

AMENDED STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Torre Creek and Tributaries
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Torre Reservoir
Name of ditch, flume or pipe line

at the following point(s) NW 1/4 NW 1/4 Section 21 T. 20N. R. 54E. M.D.B. & M. or at a point
List all points of diversion from this source, appending a sheet if necessary

from which the NW corner of said Section 21 bears N. 73° 57' 06" W. a distance of 742.5 feet.
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated

(1) Name of claimant Cottonwood Land and Livestock Company, LLC

Address 71 Washington Street, County of Washoe

State of Reno, Nevada 89503 Telephone No. (775) 329-3151

(2) The means of diversion employed Diversion ditches and reservoir
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was 1893

(4) The construction of the ditch or other works was begun prior to 1883 and completed 1883

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 2 feet, width on top 3 feet, depth 1 feet, on a grade of .2 to .4 feet per thousand feet.

(6) The conduit has (has not) been enlarged.
NOTE—If enlargement or extension of ditch was made, supply information under (7) and (8)

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

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

(9) The claimant is (is not) an owner in the above-described conduit.

Fee Simple
If claimant is an owner in the conduit, state interest held on this line

(10) The nature of the title to the land for which the water right is claimed is Patented land now owned
by Cottonwood Land and Livestock Company, LLC

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

(12) The water has been used for irrigation from April 1 to September 30
of each year. Day of month Day of month

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

- 1883, 5 acres in the SE 1/4 SE 1/4 of Sec 17, T 20N, R 54 E.
Year
- 1883, 18 acres in the SW 1/4 SE 1/4 of Sec 17, T 20N, R 54 E.
- 1883, 11 acres in the SE 1/4 SW 1/4 of Sec 17, T 20N, R 54 E.
- 1883, 13 acres in the SW 1/4 SW 1/4 of Sec 17, T 20N, R 54 E.
- 1883, 2.5 acres in the NW 1/4 NW 1/4 of Sec 20, T 20N, R 54 E.
- 1883, 14.5 acres in the NE 1/4 NW 1/4 of Sec 20, T 20N, R 54 E.
- 1883, 3 acres in the NW 1/4 NE 1/4 of Sec 20, T 20N, R 54 E.
- acres in the of Sec, T, R E.
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- acres in the of Sec, T, R E.
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- acres in the of Sec, T, R E.

(14) The maximum acreage irrigated in any year was 67 acres.

(15) The water claimed has ~~(has not)~~ been used for irrigation each and every year since the right was initiated.

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

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

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

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

(19) The character of the soil is Loamy A continuous flow of 5 cubic feet of water per second has been used to irrigate 67 acres of land and 3.0 acre-feet per acre per annum have been used to irrigate the crops.
(Sandy, gravelly, loam)

(20) Remarks. Water from Torre Creek has been used to irrigate the Lands described since 1883. John Torre originally settled this land in 1883 and sold it to Enrico Parmigiani in 1908. Water is collected and stored in a reservoir measuring approximately 15' high and 200' in length. This reservoir is noted in the Field Survey of a portion of T20N., R. 54E., M.D.B. & M., performed in 1893 and approved by the Surveyor Generals Office on March 3, 1894. Reference is also made to Proof 02888 filed on August 26, 1976 by United Dressed Beef, Inc. Water from that Proof is also used on a portion of these lands.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Cottonwood Land and Livestock Company, LLC are full and correct to the best of his knowledge and belief.

Deponent is acting as agent for Cottonwood Land and Livestock Company, LLC

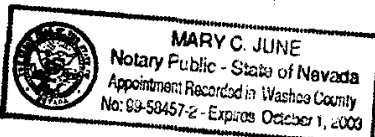
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

Gregory M. Bilyeu
500 Damonte Ranch Parkway, Suite 1056
Reno, Nevada 89511

Telephone No. (775) 352-7800

RECEIVED
2 APR -4 AM 9:55
CLERK OF DISTRICT COURT

Subscribed and sworn to before me this 3rd day of April, 2002



Notary Public in and for the County of Washoe

My commission expires October 1 2003

\$100 FILING FEE MUST ACCOMPANY PROOF

(10) The nature of the title to the land for which the water right is claimed is Patented land now owned
by Cottonwood Land and Livestock Company, LLC

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

(12) The water has been used for irrigation from April 1 to September 30
of each year. Day of month Day of month

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

<u>1883</u> Year	<u>5</u>	acres in the <u>SE$\frac{1}{4}$ SE$\frac{1}{4}$</u>	of Sec. <u>17</u> ,	T <u>20N</u> ,	R. <u>54</u> E.
<u>1883</u>	<u>18</u>	acres in the <u>SW$\frac{1}{4}$ SE$\frac{1}{4}$</u>	of Sec. <u>17</u> ,	T <u>20N</u> ,	R. <u>54</u> E.
<u>1883</u>	<u>25</u>	acres in the <u>SE$\frac{1}{4}$ SW$\frac{1}{4}$</u>	of Sec. <u>17</u> ,	T <u>20N</u> ,	R. <u>54</u> E.
<u>1883</u>	<u>10</u>	acres in the <u>NE$\frac{1}{4}$ NW$\frac{1}{4}$</u>	of Sec. <u>20</u> ,	T <u>20N</u> ,	R. <u>54</u> E.
<u>1883</u>	<u>3</u>	acres in the <u>NW$\frac{1}{4}$ NE$\frac{1}{4}$</u>	of Sec. <u>20</u> ,	T <u>20N</u> ,	R. <u>54</u> E.
<u>1883</u>	<u>20</u>	acres in the <u>NW$\frac{1}{4}$ NW$\frac{1}{4}$</u>	of Sec. <u>21</u> ,	T <u>20N</u> ,	R. <u>54</u> E.
.....	acres in the	of Sec.,	T	R. E.
.....	acres in the	of Sec.,	T	R. E.
.....	acres in the	of Sec.,	T	R. E.
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.....	acres in the	of Sec.,	T	R. E.
.....	acres in the	of Sec.,	T	R. E.

(14) The maximum acreage irrigated in any year was 81 acres.

(15) The water claimed has ~~(has not)~~ been used for irrigation each and every year since the right was initiated.

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

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

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

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

Stockwater

(19) The character of the soil is Loamy (Sandy, gravelly, loam). A continuous flow of 1.5 cubic feet of water per second has been used to irrigate 81 acres of land and 3.0 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks... Water from Torre Creek has been used to irrigate the lands described since 1883. John Torre settled this land until 1908 when it was sold to Enrico Parmigiani. Water is collected and stored in a reservoir measuring approximately 15' high and 200' in length. This reservoir is noted in the Field Survey of a portion of T.20N., R.54E., M.D.B.&M., performed in 1893 and approved by the Surveyor Generals Office on March 3, 1894. Reference is also made to Proof 02880 filed on August 26, 1976 by United Dressed Beef, Inc. Applicant reserves the right to amend this Proof as additional information becomes available.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Cottonwood Land and Livestock Company, LLC are full and correct to the best of his knowledge and belief.

Deponent is acting as agent for Cottonwood Land and Livestock Company, LLC

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

Gregory M. Bilveu
500 Damonte Ranch Parkway, Suite 1056
Reno, Nevada 89511

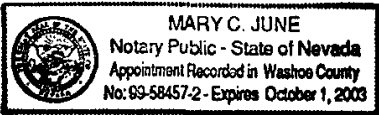
Telephone No. (...775...) 352-7800

Subscribed and sworn to before me this 20th day of February, 2002

Mary C. June

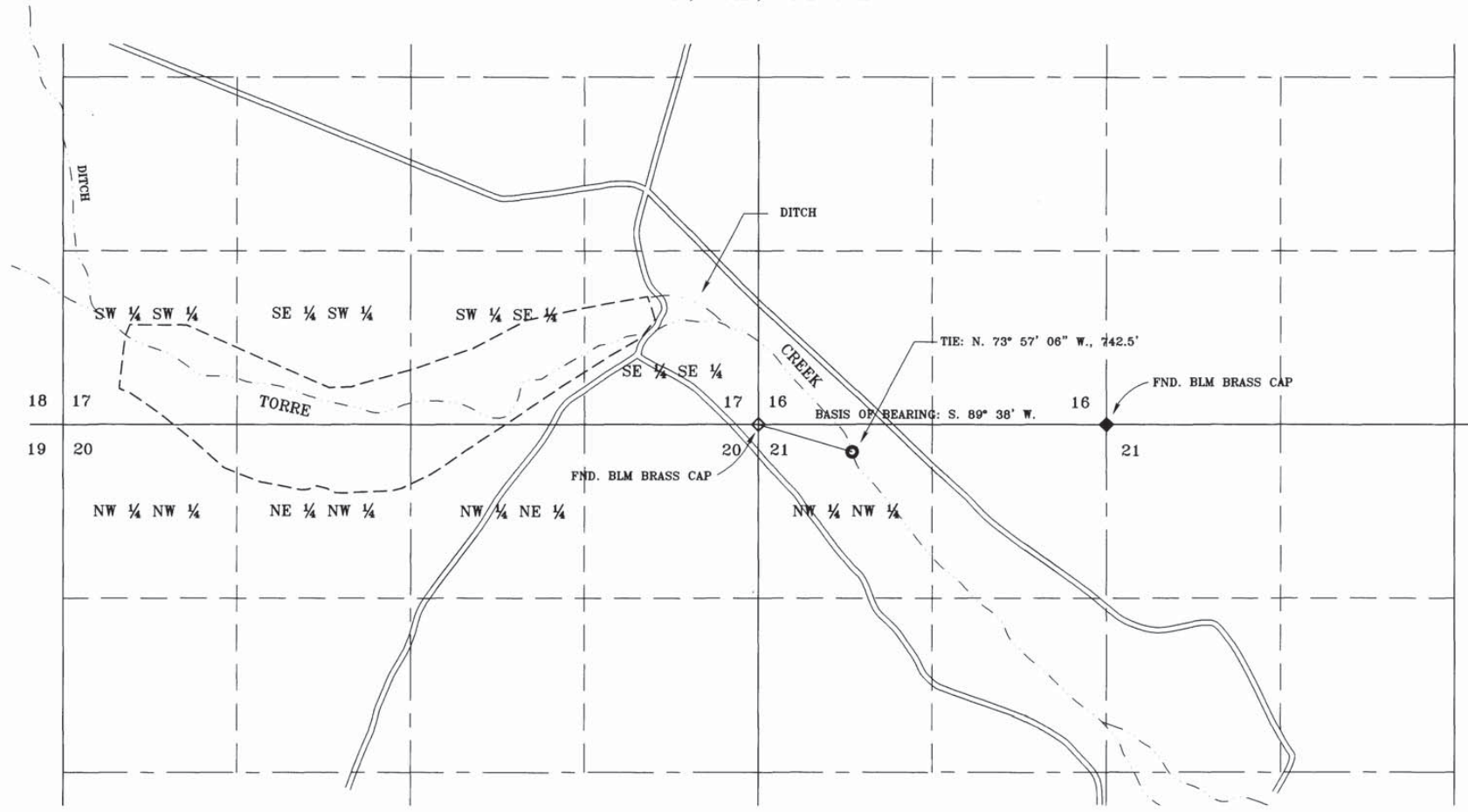
Notary Public in and for the County of Washoe

My commission expires December 1 2002



\$100 FILING FEE MUST ACCOMPANY PROOF

T.20N., R.54E., M.D.B. & M.



STATE OF NEVADA }
 WASHOE COUNTY } SS

I, GEORGE M. THIEL, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT THIS MAP, CONSISTING OF ONE (1) SHEET, HAS BEEN CORRECTLY DRAWN TO THE DESIGNATED SCALE FROM FIELD NOTES OF A SURVEY MADE BY ME OR UNDER MY DIRECTION AND SUPERVISION, ON OR BEFORE MARCH 7, 2002, THAT IT TRULY AND CORRECTLY REPRESENTS THE LOCATION AND EXTENT OF WORKS USED TO DIVERT WATER FROM TORRE CREEK & TRIBUTARIES IN EUREKA COUNTY, NEVADA, FOR IRRIGATION PURPOSES BY COTTONWOOD LAND AND LIVESTOCK COMPANY, LLC; THAT ALL WORKS OR STREAMS WHICH ARE CROSSED BY OR CONNECTED WITH SAID WORKS, AND THE BOUNDARY, AREA AND KIND OF CULTURE OF LANDS IRRIGATED, ARE CORRECTLY SHOWN AND DESIGNATED THEREON.

George M. Thiel
 GEORGE M. THIEL

MARY C. JUNE
 Notary Public - State of Nevada
 My Comm. Expires 12/31/02

SUBSCRIBED AND SWORN TO BEFORE ME
 A NOTARY PUBLIC IN AND FOR WASHOE
 COUNTY, NEVADA, THIS 2nd DAY OF
April, 2002.
Mary C. June

BASIS OF BEARING
 THE NORTH LINE OF THE NW 1/4 SECTION 21, T.20N., R.54E.,
 M.D.B. & M., BEARING S. 89° 38' W., 40.27 CHAINS (2657.82')
 PER THE DEPENDENT RESURVEY PLAT OF A PORTION OF SAID

CULTURE TABULATION

SECTION	SUBDIVISION	TOWNSHIP	RANGE	CULTIVATED ACREAGE	DESCRIPTION OF CULTURE	DATE OF FIRST CULTURE
17	SE 1/4 SE 1/4	T.20N.	R.54E.	5 ACRES	PASTURE GRASS	1883
17	SW 1/4 SE 1/4	T.20N.	R.54E.	18 ACRES	PASTURE GRASS	1883
17	SE 1/4 SW 1/4	T.20N.	R.54E.	11 ACRES	PASTURE GRASS	1883
17	SW 1/4 SW 1/4	T.20N.	R.54E.	13 ACRES	PASTURE GRASS	1883
20	NW 1/4 NW 1/4	T.20N.	R.54E.	2.5 ACRES	PASTURE GRASS	1883
20	NE 1/4 NW 1/4	T.20N.	R.54E.	14.5 ACRES	PASTURE GRASS	1883
20	NW 1/4 NE 1/4	T.20N.	R.54E.	3 ACRES	PASTURE GRASS	1883

- LEGEND**
- POINT OF DIVERSION
 - ◇ FOUND SECTION CORNER AS NOTED
 - ◆ FOUND 1/4 CORNER AS NOTED
 - - - PLACE OF USE
 - ══ DIRT ROAD



STATE ENGINEER'S USE

09333

FILED
 APR 04 2002
 STATE ENGINEER'S OFFICE

MAP
 TO ACCOMPANY PROOF OF APPROPRIATION
 FOR IRRIGATION PURPOSES
 BY
**COTTONWOOD LAND AND
 LIVESTOCK COMPANY, LLC**
 FROM TORRE CREEK AND TRIBUTARIES
 EUREKA COUNTY, NEVADA

09333