

AMENDED
THE STATE OF NEVADA
PROOF OF SUBSISTING RIGHT OF WATER FOR
STOCK WATERING PURPOSES

Pursuant to N.R.S. 533
As Amended by Chapter 473, 1993 Statutes, Sections 2, 3 and 4
Effective October 1, 1993

(1) Name of Claimant Glaser Land and Livestock Company, a Nevada corporation [Street and No. or P. O. Box No.] of [City or town] Halleck [State and Zip Code No.] Nevada 89824

(2) Source of water [Name of natural water source] North Fork of the Humboldt River

(3) The water is diverted by [Dam, ditch, pipe line, natural channel, spring area, etc.] natural channel.

(4) The water is diverted at the following point(s) [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. Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such reach.] The diversions are entirely over channel reaches of the North Fork of the Humboldt River within three (3) portions of unfenced public and private lands, with each portion described as follows:

- A. Commencing at a point within Lot 5 of Section 3, Township 39 North, Range 55 East, MDM from which the SW corner of said Section 4 bears South 0°18'14" West a distance of 4,217.03 feet; thence easterly down the channel to a point within the SE1/4NE1/4 of Section 2, Township 39 North, Range 55 East, MDM from which the SE corner of said Section 2 bears South 0°08'51" East a distance of 4,987.05 feet.
- B. Commencing at a point within the SW1/4NW1/4 of Section 5, Township 39 North, Range 56 East from which the NW corner of said Section 5 bears North 0°08'16" West a distance of 2,430.52 feet; thence easterly down the channel to a point in the NE1/4NE1/4 of Section 33, Township 40 North, Range 56 East, MDM from which point the NE corner of said Section 33 bears North 0°29'47" West a distance of 1,039.87 feet.

C. Commencing at a point in the NW1/4SE1/4 of Section 36, Township 40 North, Range 56 East, MDM from which the SE corner of said Section 36 bears South 47°36'28" East a distance of 3,564.59 feet; thence easterly and southerly along the channel to a point in the NE1/4SW1/4 of Section 26, Township 39 North, Range 57 East, MDM from which point the SE corner of said Section 26 bears South 57°45'59" East a distance of 4,248.35 feet.

(5) The water is impounded in [Troughs, tanks, pools, reservoir, natural channel, etc.]
Natural channel.

(6) The construction of the ditch or other works was begun [Date]
None and completed [Date] None.

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is [Patented, deeded, public domain with grazing permit, etc.] The place of use is located upon public lands, upon which claimant holds a grazing permit, and unfenced private range lands used in conjunction with the grazing of claimant's livestock. The place of use is as follows:

PUBLIC LANDS:

Township 39 North, Range 55 East, MDM

Section 2: Lots 2, 3, 4, 5, 7 and 8
Section 3: Lots 5, 6, 8, 10, 11 and 12

Township 40 North, Range 55 East, MDM

Section 35: SE1/4SW1/4 and SW1/4SE1/4

Township 39 North, Range 56 East, MDM

Section 5: Lots 2 and 3; S1/2NW1/4

Township 40 North, Range 56 East, MDM

Section 32: NE1/4SE1/4; Lots 2, 3 and 4
Section 33: W1/2NE1/4; S1/2NW1/4; NW1/4SW1/4
Section 36: N1/2SE1/4; SW1/4NE1/4

Township 40 North, Range 57 East, MDM

Section 31: Lot 3; NE1/4SW1/4; N1/2SE1/4; SE1/4NE1/4
Section 32: NW1/4; N1/2SW1/4; SW1/4NE1/4; N1/2SE1/4
Section 33: Lots 3 and 4

Township 39 North, Range 57 East, MDM

Section 4: E1/2SW1/4
Section 9: NE1/4NW1/4; N1/2NE1/4; SE1/4NE1/4
Section 10: S1/2SW1/4
Section 22: NE1/4NE1/4
Section 26: NW1/4NW1/4

UNFENCED PRIVATE RANGE LANDS OWNED BY GLASER LAND AND LIVESTOCK:

Township 39 North, Range 55 East, MDM

Section 3: Lot 9

Township 40 North, Range 56 East, MDM

Section 33: NE1/4NE1/4

UNFENCED PRIVATE RANGE LANDS OWNED BY JOSEPH B. AND ROBERT J. HEGUY:

Township 39 North, Range 57 East, MDM

Section 4: Lot 3, SE1/4NW1/4
Section 9: N1/2SE1/4; SE1/4SE1/4
Section 15: W1/2NE1/4; SE1/4NE1/4; SE1/4; NE1/4NW1/4
Section 23: W1/2W1/2

UNFENCED PRIVATE RANGE LANDS OWNED BY JAMES S. JOHNSTON:

Township 39 North, Range 57 East, MDM

Section 26: E1/2NW1/4; NE1/4SW1/4

(8) The claimant's water right was not recorded in the office of the County Recorder of _____ County, at Page _____ of Book _____ of _____.

(9) The items of evidence for the numbers of livestock and date of priority and subsisting numbers are:

1. Affidavits and statements submitted with Proof 04823 detailing priority use by Matthias Glaser.
2. License for Grazing Privileges dated March 1, 1948 issued by the Bureau of Land Management to evidence subsisting numbers of livestock.
3. Copy of letter signed by George F. Wright, attorney for D.F. and C.W. Glaser, predecessors, detailing subsisting numbers, season and area of use.

(10) The approximate number of animals watered by the claimant during the first year [Date] 1873 is unknown, but estimated to be 200 head of cattle and increasing to 925 head of cattle prior to 1904; _____ sheep or [Other] _____. The watering was conducted during each of the following months March 15 to November 15.

(11) The approximate number of animals watered by the claimant in subsequent years was as follows: [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] Numbers of livestock were adjusted through administrative procedures of the Bureau of Land Management to those detailed in letter by George F. Wright dated March 14, 1950, attached. The numbers of livestock using this source are 80% of the total (Deeth 10% and North Fork 70%) or 752 cattle and 40 horses, or 790 head.

(12) The amount of water which has been necessary to be diverted for this purpose has been [448.83 gal. per min. equals 1 cubic foot per second] 0.0247 cubic feet per second.

(13) The works are located at [Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated. None.

Remarks [Improvements, title, etc.] As the natural channel is used, there are no diversions. A summary of chain of title is attached, from Matthias Glaser who initiated use in 1873, to the claimant herein. The area of use is administered by the Bureau of Land Management with the numbers and season of use varying due to forage conditions, management plans and conditions in permit. The numbers and season will also vary based on any deferred rotation grazing being practiced. However, the numbers and season indicated are representative of the average use.

The undersigned, being first duly sworn, deposes and says that he owns or controls the livestock presently watered by the Claimant, and that the facts relative to the proof of subsisting right by Glaser Land and Livestock Company, a Nevada corporation are full and correct to the best of his knowledge and belief [If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.]

Deponent is executing this proof pursuant to his authority as President.

CLAIMANT

Telephone No. (_____) _____

GLASER LAND AND LIVESTOCK COMPANY
A Nevada Corporation

By *Norman D. Glaser*
NORMAN D. GLASER, President

Telephone No. (702) 738-5967

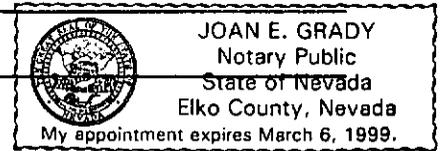
Subscribed and sworn to before me this

18 day of October, 1996.

Joan E. Grady

Notary Public in and for the County of _____

My commission expires _____



\$50 FILING FEE MUST ACCOMPANY PROOF

ORIGINAL

Serial No. 06267

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Township 39 North, Range 57 East, MDM

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Deponent is executing this proof pursuant to his authority as President.

CLAIMANT

Telephone No. (____) _____

GLASER LAND AND LIVESTOCK COMPANY
A Nevada Corporation

By Norman D. Glaser
NORMAN D. GLASER, President

Telephone No. (702) 738-5967

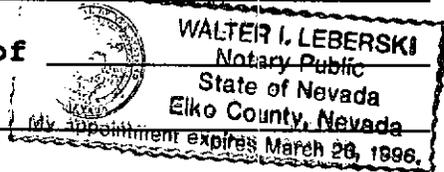
Subscribed and sworn to before me this

3rd day of February, 1974.

Walter I. Leberski

Notary Public in and for the County of _____

My commission expires _____



\$50 FILING FEE MUST ACCOMPANY PROOF

^e^@GL(35) SP ^e^e^e^e^e^e^e^e^e^e
pREI^@GL(36) SP ^e^e^e^e^e^e^e^e^e^e(37) SP ^e^e^e^e^e^e^e^e^e^e SP ^e^e^e^e^e^e^e^e^e^e