@gmail.com

1. Source of water DIAMOND VALLEY SPRING #7  
Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion SPRING TO TROUGH  
Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):  
SE1/4NW1/4 Section 11, T.23N., R.34E., M.D.B.&M, or at a point from which the SE corner of said Section 11,  
bears <sup>S</sup>N45°24' 44"E a distance of 4156.15 feet p. 17

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun Prior to 1860  
 and completed See historical research (Chain of title-proofs volume 1-taxation rolls)

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:  
1859-Possesory interest to current patented owner through transfer of title  
Patented, deeded, public domain with grazing permit, etc.

6. The claimant's water right was / was not recorded in the office of the County Recorder of  
(circle one)  
 \_\_\_\_\_ County, at Page \_\_\_\_\_ of Book \_\_\_\_\_ of \_\_\_\_\_

7. The amount of water diverted for the claim's purpose has been measured at  
0.025 cubic feet per second.  
448.83 gallons per minute equals 1 cubic feet per second

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):  
See Attachment A

(List all places of use for the primary and any secondary purposes being claimed, attaching additional sheet(s) as needed. Describe them as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated. If the watering of livestock is accomplished by utilizing the natural stream channel, then describe the 40-acre legal subdivision at the beginning (upstream point) and the legal subdivision at the end of the stream reach.)

**QUESTIONS REGARDING WATERING OF LIVESTOCK**

9. The approximate number of animals watered by the claimant during the first year of 1894 \_\_\_\_\_ was  
Year  
300 cattle 150 horses 2500 sheep \_\_\_\_\_ other (describe in remarks)

The watering was conducted during each of the following months: January 1 through December 31 of each year

10. The approximate number of animals watered by the claimant in subsequent years was:  
600 cattle 150 horses 2000 sheep \_\_\_\_\_ other (describe in remarks)

11. The water is impounded in Troughs, and reservoir, natural channel  
Trough(s), tank(s), pool(s), reservoir, natural channel, etc.

**QUESTIONS WITH REGARD TO IRRIGATION**

12. The date of survey of ditch, canal, or pipe line was \_\_\_\_\_

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom \_\_\_\_\_ feet, width on top \_\_\_\_\_ feet, depth \_\_\_\_\_ feet, for \_\_\_\_\_ lineal feet of improvement, on a grade of \_\_\_\_\_ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of \_\_\_\_\_ inches with a type of pipe of \_\_\_\_\_ for \_\_\_\_\_ feet in length.  
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not been enlarged.  
(circle one)

16. The work of enlargement of the ditch, canal or pipeline commenced \_\_\_\_\_ and completed \_\_\_\_\_

17. The dimensions of the enlarged ditch or canal are: Width on bottom \_\_\_\_\_ feet, width on top \_\_\_\_\_ feet, depth \_\_\_\_\_ feet, for \_\_\_\_\_ lineal feet of improvement, on a grade of \_\_\_\_\_ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of \_\_\_\_\_ inches with a type of pipe of \_\_\_\_\_ for \_\_\_\_\_ lineal feet in length.  
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

19. The claimant is / is not the owner in the above-described conduit.  
(circle one)

\_\_\_\_\_  
If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of \_\_\_\_\_  
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)

have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from \_\_\_\_\_ to \_\_\_\_\_ of each year. The average number of cuttings in a year is typically \_\_\_\_\_ cuttings and the maximum number of cuttings in a year is \_\_\_\_\_ cuttings.

22. The water claimed has / has not been used for irrigation each and every year since the right was initiated.  
(circle one)

23. The years during which no water was used for irrigation or during which the full water right was not used were (If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given, appending a sheet if necessary):

\_\_\_\_\_

24. The characteristics of the soil are \_\_\_\_\_  
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is \_\_\_\_\_ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is \_\_\_\_\_ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is \_\_\_\_\_ cubic feet per second.



27. List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with their corresponding subdivision. (Attach additional sheets as needed.)

Date	Acres	Quarter-Quarter	Section	Township	Range
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)

**ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING**

See supporting documentation by Ramona Hage Morrison, hearing exhibits and additional information filed in support of the filings

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

Daniel S. Venturacci are full and correct to the best of their knowledge and belief.  
(Name)

Agent for Daniel S. Venturacci

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name George M. Thiel, P.E., S.W.R.S Signature *George M. Thiel*  
(Please type or print name) (Please sign in the presence of a Notary Public)

Address 3950 Steamboat Drive State of NV ZIP Code 89701

Telephone Number 775-722-5380 Email Address GeorgeT@water4NV.com

State of Nevada

County of Washoe

Subscribed and sworn to before me on July 22, 2014  
(Date)

by *George M. Thiel*

*Raechel Ingraham*  
Signature of Notary Public Required



Notary Stamp or Seal Required

**THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM, WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.**

- E1/2 AND PORTIONS OF THE E1/2 OF SECTION 25
- E1/2W1/2 AND PORTIONS OF THE W1/2W1/2 OF SECTION 36

**T.24N. R.54E., M.B.D. & M:**

- W1/2, W1/2E1/2, PORTIONS OF THE E1/2E1/2 OF SECTION 1
- SECTIONS 2 THROUGH 36

**T.23N. R.54E., M.B.D. & M:**

- SECTIONS 1-12, 18
- W1/2, NE1/4, PORTIONS OF THE SE1/4 ALL WITHIN SECTION 13
- ALL OF SECTION 14 EXCEPTING THEREFROM A PORTION OF THE SW1/4SW14 SECTION 14
- PORTIONS OF THE NE1/4, PORTIONS OF THE E1/2/4SE1/4 SECTION 15
- PORTIONS OF THE NW1/4 AND PORTIONS OF THE NW1/4SW1/4, PORTIONS OF THE NE1/4 ALL WITHIN 16
- N1/2, ~~S~~1/4, PORTIONS OF THE SE1/4 OF SECTION 17
- PORTIONS OF THE NE1/4, PORTIONS OF THE NW1/4, PORTIONS OF THE NW1/2SW1/4 ALL WITHIN SECTION 19 *or the NW1/4SW1/4*
- PORTION OF THE NW1/4NW1/4 OF SECTION 20

**T.23N. R.53E., M.B.D. & M:**

- PORTIONS OF THE E1/2, E1/2W1/2 ALL WITHIN SECTION 2
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 11
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 14
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 23
- W1/2, NE1/4, PORTION OF THE SE1/4 OF SECTION 24
- PORTIONS OF THE N1/2, PORTIONS OF THE NE1/4SW1/4 ALL WITHIN SECTION 26
- SECTIONS, 1, 12, 13 PORTIONS OF THE N1/2NW1/4 SECTION 25

**T.24N. R.53E., M.B.D. & M:**

- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 1
- E1/2, E1/2W1/2, PORTIONS OF THE W1/2W1/2 ALL WITHIN SECTION 12
- E1/2, SW1/4, PORTIONS OF THE NW1/4 ALL WITHIN SECTION 13
- PORTION OF THE SE1/4 OF SECTION 14

- PORTION OF E1/2 SECTION 23
- PORTION OF THE E1/2 OF SECTION 26
- E1/2 AND A PORTION OF THE W1/2 OF SECTION 35
- SECTIONS 24, 25, 36

**T.23N. R.55E., M.B.D. & M:**

- SECTIONS 6, 7
- W1/2, PORTION OF THE W1/2E1/2 ALL WITHIN SECTION 5
- W1/2, PORTIONS OF THE E1/2 ALL WITHIN SECTION 8
- PORTIONS OF THE N1/2N1/2 ALL WITHIN SECTION 17
- PORTIONS OF THE N1/2N1/2 ALL WITHIN SECTION 18

**T.24N. R.55E., M.B.D. & M:**

- PORTIONS OF THE W1/2SW1/4 ALL WITHIN SECTION 6
- W1/2, PORTIONS OF THE SE1/4 ALL WITHIN SECTION 7
- W1/2, W1/2E1/2, PORTIONS OF THE E1/2<sup>E1/2</sup>NE1/4 ALL WITHIN SECTION 18
- N1/2, PORTIONS OF THE S1/2 ALL WITHIN SECTION 19
- PORTION OF THE W1/2 SECTION 29
- W1/2, SE1/4, PORTIONS OF THE NE1/4 ALL WITHIN SECTION 30
- SECTION 31
- W1/2, PORTIONS OF E1/2 ALL WITHIN SECTION 32

**EXHIBIT A**

## Place of Use

**T.26N. R.54E., M.B.D. & M:**

- ALL OF SECTIONS 33, 34, 35
- ALL OF THE SW1/4, S1/2 OF THE NW1/4, NW1/4NW1/4, PORTIONS OF THE NE1/4NW1/4 AND PORTIONS OF THE E1/2 OF SECTION 36
- PORTIONS OF THE E1/2; SW1/4, PORTIONS OF THE NW1/4 OF SECTION 32
- PORTION OF THE SW1/4 OF SECTION 25
- S1/2, PORTIONS OF THE N1/2 OF SECTION 26
- S1/2, PORTIONS OF THE N1/2 OF SECTION 27
- PORTIONS OF THE SE1/4, PORTIONS OF THE SW1/4 AND PORTIONS OF THE NE1/4 OF SECTION 28
- PORTION OF THE SE1/4SE1/4SE1/4 SECTION 29
- PORTIONS OF THE SE1/4; SE1/4NE1/4 OF 31

**T.25N. R.54E., M.B.D. & M:**

- ALL OF SECTION 2, 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35
- PORTIONS OF THE W1/2 OF SECTION 1
- W1/2, PORTIONS OF THE W1/2E1/2, AND PORTIONS OF THE W1/2SE1/4 ALL WITHIN SECTION 12
- W1/2, PORTIONS OF THE W1/2 OF THE E1/2, PORTIONS OF THE SE1/4SE1/4 ALL WITHIN SECTION 24
- W1/2W1/2, PORTIONS OF THE E1/2 OF THE W1/2, PORTIONS OF THE NE1/4 ALL WITHIN SECTION 25
- PORTIONS OF THE NW1/4, ALL OF THE SW1/4, PORTIONS OF THE W1/2E1/2 AND PORTIONS WITHIN SECTION 36
- ALL OF THE E1/2, E1/2W1/2 AND PORTIONS OF THE W1/2 W1/2 ALL WITHIN SECTION 6
- PORTIONS OF THE W1/2, E1/2NE1/4, NE1/4, W1/2SE14 SECTION 13

**T.25N., R53E., M.B.D&M:**

- PORTIONS OF THE E1/2 OF SECTION 12
- PORTIONS OF THE E1/2 OF SECTION 13
- PORTIONS OF THE E1/2 AND PORTIONS OF THE E1/2W1/2 OF SECTION 24

STATE OF NEVADA  
**PROOF OF APPROPRIATION OF WATER**

(Statutory vested water rights are those with a priority date prior to: March 1, 1905 for All Surface Sources; March 22, 1913 for Underground Artesian Waters; March 25, 1939 for Underground Percolating Water)

USE(S):

Primary (Please select only one):

Irrigation  Stock water  Mining and Milling  Domestic   
Municipal  Industrial  Quasi-Municipal  Commercial   
Federal Reserved Right  Other (OTH) \_\_\_\_\_

Secondary (Select all that may be applicable):

Stock water  Domestic

NAME OF CLAIMANT Daniel S. Venturacci

Address 8500 Schurz Highway City of Fallon County of Churchill

State of Nevada Telephone No. 775-426-0918 Email Address buckaroodan@gmail.com

1. Source of water DIAMOND VALLEY SPRING #7  
Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion SPRING TO TROUGH  
Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):  
SE1/4NW1/4 Section 11, T.23N., R.54E., M.D.B.&M, or at a point from which the SE1/4 corner of said Section 11, bears N45°24' 44"E a distance of 4156.15 feet

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun Prior to 1860  
and completed See historical research (Chain of title-proofs volume I-taxation rolls)

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:  
1859-Possesory interest to current patented owner through transfer of title  
Patented, deeded, public domain with grazing permit, etc.

6. The claimant's water right was / was not recorded in the office of the County Recorder of  
(circle one)  
\_\_\_\_\_ County, at Page \_\_\_\_\_ of Book \_\_\_\_\_ of \_\_\_\_\_.

7. The amount of water diverted for the claim's purpose has been measured at  
0.025 cfs cubic feet per second.  
448.83 gallons per minute equals 1 cubic feet per second

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10-153  
24

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):  
See Attachment A

(List all places of use for the primary and any secondary purposes being claimed, attaching additional sheet(s) as needed. Describe them as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated. If the watering of livestock is accomplished by utilizing the natural stream channel, then describe the 40-acre legal subdivision at the beginning (upstream point) and the legal subdivision at the end of the stream reach.)

**QUESTIONS REGARDING WATERING OF LIVESTOCK**

9. The approximate number of animals watered by the claimant during the first year of 1894 \_\_\_\_\_ was \_\_\_\_\_  
\_\_\_\_\_ 300 cattle \_\_\_\_\_ 150 horses \_\_\_\_\_ 2500 sheep \_\_\_\_\_ Year \_\_\_\_\_ other (describe in remarks)

The watering was conducted during each of the following months: January 1 through December 31 of each year

10. The approximate number of animals watered by the claimant in subsequent years was:  
\_\_\_\_\_ 600 cattle \_\_\_\_\_ 150 horses \_\_\_\_\_ 2000 sheep \_\_\_\_\_ other (describe in remarks)

11. The water is impounded in Troughs, and reservoir, natural channel  
Trough(s), tank(s), pool(s), reservoir, natural channel, etc.

**QUESTIONS WITH REGARD TO IRRIGATION**

12. The date of survey of ditch, canal, or pipe line was \_\_\_\_\_

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom \_\_\_\_\_ feet, width on top \_\_\_\_\_ feet, depth \_\_\_\_\_ feet, for \_\_\_\_\_ lineal feet of improvement, on a grade of \_\_\_\_\_ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of \_\_\_\_\_ inches with a type of pipe of \_\_\_\_\_ for \_\_\_\_\_ feet in length.  
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not been enlarged.  
(circle one)

16. The work of enlargement of the ditch, canal or pipeline commenced \_\_\_\_\_ and completed \_\_\_\_\_

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Page 2

STATE ENGINEER'S OFFICE

17. The dimensions of the enlarged ditch or canal are: Width on bottom \_\_\_\_\_ feet, width on top \_\_\_\_\_ feet, depth \_\_\_\_\_ feet, for \_\_\_\_\_ lineal feet of improvement, on a grade of \_\_\_\_\_ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of \_\_\_\_\_ inches with a type of pipe of \_\_\_\_\_ for \_\_\_\_\_ lineal feet in length.  
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

19. The claimant is / is not the owner in the above-described conduit.  
(circle one)

\_\_\_\_\_  
If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of \_\_\_\_\_  
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)  
have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from \_\_\_\_\_ to \_\_\_\_\_ of each year. The average number of cuttings in a year is typically \_\_\_\_\_ cuttings and the maximum number of cuttings in a year is \_\_\_\_\_ cuttings.

22. The water claimed has / has not been used for irrigation each and every year since the right was initiated.  
(circle one)

23. The years during which no water was used for irrigation or during which the full water right was not used were \_\_\_\_\_  
(If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given, appending a sheet if necessary):

\_\_\_\_\_  
24. The characteristics of the soil are \_\_\_\_\_  
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is \_\_\_\_\_ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is \_\_\_\_\_ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is \_\_\_\_\_ cubic feet per second.

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Page 3

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27. List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with their corresponding subdivision. (Attach additional sheets as needed.)

Date	Acres	Quarter-Quarter	Section	Township	Range
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)
_____	_____	acres in the _____ of Sec. _____	_____	, T. _____ (N./S.), R. _____ E.	(circle one)

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**ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING**

See supporting documentation by Ramona Hage Morrison, hearing exhibits and additional information filed in support of the filings

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

Daniel S. Venturacci are full and correct to the best of their knowledge and belief.  
(Name)

Agent for Daniel S. Venturacci

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name George M. Thiel, P.E., S.W.R.S  
(Please type or print name)

Signature

*George M. Thiel*  
(Please sign in the presence of a Notary Public)

Address 3950 Steamboat Drive

State of NV ZIP Code 89701

Telephone Number 775-722-5380

Email Address GeorgeT@water4NV.com

State of Nevada

County of Washoe

Subscribed and sworn to before me on 5/31/2016  
(Date)

by George M. Thiel

*Rachel Ingraham*

Signature of Notary Public Required



Notary Stamp or Seal Required

**THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM, WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.**

# EXHIBIT A

## Place of Use

### T.26N. R.54E., M.B.D. & M:

- ALL OF SECTIONS 33, 34, 35
- ALL OF THE SW1/4, S1/2 OF THE NW1/4, NW1/4NW1/4, PORTIONS OF THE NE1/4NW1/4 AND PORTIONS OF THE E1/2 OF SECTION 36
- PORTIONS OF THE E1/2; SW1/4, PORTIONS OF THE NW1/4 OF SECTION 32
- PORTION OF THE SW1/4 OF SECTION 25
- S1/2, PORTIONS OF THE N1/2 OF SECTION 26
- S1/2, PORTIONS OF THE N1/2 OF SECTION 27
- PORTIONS OF THE SE1/4, PORTIONS OF THE SW1/4 AND PORTIONS OF THE NE1/4 OF SECTION 28
- PORTION OF THE SE1/4SE1/4SE1/4 SECTION 29

### T.25N. R.54E., M.B.D. & M:

- ALL OF SECTION 2,, 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35
- PORTIONS OF THE W1/2 OF SECTION 1
- W1/2, PORTIONS OF THE W1/2E1/2, AND PORTIONS OF THE W1/2SE1/4 ALL WITHIN SECTION 12
- W1/2, PORTIONS OF THE W1/2 OF THE E1/2, PORTIONS OF THE SE1/4SE1/4 ALL WITHIN SECTION 24
- W1/2W1/2, PORTIONS OF THE E1/2 OF THE W1/2, PORTIONS OF THE NE1/4 ALL WITHIN SECTION 25
- PORTIONS OF THE NW1/4, ALL OF THE SW1/4, PORTIONS OF THE W1/2E1/2 AND PORTIONS OF THE SW1/4NW1/4 ALL WITHIN SECTION 36
- ALL OF THE E1/2, E1/2W1/2 AND PORTIONS OF THE W1/2 W1/2 ALL WITHIN SECTION 6

### T.24N. R.54E., M.B.D. & M:

- PORTIONS OF THE E1/2E1/2 OF SECTION 1
- SECTIONS 2 THROUGH 36

### T.23N. R.54E., M.B.D. & M:

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- SECTIONS 1-12, 18
- W1/2, NE1/4, PORTIONS OF THE SE1/4 ALL WITHIN SECTION 13
- PORTIONS OF THE NE1/4, PORTIONS OF THE NW1/4SE1/4 SECTION 15
- PORTIONS OF THE NW1/4 AND PORTIONS OF THE SW1/4NW1/4 ALL WITHIN 16
- PORTIONS OF THE NE1/4, PORTIONS OF THE NW1/4, PORTIONS OF THE NW1/4SW1/4 ALL WITHIN SECTION 19
- E1/2, E1/2W1/2, W1/2NW1/4, PORTIONS OF THE SW1/4 , ALL WITHIN SECTION 14
- N1/2, SW1/4, PORTIONS OF THE SE1/4 OF SECTION 13

**T.23N. R.53E., M.B.D. & M:**

- PORTIONS OF THE E1/2, E1/2W1/2 ALL WITHIN SECTION 2
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 11
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 14
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 23
- PORTIONS OF THE N1/2, PORTIONS OF THE NW1/4NW1/4 ALL WITHIN SECTION 26
- SECTIONS, 1, 12, 13, 24
- PORTIONS OF THE N1/2NW1/4 SECTION 25

**T.24N. R.53E., M.B.D. & M:**

- SECTIONS 24, 25, 36
- E1/2, SW1/4, PORTIONS OF THE NW1/4 ALL WITHIN SECTION 13
- E1/2, E1/2W1/2, PORTIONS OF THE W1/2W1/2 ALL WITHIN SECTION 12
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 1

**T.23N. R.55E., M.B.D. & M:**

- SECTIONS 6, 7
- W1/2, W1/2E1/2 ALL WITHIN SECTION 5
- W1/2, PORTIONS OF THE E1/2 ALL WITHIN SECTION 8
- PORTIONS OF THE N1/2N1/2 ALL WITHIN SECTION 17
- PORTIONS OF THE N1/2N1/2 ALL WITHIN SECTION 18

**T.24N. R.55E., M.B.D. & M:**

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MAY 31 2016

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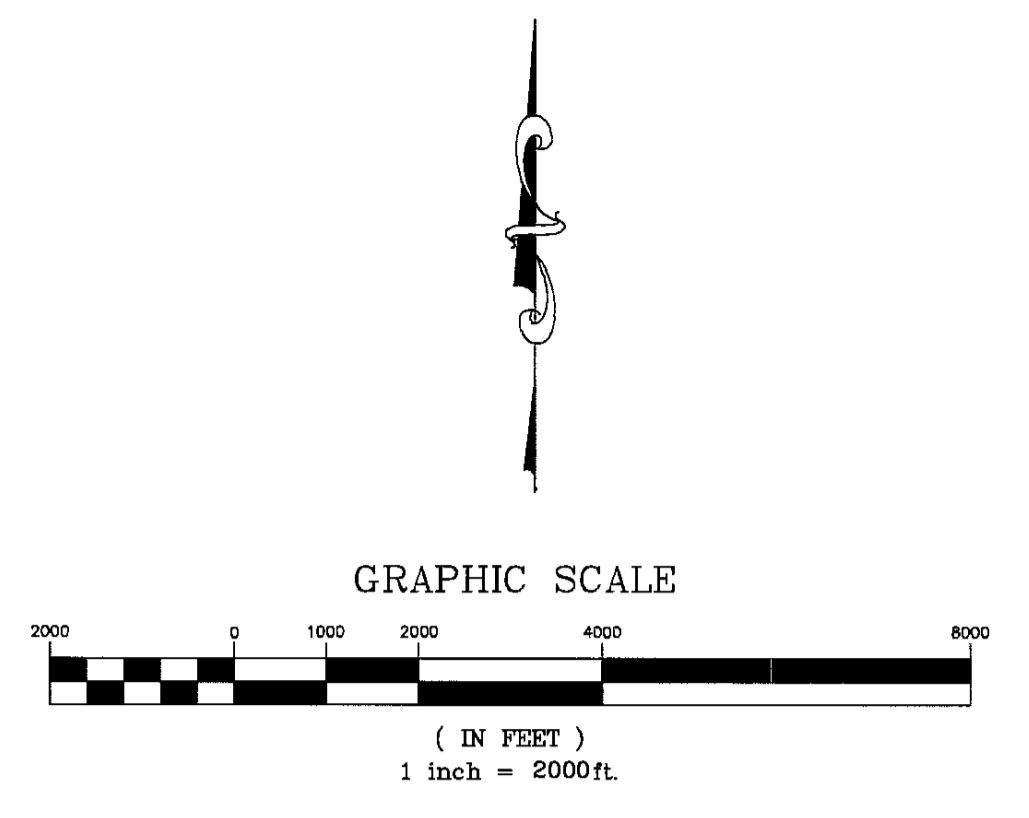
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- W1/2, PORTIONS OF THE SE1/4 ALL WITHIN SECTION 7
- W1/2, W1/2E1/2, PORTIONS OF THE W1/2NE1/4 ALL WITHIN SECTION 18
- N1/2, PORTIONS OF THE S1/2 ALL WITHIN SECTION 19
- W1/2, SE1/4, PORTIONS OF THE E1/2 OF THE NE1/4 ALL WITHIN SECTION 30
- SECTION 31
- W1/2, PORTIONS OF W1/2E1/2 ALL WITHIN SECTION 32

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**MAY 31 2016**

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3



- LEGEND**
- PROPOSED POINT OF DIVERSION
  - FOUND SECTION CORNER AS NOTED
  - FOUND QUARTER CORNER AS NOTED

SHEET 3 OF 3

MAP TO ACCOMPANY PROOFS OF APPROPRIATION  
 BY  
**DANIEL S. VENTURACCI**  
 FOR STOCK WATER USE  
 FROM SURFACE WATER SOURCES

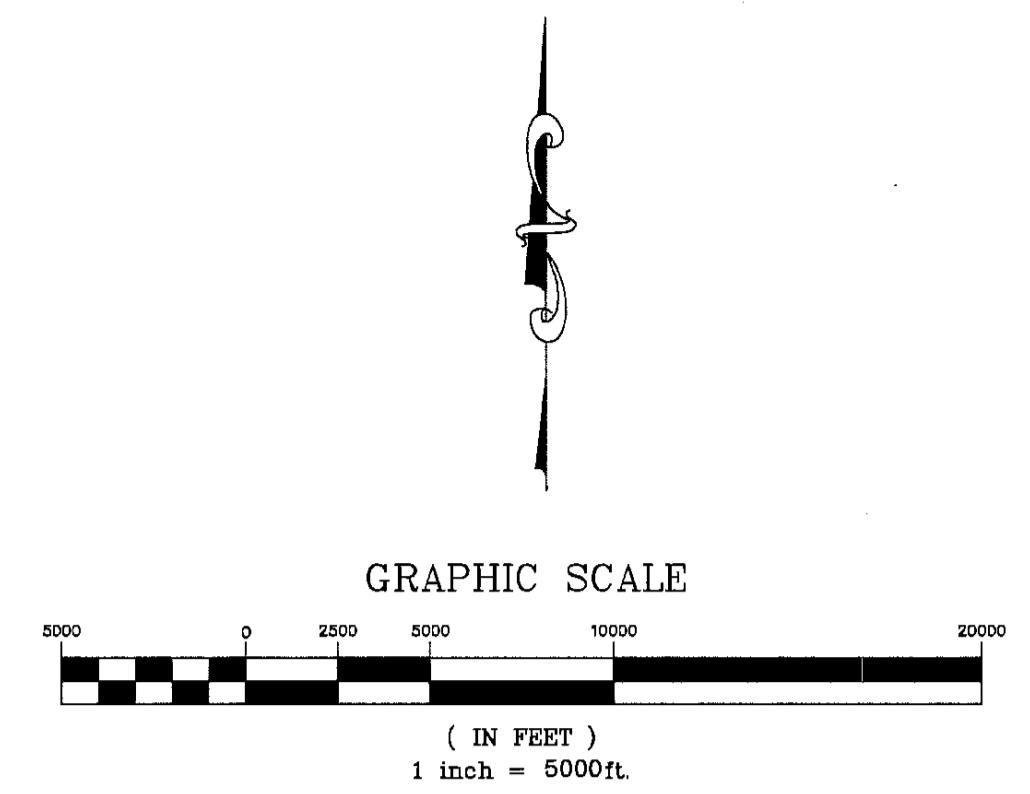
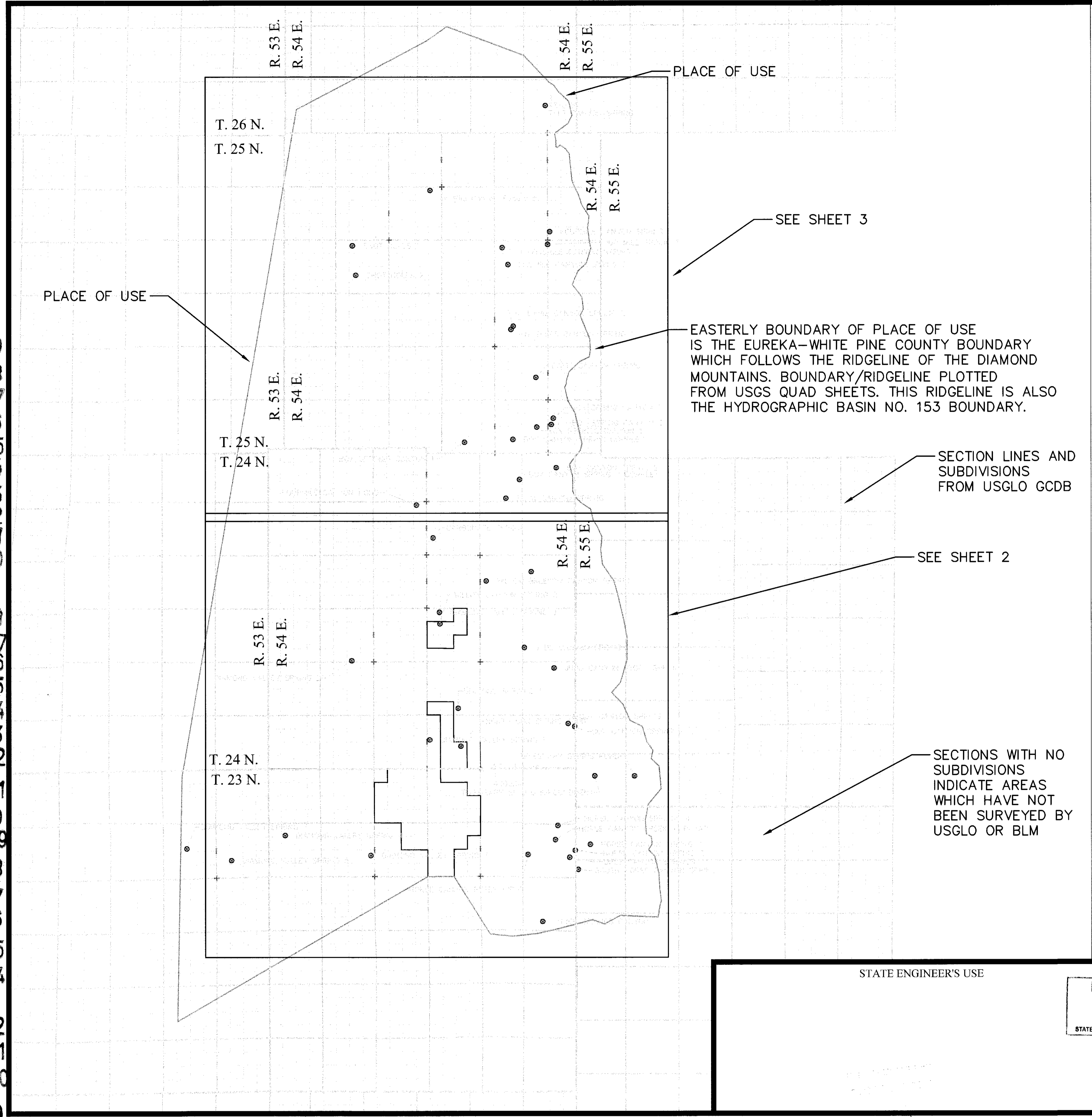
POR. T. 23 - 26 N., R. 54 & 55 E., M. D. B. & M.

ELUREKA COUNTY NEVADA

V11019  
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 V11017  
 V11016

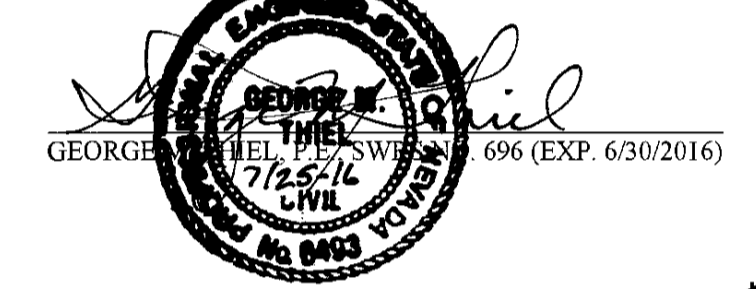
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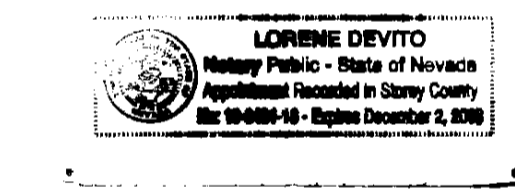


STATE OF NEVADA }  
 COUNTY OF WASHOE } S.S.

I, GEORGE M. THIEL, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT SITE INSPECTIONS HAVE BEEN MADE BY ME, OR UNDER MY SUPERVISION, ON OR BEFORE 3 APRIL 2016; THAT THE LOCATION OF EACH REFERENCE MONUMENT HAS BEEN VERIFIED BY SITE INSPECTION; THAT THE PLACE OF USE SITES HAVE BEEN INSPECTED; THAT THIS MAP, CONSISTING OF ONE SHEET, HAS BEEN DRAWN TO THE DESIGNATED SCALE FROM SURVEYING NOTES OR CALCULATIONS PREPARED BY ME, OR UNDER MY SUPERVISION AND DIRECTION, RELYING UPON ANALYSIS OF RECORDED SURVEY MAPS AND OTHER RECORDED SURVEYING DOCUMENTS ON FILE IN THE OFFICE OF THE STATE ENGINEER, THE EUREKA COUNTY RECORDER'S OFFICE AND THE OFFICES OF THE U.S. BUREAU OF LAND MANAGEMENT; THAT THIS MAP TRULY AND CORRECTLY REPRESENTS THE PROPOSED LOCATION AND EXTENT OF THE WORKS TO DIVERT WATER FROM SURFACE AND GROUNDWATER DISCHARGES IN EUREKA COUNTY, NEVADA, BY DANIEL S. VENTURACCI FOR BENEFICIAL USE; THAT THE PROPOSED POINT OF DIVERSION, THE PLACE OF USE, AND THE LOCATION ARE FULLY PROVIDED HEREON.






SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 25<sup>th</sup> DAY OF July, 2016.  
 NOTARY PUBLIC IN AND FOR Storey COUNTY, NEVADA  
 MY COMMISSION EXPIRES December 2, 2018  
*Joane DeVito*



**BASIS OF BEARINGS**  
 EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 34 TOWNSHIP 24 NORTH, RANGE 54 EAST, BETWEEN FOUND MONUMENTS, AS SHOWN ON SHEET 2.

**NOTE**  
 SEE MAP FILED UNDER PERMIT NO. 82573 FOR PROPOSED PLACE OF USE.

- LEGEND**
-  PROPOSED POINT OF DIVERSION
  -  FOUND SECTION CORNER AS NOTED
  -  FOUND QUARTER CORNER AS NOTED

SHEET 1 OF 3

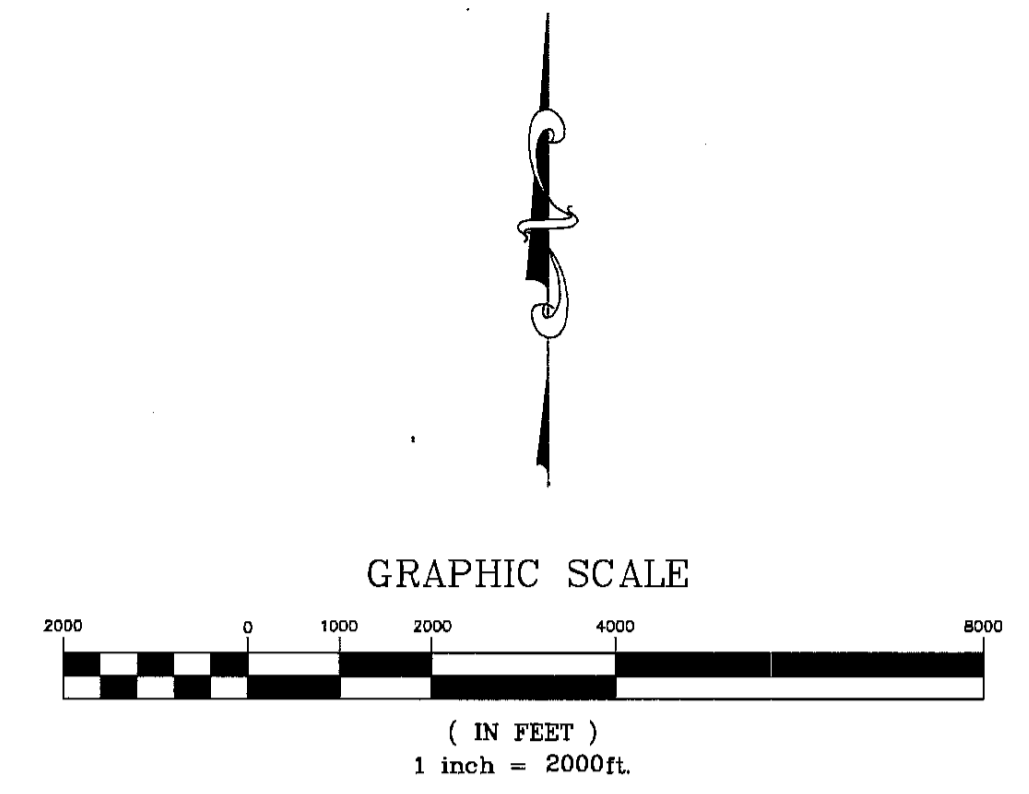
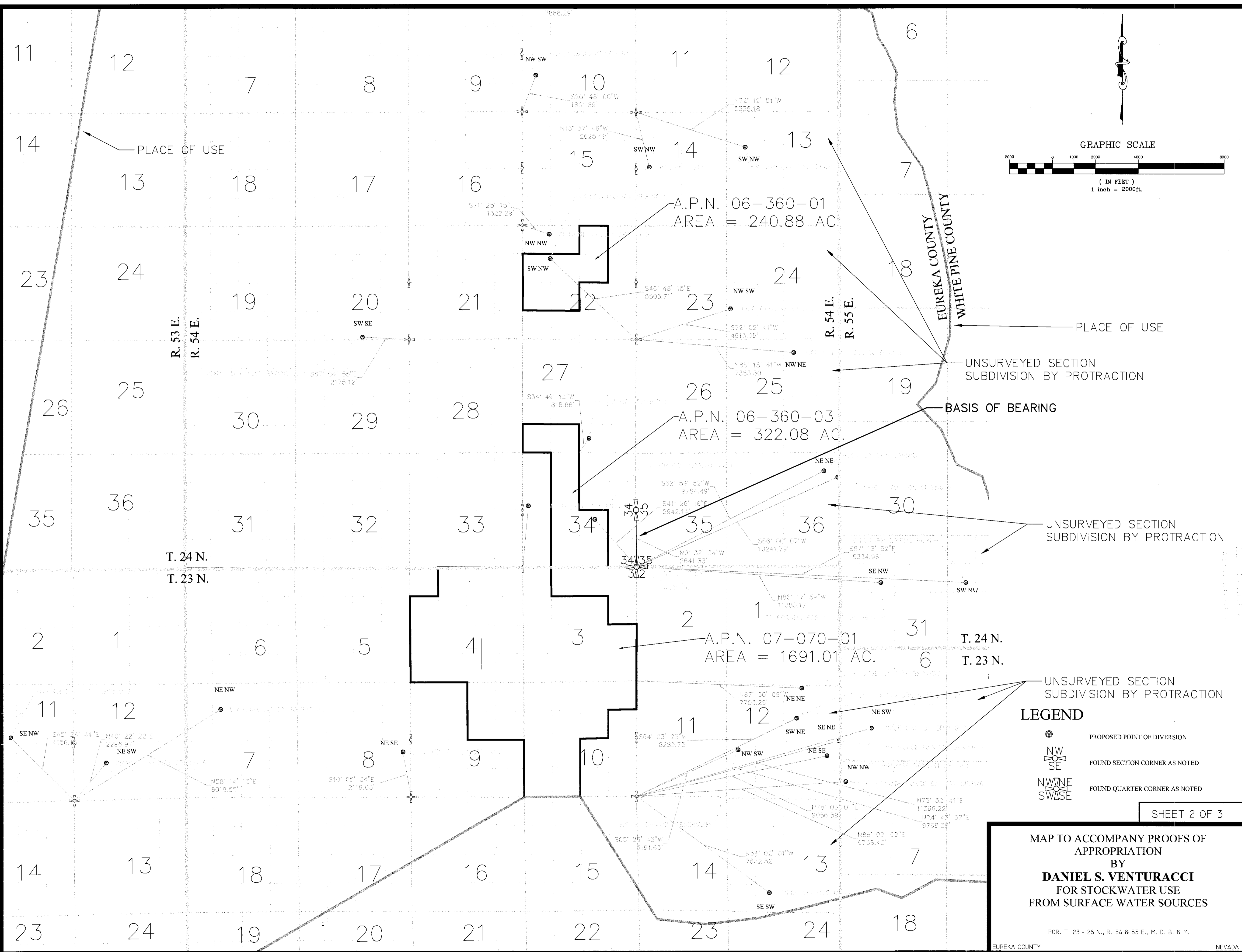
STATE ENGINEER'S USE

**FILED**  
 JUL 25 2016  
 STATE ENGINEER'S OFFICE

MAP TO ACCOMPANY PROOFS OF APPROPRIATION  
 BY  
**DANIEL S. VENTURACCI**  
 FOR STOCK WATER USE  
 FROM SURFACE WATER SOURCES

POR. T. 23 - 26 N., R. 54 & 55 E., M. D. B. & M.  
 EUREKA COUNTY NEVADA

V10987 V10986 V10985 V10984 V10983 V10982 V10981 V10980 V10979 V10978 V10977 V10976 V10975 V10974



**V11002**  
**V11001**  
**V10998**  
**V10997**  
**V10996**  
**V10995**  
**V10994**  
**V10993**  
**V10992**  
**V10991**  
**V10990**  
**V10989**  
**V10988 V10987 V10986 V10985 V10984 V10983 V10982 V10981 V10980 V10979 V10978 V10977 V10976 V10975 V10974**

**LEGEND**

- PROPOSED POINT OF DIVERSION
- FOUND SECTION CORNER AS NOTED
- FOUND QUARTER CORNER AS NOTED

SHEET 2 OF 3

MAP TO ACCOMPANY PROOFS OF  
 APPROPRIATION  
 BY  
**DANIEL S. VENTURACCI**  
 FOR STOCK WATER USE  
 FROM SURFACE WATER SOURCES

FOR. T. 23 - 26 N., R. 54 & 55 E., M. D. B. & M.  
 EUREKA COUNTY NEVADA



*Amended*

STATE OF NEVADA  
**PROOF OF APPROPRIATION OF WATER**

(Statutory vested water rights are those with a priority date prior to: March 1, 1905 for All Surface Sources; March 22, 1913 for Underground Artesian Waters; March 25, 1939 for Underground Percolating Water)

USE(S):

Primary (Please select only one):

Irrigation	<input type="checkbox"/>	Stock water	<input checked="" type="checkbox"/>	Mining and Milling	<input type="checkbox"/>	Domestic	<input type="checkbox"/>
Municipal	<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Quasi-Municipal	<input type="checkbox"/>	Commercial	<input type="checkbox"/>
Federal Reserved Right	<input type="checkbox"/>	Other (OTH) _____					

Secondary (Select all that may be applicable):

Stock water	<input type="checkbox"/>	Domestic	<input type="checkbox"/>
-------------	--------------------------	----------	--------------------------

NAME OF CLAIMANT Daniel S. Venturacci

Address 8500 Schurz Highway City of Fallon County of Churchill

State of Nevada Telephone No. 775-426-0918 Email Address buckaroodan@gmail.com

1. Source of water Four Mile Canyon Spring 4  
Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion pipeline, troughs and reservoir  
Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):  
SW1/4SW1/4 Section 12, T.25N., R.54E M.D.B.&M, or at a point from which the SW corner of said Section 12, bears S12°29' 12" W a distance of 873.72 feet

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun Prior to 1860  
 and completed See historical research (Chain of title-proofs volume 1-taxation rolls)

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:  
1859-Possesory interest to current patented owner through transfer of title  
Patented, deeded, public domain with grazing permit, etc.

6. The claimant's water right was / was not recorded in the office of the County Recorder of  
(circle one)  
 \_\_\_\_\_ County, at Page \_\_\_\_\_ of Book \_\_\_\_\_ of \_\_\_\_\_

7. The amount of water diverted for the claim's purpose has been measured at  
0.025 cfs cubic feet per second.  
448.83 gallons per minute equals 1 cubic feet per second

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):

See Attachment A

(List all places of use for the primary and any secondary purposes being claimed, attaching additional sheet(s) as needed. Describe them as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated. If the watering of livestock is accomplished by utilizing the natural stream channel, then describe the 40-acre legal subdivision at the beginning (upstream point) and the legal subdivision at the end of the stream reach.)

**QUESTIONS REGARDING WATERING OF LIVESTOCK**

9. The approximate number of animals watered by the claimant during the first year of 1894 was \_\_\_\_\_ was  
Year  
300 cattle 150 horses 2500 sheep \_\_\_\_\_ other (describe in remarks)

The watering was conducted during each of the following months: January 1 through December 31 of each year

10. The approximate number of animals watered by the claimant in subsequent years was:  
600 cattle 150 horses 2000 sheep \_\_\_\_\_ other (describe in remarks)

11. The water is impounded in Troughs, and reservoir, natural channel  
Trough(s), tank(s), pool(s), reservoir, natural channel, etc.

**QUESTIONS WITH REGARD TO IRRIGATION**

12. The date of survey of ditch, canal, or pipe line was \_\_\_\_\_

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom \_\_\_\_\_ feet, width on top \_\_\_\_\_ feet, depth \_\_\_\_\_ feet, for \_\_\_\_\_ lineal feet of improvement, on a grade of \_\_\_\_\_ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of \_\_\_\_\_ inches with a type of pipe of \_\_\_\_\_ for \_\_\_\_\_ feet in length.  
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not been enlarged.  
(circle one)

16. The work of enlargement of the ditch, canal or pipeline commenced \_\_\_\_\_ and completed \_\_\_\_\_

17. The dimensions of the enlarged ditch or canal are: Width on bottom \_\_\_\_\_ feet, width on top \_\_\_\_\_ feet, depth \_\_\_\_\_ feet, for \_\_\_\_\_ lineal feet of improvement, on a grade of \_\_\_\_\_ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of \_\_\_\_\_ inches with a type of pipe of \_\_\_\_\_ for \_\_\_\_\_ lineal feet in length.  
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

19. The claimant is / is not the owner in the above-described conduit.  
(circle one)

\_\_\_\_\_  
If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of \_\_\_\_\_  
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)  
have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from \_\_\_\_\_ to \_\_\_\_\_ of each year. The average number of cuttings in a year is typically \_\_\_\_\_ cuttings and the maximum number of cuttings in a year is \_\_\_\_\_ cuttings.

22. The water claimed has / has not been used for irrigation each and every year since the right was initiated.  
(circle one)

23. The years during which no water was used for irrigation or during which the full water right was not used were \_\_\_\_\_  
(If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given, appending a sheet if necessary):

\_\_\_\_\_  
24. The characteristics of the soil are \_\_\_\_\_  
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is \_\_\_\_\_ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is \_\_\_\_\_ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is \_\_\_\_\_ cubic feet per second.

27. List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with their corresponding subdivision. (Attach additional sheets as needed.)

Date	Acres	Quarter-Quarter	Section	Township	Range
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)

**ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING**

**10 15**

See supporting documentation by Ramona Hage Morrison, hearing exhibits and additional information filed in support of the filings

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

Daniel S. Venturacci are full and correct to the best of their knowledge and belief.  
(Name)

Agent for Daniel S. Venturacci

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant

Name George M. Thiel, P.E., S.W.R.S  
(Please type or print name)

Signature

*George M. Thiel*  
(Please sign in the presence of a Notary Public)

Address 3950 Steamboat Drive

State of NV ZIP Code 89701

Telephone Number 775-722-5380

Email Address GeorgeT@water4NV.com

State of Nevada

County of Washoe

Subscribed and sworn to before me on July 22, 2010  
(Date)

by George M. Thiel

*Raechel Ingraham*

Signature of Notary Public Required



Notary Stamp or Seal Required

**THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM, WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.**

# EXHIBIT A

## Place of Use

10 15

### **T.26N. R.54E., M.B.D. & M:**

- ALL OF SECTIONS 33, 34, 35
- ALL OF THE SW1/4, S1/2 OF THE NW1/4, NW1/4NW1/4, PORTIONS OF THE NE1/4NW1/4 AND PORTIONS OF THE E1/2 OF SECTION 36
- PORTIONS OF THE E1/2; SW1/4, PORTIONS OF THE NW1/4 OF SECTION 32
- PORTION OF THE SW1/4 OF SECTION 25
- S1/2, PORTIONS OF THE N1/2 OF SECTION 26
- S1/2, PORTIONS OF THE N1/2 OF SECTION 27
- PORTIONS OF THE SE1/4, PORTIONS OF THE SW1/4 AND PORTIONS OF THE NE1/4 OF SECTION 28
- PORTION OF THE SE1/4SE1/4SE1/4 SECTION 29
- PORTIONS OF THE SE1/4; SE1/4NE1/4 OF 31

### **T.25N. R.54E., M.B.D. & M:**

- ALL OF SECTION 2, 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35
- PORTIONS OF THE W1/2 OF SECTION 1
- W1/2, PORTIONS OF THE W1/2E1/2, AND PORTIONS OF THE W1/2SE1/4 ALL WITHIN SECTION 12
- W1/2, PORTIONS OF THE W1/2 OF THE E1/2, PORTIONS OF THE SE1/4SE1/4 ALL WITHIN SECTION 24
- W1/2W1/2, PORTIONS OF THE E1/2 OF THE W1/2, PORTIONS OF THE NE1/4 ALL WITHIN SECTION 25
- PORTIONS OF THE NW1/4, ALL OF THE SW1/4, PORTIONS OF THE W1/2E1/2 AND PORTIONS WITHIN SECTION 36
- ALL OF THE E1/2, E1/2W1/2 AND PORTIONS OF THE W1/2 W1/2 ALL WITHIN SECTION 6
- PORTIONS OF THE W1/2, E1/2NE1/4, NE1/4, W1/2SE14 SECTION 13

### **T.25N., R53E., M.B.D&M:**

- PORTIONS OF THE E1/2 OF SECTION 12
- PORTIONS OF THE E1/2 OF SECTION 13
- PORTIONS OF THE E1/2 AND PORTIONS OF THE E1/2W1/2 OF SECTION 24

- E1/2 AND PORTIONS OF THE E1/2 OF SECTION 25
- E1/2W1/2 AND PORTIONS OF THE W1/2W1/2 OF SECTION 36

**T.24N. R.54E., M.B.D. & M:**

- W1/2, W1/2E1/2, PORTIONS OF THE E1/2E1/2 OF SECTION 1
- SECTIONS 2 THROUGH 36

**T.23N. R.54E., M.B.D. & M:**

- SECTIONS 1-12, 18
- W1/2, NE1/4, PORTIONS OF THE SE1/4 ALL WITHIN SECTION 13
- ALL OF SECTION 14 EXCEPTING THEREFROM A PORTION OF THE SW1/4SW14 SECTION 14
- PORTIONS OF THE NE1/4, PORTIONS OF THE E1/2/4SE1/4 SECTION 15
- PORTIONS OF THE NW1/4 AND PORTIONS OF THE NW1/4SW1/4, PORTIONS OF THE NE1/4 ALL WITHIN 16
- N1/2, ~~S~~1/4, PORTIONS OF THE SE1/4 OF SECTION 17
- PORTIONS OF THE NE1/4, PORTIONS OF THE NW1/4, PORTIONS OF THE NW1/2SW1/4 ALL WITHIN SECTION 19 *or the nw1/4sw1/4*
- PORTION OF THE NW1/4NW1/4 OF SECTION 20

**T.23N. R.53E., M.B.D. & M:**

- PORTIONS OF THE E1/2, E1/2W1/2 ALL WITHIN SECTION 2
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 11
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 14
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 23
- W1/2, NE1/4, PORTION OF THE SE1/4 OF SECTION 24
- PORTIONS OF THE N1/2, PORTIONS OF THE NE1/4SW1/4 ALL WITHIN SECTION 26
- SECTIONS, 1, 12, 13 PORTIONS OF THE N1/2NW1/4 SECTION 25

**T.24N. R.53E., M.B.D. & M:**

- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 1
- E1/2, E1/2W1/2, PORTIONS OF THE W1/2W1/2 ALL WITHIN SECTION 12
- E1/2, SW1/4, PORTIONS OF THE NW1/4 ALL WITHIN SECTION 13
- PORTION OF THE SE1/4 OF SECTION 14

- PORTION OF E1/2 SECTION 23
- PORTION OF THE E1/2 OF SECTION 26
- E1/2 AND A PORTION OF THE W1/2 OF SECTION 35
- SECTIONS 24, 25, 36

**T.23N. R.55E., M.B.D. & M:**

- SECTIONS 6, 7
- W1/2, PORTION OF THE W1/2E1/2 ALL WITHIN SECTION 5
- W1/2, PORTIONS OF THE E1/2 ALL WITHIN SECTION 8
- PORTIONS OF THE N1/2N1/2 ALL WITHIN SECTION 17
- PORTIONS OF THE N1/2N1/2 ALL WITHIN SECTION 18

**T.24N. R.55E., M.B.D. & M:**

- PORTIONS OF THE W1/2SW1/4 ALL WITHIN SECTION 6
- W1/2, PORTIONS OF THE SE1/4 ALL WITHIN SECTION 7
- W1/2, W1/2E1/2, PORTIONS OF THE E1/2<sup>E1/2</sup>NE1/4 ALL WITHIN SECTION 18
- N1/2, PORTIONS OF THE S1/2 ALL WITHIN SECTION 19
- PORTION OF THE W1/2 SECTION 29
- W1/2, SE1/4, PORTIONS OF THE NE1/4 ALL WITHIN SECTION 30
- SECTION 31
- W1/2, PORTIONS OF E1/2 ALL WITHIN SECTION 32



STATE OF NEVADA  
**PROOF OF APPROPRIATION OF WATER**

(Statutory vested water rights are those with a priority date prior to: March 1, 1905 for All Surface Sources; March 22, 1913 for Underground Artesian Waters; March 25, 1939 for Underground Percolating Water)

USE(S):

Primary (Please select only one):

Irrigation  Stock water  Mining and Milling  Domestic   
Municipal  Industrial  Quasi-Municipal  Commercial   
Federal Reserved Right  Other (OTH) \_\_\_\_\_

Secondary (Select all that may be applicable):

Stock water  Domestic

NAME OF CLAIMANT Daniel S. Venturacci

Address 8500 Schurz Highway City of Fallon County of Churchill

State of Nevada Telephone No. 775-426-0918 Email Address buckaroodan@gmail.com

1. Source of water Four Mile Canyon Spring 4  
Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion pipeline, troughs and reservoir  
Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):  
SE1/4NW1/4 Section 12, T.25N., R.54E M.D.B.&M, or at a point from which the SW corner of said Section 12, bears N12°29' 12" E a distance of 873.72 feet

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun Prior to 1860  
and completed See historical research (Chain of title-proofs volume 1-taxation rolls)

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:  
1859-Possesory interest to current patented owner through transfer of title  
Patented, deeded, public domain with grazing permit, etc.

6. The claimant's water right was / was not recorded in the office of the County Recorder of  
(circle one)  
\_\_\_\_\_ County, at Page \_\_\_\_\_ of Book \_\_\_\_\_ of \_\_\_\_\_

7. The amount of water diverted for the claim's purpose has been measured at  
0.025 cfs cubic feet per second.  
448.83 gallons per minute equals 1 cubic feet per second

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EW

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):  
See Attachment A

(List all places of use for the primary and any secondary purposes being claimed, attaching additional sheet(s) as needed. Describe them as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated. If the watering of livestock is accomplished by utilizing the natural stream channel, then describe the 40-acre legal subdivision at the beginning (upstream point) and the legal subdivision at the end of the stream reach.)

**QUESTIONS REGARDING WATERING OF LIVESTOCK**

9. The approximate number of animals watered by the claimant during the first year of 1894 \_\_\_\_\_ was \_\_\_\_\_  
Year  
300 cattle    150 horses    2500 sheep    \_\_\_\_\_ other (describe in remarks)

The watering was conducted during each of the following months: January 1 through December 31 of each year

10. The approximate number of animals watered by the claimant in subsequent years was:  
600 cattle    150 horses    2000 sheep    \_\_\_\_\_ other (describe in remarks)

11. The water is impounded in Troughs, and reservoir, natural channel  
Trough(s), tank(s), pool(s), reservoir, natural channel, etc.

**QUESTIONS WITH REGARD TO IRRIGATION**

12. The date of survey of ditch, canal, or pipe line was \_\_\_\_\_

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom \_\_\_\_\_ feet,  
width on top \_\_\_\_\_ feet, depth \_\_\_\_\_ feet, for \_\_\_\_\_ lineal feet of improvement,  
on a grade of \_\_\_\_\_ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of \_\_\_\_\_ inches with  
a type of pipe of \_\_\_\_\_ for \_\_\_\_\_ feet in length.  
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not been enlarged.  
(circle one)

16. The work of enlargement of the ditch, canal or pipeline commenced \_\_\_\_\_  
and completed \_\_\_\_\_

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# EXHIBIT A

## Place of Use

### T.26N. R.54E., M.B.D. & M:

- ALL OF SECTIONS 33, 34, 35
- ALL OF THE SW1/4, S1/2 OF THE NW1/4, NW1/4NW1/4, PORTIONS OF THE NE1/4NW1/4 AND PORTIONS OF THE E1/2 OF SECTION 36
- PORTIONS OF THE E1/2; SW1/4, PORTIONS OF THE NW1/4 OF SECTION 32
- PORTION OF THE SW1/4 OF SECTION 25
- S1/2, PORTIONS OF THE N1/2 OF SECTION 26
- S1/2, PORTIONS OF THE N1/2 OF SECTION 27
- PORTIONS OF THE SE1/4, PORTIONS OF THE SW1/4 AND PORTIONS OF THE NE1/4 OF SECTION 28
- PORTION OF THE SE1/4SE1/4SE1/4 SECTION 29

### T.25N. R.54E., M.B.D. & M:

- ALL OF SECTION 2,, 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35
- PORTIONS OF THE W1/2 OF SECTION 1
- W1/2, PORTIONS OF THE W1/2E1/2, AND PORTIONS OF THE W1/2SE1/4 ALL WITHIN SECTION 12
- W1/2, PORTIONS OF THE W1/2 OF THE E1/2, PORTIONS OF THE SE1/4SE1/4 ALL WITHIN SECTION 24
- W1/2W1/2, PORTIONS OF THE E1/2 OF THE W1/2, PORTIONS OF THE NE1/4 ALL WITHIN SECTION 25
- PORTIONS OF THE NW1/4, ALL OF THE SW1/4, PORTIONS OF THE W1/2E1/2 AND PORTIONS OF THE SW1/4NW1/4 ALL WITHIN SECTION 36
- ALL OF THE E1/2, E1/2W1/2 AND PORTIONS OF THE W1/2 W1/2 ALL WITHIN SECTION 6

### T.24N. R.54E., M.B.D. & M:

- PORTIONS OF THE E1/2E1/2 OF SECTION 1
- SECTIONS 2 THROUGH 36

### T.23N. R.54E., M.B.D. & M:

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- SECTIONS 1-12, 18
- W1/2, NE1/4, PORTIONS OF THE SE1/4 ALL WITHIN SECTION 13
- PORTIONS OF THE NE1/4, PORTIONS OF THE NW1/4SE1/4 SECTION 15
- PORTIONS OF THE NW1/4 AND PORTIONS OF THE SW1/4NW1/4 ALL WITHIN 16
- PORTIONS OF THE NE1/4, PORTIONS OF THE NW1/4, PORTIONS OF THE NW1/4SW1/4 ALL WITHIN SECTION 19
- E1/2, E1/2W1/2, W1/2NW1/4, PORTIONS OF THE SW1/4 , ALL WITHIN SECTION 14
- N1/2, SW1/4, PORTIONS OF THE SE1/4 OF SECTION 13

**T.23N. R.53E., M.B.D. & M:**

- PORTIONS OF THE E1/2, E1/2W1/2 ALL WITHIN SECTION 2
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 11
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 14
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 23
- PORTIONS OF THE N1/2, PORTIONS OF THE NW1/4NW1/4 ALL WITHIN SECTION 26
- SECTIONS, 1, 12, 13, 24
- PORTIONS OF THE N1/2NW1/4 SECTION 25

**T.24N. R.53E., M.B.D. & M:**

- SECTIONS 24, 25, 36
- E1/2, SW1/4, PORTIONS OF THE NW1/4 ALL WITHIN SECTION 13
- E1/2, E1/2W1/2, PORTIONS OF THE W1/2W1/2 ALL WITHIN SECTION 12
- E1/2, PORTIONS OF THE E1/2W1/2 ALL WITHIN SECTION 1

**T.23N. R.55E., M.B.D. & M:**

- SECTIONS 6, 7
- W1/2, W1/2E1/2 ALL WITHIN SECTION 5
- W1/2, PORTIONS OF THE E1/2 ALL WITHIN SECTION 8
- PORTIONS OF THE N1/2N1/2 ALL WITHIN SECTION 17
- PORTIONS OF THE N1/2N1/2 ALL WITHIN SECTION 18

**T.24N. R.55E., M.B.D. & M:**

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- PORTIONS OF THE W1/2SW14 ALL WITHIN SECTION 6
- W1/2, PORTIONS OF THE SE1/4 ALL WITHIN SECTION 7
- W1/2, W1/2E1/2, PORTIONS OF THE W1/2NE1/4 ALL WITHIN SECTION 18
- N1/2, PORTIONS OF THE S1/2 ALL WITHIN SECTION 19
- W1/2, SE1/4, PORTIONS OF THE E1/2 OF THE NE1/4 ALL WITHIN SECTION 30
- SECTION 31
- W1/2, PORTIONS OF W1/2E1/2 ALL WITHIN SECTION 32

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