

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

Pursuant to N.R.S. 533.492

(1) Name of Claimant PALISADE RANCH, INC., a Nevada corporation [Street and No. or P. O. Box No.] PO Box 236
of [City or town] Carlin [State and Zip Code No.] NV 89822.

(2) Source of water [Name of natural water source] MARY'S CREEK, its tributaries and springs within its drainage

(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 water is diverted from the channel for two portions lying within the grazing allotment of the claimant described as follows:

Beginning at a point within the NW¼ NW¼ of Section 15, T 32N, R 51E, MDB&M from which the Northwest corner of said Section 15 bears N 18° 33' 48" W, a distance of 1,346.30 feet, thence down the channel to a point on the southerly boundary of Interstate Highway 80 lying in the NE¼ SE¼ of Section 2, T 32N, R 51E, MDB&M from which the southeast corner of said Section 2 bears S 00° 09' 00" ~~W~~ ^E, a distance of 1389.62 feet; and

Beginning at a point on the southerly boundary of Interstate Highway 80 within Lot 9 of Section 1, T 32N, R 51E, MDB&M from which the northeast corner of said Section 1 bears N 07° 02' 51" E, a distance of 3,180.34 feet, thence down the channel to a point on the southerly boundary of Interstate Highway 80 in the SW¼ SE¼ of Section 29, T 33N, R 52E, MDB&M from which the southwest corner of said Section 29 bears S 73° 53' 41" W, a distance of 2782.80 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] 0 and completed [Date] 0

(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 location of the source and place of use is located upon public domain upon which claimant holds a grazing permit and unfenced private range land described as follows:

Public Domain

Township 32 North, Range 51 East, MDB&M

- Section 2: S½ SE¼
- Section 10: SE¼ SE¼

Township 32 North, Range 52 East, MDB&M

- Section 6: NE¼ NW¼; Lots 1, 2 & 3

Township 33 North, Range 52 East, MDB&M

STATE ENGINEERS OFFICE

2007 JAN 16 PM 1:54

RECEIVED

Section 32: N½ NW¼; SW¼ NW¼

Unfenced Private Range Land

Township 32 North, Range 51 East, MDB&M

Section 1: Lot 9

Section 11: NE¼ NW¼; NW¼ NE¼; S½ NW¼; NW¼ SW¼

Section 15: N½ NE¼; NW¼

(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 are _____

AFFIDAVIT OF WALTER I. LEBERSKI

(10) The approximate number of animals watered by the claimant during the first year [Date] 1879 was 220 cattle, 30 horses _____ sheep or [Other] _____. The watering was conducted during each of the following months March 1 to December 31.

(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] 250 animals

(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] 0.0078 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 - natural channel

Remarks [Improvements, title, etc.]

SEE ATTACHED

PALISADE RANCH, INC.
A Nevada Corporation

CLAIMANT:

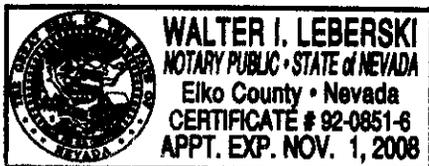
Telephone No.: _____

By: Rita Stitzel
RITA STITZEL, PRESIDENT
Telephone No.: 775-754-6219

Subscribed and sworn to before me this

10th day of March, 2006.

Walter I. Leberski
NOTARY PUBLIC



REMARKS

This Proof is associated with improved ranch property which has vested and adjudicated water rights on the Humboldt River for irrigation, livestock and domestic use under Proof 00223 & 00225 and is for the purpose of evidencing use of water for stock purposes within the open range area as provided under NRS 533.492 and 533.493.

The basis of this claim is presented in the affidavit of Walter I. Leberski which is attached.

In the original grazing application of W.H. Blair to the Taylor Grazing Service he stated the ranch normally ran 400 head of range stock for a nine month period. However, he applied for 220 cattle and 30 head of horses on that application dated May 4, 1935. A sale of the ranch operation by Henry F. Ebert, et ux, to Charles S. Walker also had a Bill of Sale for 210 head of cattle and 25 horses. The license issued by Grazing Service in 1950 was for 220 cattle and 10 horses. The Bill of Sale referred to above, the original application of 1935 and the license of 1950 evidence a normal number of stock using the open range at 250 head and that is the number claimed on this source.

The period of use is between March 1 and December 31 of each year. Due to past practices of movement of livestock and present allotment management plans, the stock use other sources than the subject of this Proof during the grazing season. However, the total of 250 head make use of the source for at least a portion of the period of use.

W.H. Blair claims use upon the area of this source in 1876 which may be correct. However, predecessors to the claimant first acquired land by a patent from the State of Nevada in 1879. Therefore, a priority of 1879 is claimed.