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**RESEARCHER'S AFFIDAVIT AND STATEMENT  
REGARDING NEVADA WATER PERMIT NO. 5915  
[ January 29, 2024 ]**

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STATE OF UTAH                    )  
  ss.  
COUNTY OF WASHINGTON      )

Jon E. Gates, being first duly sworn on his oath, deposes and says under penalty of perjury under the laws of the State of Nevada:

- 1. I am the oldest son of Don Dee Gates ("Don Gates") and Mary Alice Foremaster Gates ("Mary Alice"), and a grandson of Phillip Foremaster (the father of Mary Alice Foremaster Gates).
- 2. I am also a manager of Gates Family Ranch Holdings, LLC, a Utah limited liability company ("GFRH LLC").
- 3. I am also a trustee of the Family Trust created under the Don D. Gates Revocable Trust dated July 23, 1981, and a trustee of the Mary Alice F. Gates Revocable Trust dated July 23, 1981, as amended, and a personal representative of the estate of Mary Alice.
- 4. For several decades, my grandparents, parents, siblings and children have been ranching BLM land in the State of Nevada (and Arizona and Utah) including grazing on the Nevada BLM Mormon Peak allotment 01044.

5. While ranching on the Mormon Peak allotment, our cattle has used water in three main locations, at the Wire Grass Spring (permit no. 5916), the Hackberry Spring (permit no. 5917) and the Rye Grass Spring aka Horse Spring (permit no. 5915).

6. My father, Don Dee Gates died on January 6, 1997, and my mother, Mary Alice – who tenaciously carried on the ranching tradition after the death of my father – recently died on September 20, 2023.

7. During the last few years of her life, Mary Alice made major efforts to get her affairs in order, including the creation and updating of trust and LLC papers, and straightening out chain of title and other issues related to branding, grazing rights and water rights.

8. One of Mary Alice’s key estate planning objectives was to have the family ranching business continue for multiple generations under the business name GFRH, LLC, with land, water and grazing rights owned under this LLC, and deeds and assignments were executed to that effect.

9. In May, 2022, Mary Alice had her attorney submit reports of conveyance to the Nevada Division of Water Resources for each of the water permits identified in paragraph 5 above.

10. Reports of conveyance for permits 5916 and 5917 were recently reviewed and accepted by the Nevada Division of Water Resources, and I understand that State records will be updated to show GFRH, LLC as current owner of a one-half interest in said permits.

11. The Nevada Division of Water Resources identified a problem with the report of conveyance for permit no. 5915

12. Specifically, while the report of conveyance for permit no. 5915 included a 1976 Sales Agreement (the “Sales Agreement”) between Phillip Foremaster (seller) and Don Dee Gates & Mary Alice Gates (buyer) evidencing sale of permit no. 5915 to my parents, there was no deed or other transfer document confirming same included in the report of conveyance.

13. I have carefully reviewed all of my parents' documents and records and have been unable to locate a deed memorializing transfer of permit no. 5915 to my parents.

14. My attorney spent considerable time reviewing public records, in an effort to locate a deed confirming transfer of permit no. 5915 to my parents, but he has been unable to locate such a deed.

15. Phillip Foremaster died August 2, 1994; at all applicable times, my mother and extended family have remained close with the descendants of Phillip Foremaster.

16. During the several decades my family has been ranching the subject property, and using the subject water, no descendant of Phillip Foremaster, or any other person, has ever questioned our right to graze said land or use any of the water there; nor has anybody other than my parents (and their trusts and LLC) claimed an interest in permit no. 5915.

17. The Sales Agreement contemplates transfer of several property interests from Phillip Foremaster to my parents, and all of the property named therein – except for permit no. 5915 – was validly transferred via deed or assignment.

18. I firmly believe that a deed memorializing transfer of permit no. 5915 from Phillip Foremaster to my parents exists and was misplaced, or, if never created, that said failure was an oversight, as the parties clearly believed that permit no. 5915 belonged to my parents.

19. Numerous deeds from 1998 onward – including deeds between my parents' various trusts and an LLC – evidence the common understanding and belief that permit no. 5915 had been properly transferred from Phillip Foremaster to my parents.

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20. I respectfully request that State records be updated, per the attached report of conveyance (exhibits omitted), to reflect and confirm that permit no. 5915 is properly owned by GFRH, LLC.

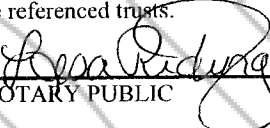
FURTHER AFFIANT SAYETH NAUGHT

Dated this 29th day of January, 2024

  
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Jon E. Gates

STATE OF UTAH                    ) §  
COUNTY OF WASHINGTON    )

Subscribed and sworn to me on this 29th day of January, 2024, by Jon E. Gates, proved to me on the basis of satisfactory evidence to be the person who appeared before me, both individually, and as an authorized signer on behalf of each of the referenced trusts.

  
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NOTARY PUBLIC

