

THE STATE OF NEVADA  
PROOF OF APPROPRIATION OF WATER FOR  
STOCK WATERING PURPOSES

- (1) Name of Claimant DONALD R. RIZZI and NORMA RIZZI (Street and No. or P. O. Box No.) RIZZI RANCH of (City or town) Mountain City (State and Zip Code No.) Nevada 89831
- (2) Source of water (Name of natural water source) Allegheny Creek, Springs and Tributaries with its drainage area within the reach described below.
- (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.) Throughout the reach of the channel beginning at a point in the NW1/4 SE1/4 of Section 14, Township 45 North, Range 54 East, MDM, from which the SE corner of Section 24, Township 45 North, Range 53 East, MDM bears South 72°56'00" West a distance of 25,400.00 feet; thence down the natural stream channel to a point in the SW1/4 SW1/4 of Section 21, Township 45 North, Range 54 East, MDM, from which the SE corner of Section 24, Township 45 North, Range 53 East, MDM bears South 85°41'00" West a distance of 10,900.00 feet.
- (5) The water is impounded in (Troughs, tanks, pools, reservoir, natural channel, etc.) a natural channel.
- (6) The construction of the ditch or other works was begun (Date) Does Not Apply. and completed (Date) Does Not Apply. Use made of natural channel.
- (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.) Public domain with grazing permit.

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- (8) The claimant's water right was not recorded in the office of the County Recorder of \_\_\_\_\_ County, at Page \_\_\_\_\_ of Book \_\_\_\_\_ of \_\_\_\_\_. NOTE - Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).
- (9) The approximate number of animals watered by the claimant during the first year [Date] \_\_\_\_\_ was \_\_\_\_\_ cattle \_\_\_\_\_ horses \_\_\_\_\_ sheep or [Other] \_\_\_\_\_. The watering was conducted during each of the following months (SEE REMARKS).
- (10) 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]  
266 cattle April 1 to December 15 and 5 horses May 1 to September 1.
- (11) 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] 0.0082 cubic feet per second.
- (12) 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] Use of natural channel.

**Remarks:** It is evidenced that livestock were watered from the source as early as prior to 1893. In 1893, W.D. Hand conveyed to R. Zimmerman by deed recorded in Book 22 of Deeds at Page 435, Elko County, Nevada, property presently owned by the claimant along with 65 head of horses.

Claimant presently holds a grazing permit within the Humboldt National Forest and an allotment which encompasses the source described herein. To hold such a permit, it is required that a present permittee be a successor in interest with the purchase of land and/or livestock which used the present Forest Service administered lands at the time of withdrawal of those lands in 1905. As the claimant possesses a permit on those Forest lands, the priority of use is prior to 1905.

At the present time, the livestock are grazed upon the Forest under a deferred rotation grazing system. The number of livestock within each portion of the system remains constant, but the season of use may vary in accordance with the period set in the system. The season of use shown above is for that set forth in the system.

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

NORMA RIZZI are full and correct to the best of their 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.]

Donald R. Rizzi  
DONALD R. RIZZI, CLAIMANT

Telephone No. (702) 763-6641

By \_\_\_\_\_

By \_\_\_\_\_

RIZZI RANCH  
Mountain City, NV 89831

Telephone No. (702) 763-6641

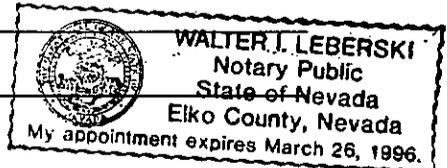
Subscribed and sworn to before me this

13th day of May, 1994.

Walter J. Leberski

Notary Public in and for the County of \_\_\_\_\_

My commission expires \_\_\_\_\_



\$50 FILING FEE MUST ACCOMPANY PROOF