

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 Dalton Livestock, a partnership composed of D. Vernon Dalton, Joanne Bradish Dalton and James Bradish Dalton  
[Street and No. or P. O. Box No.] HC 60, Box 125 of [City or town] Wells [State and Zip Code No.] Nevada 89835.

(2) Source of water [Name of natural water source] Hot Springs.

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

(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.] NW1/4 NE1/4 of Section 17, Township 38 North, Range 62 East, MDB&M, at a point from which the N1/4 corner of said Section 17 bears North 34°56'48" West a distance of 1,493.70 feet.

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

(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.] public domain upon which claimant has a grazing permit.

(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 is affidavits by Robert L. Kane and Walter I. Leberski.

(10) The approximate number of animals watered by the claimant during the first year [Date] 1890 was 350 cattle \_\_\_\_\_ horses \_\_\_\_\_ sheep or [Other] \_\_\_\_\_. The watering was conducted during each of the following months April 16 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] 275 cattle.

(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] .0086 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. NW1/4 NE1/4, Section 17, Township 38 North, Range 62 East, MDB&M.

Remarks [Improvements, title, etc.] (1) Map filed with Application 38140, which was denied, shall apply to this claim.

(2) The number of livestock and the season of use will vary depending upon management practices required by the Bureau of Land Management. The highest number that use the source at any one time is 275 head, and the season of use is within April 15 to November 15.

There are no records available to the claimant as to the actual numbers using the source prior to 1905. Based upon the claimant's experience in the area and to the information and belief of the claimant, the numbers stated in items 1 and 11 are reasonable.

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 Dalton Livestock, a partnership, 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.]

**CLAIMANT:**

DALTON LIVESTOCK, a partnership

By: *D. Vernon Dalton*

D. Vernon Dalton, Partner

Telephone No. (702) 752-3498

Subscribed and sworn to before me this

1st day of May, 1997.

*Walter I. Leberski*

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

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

**\$50 FILING FEE MUST ACCOMPANY PROOF**

