

**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** Heguy Ranches [Street and No. or P. O. Box No.] PO Box 570 of [City or town] Elko

[State and Zip Code No.] NV 89803

(2) **Source of water** [Name of natural water source] Singletree Creek its tributaries and springs within the reach of the source as described herein.

(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 throughout a portion of the channel at three points of beginning described as follows:

1. A point within Lot 4 (NW¼ NW¼) of Section 2, T 36N, R 53E, MDM, from which the Northwest corner of said Section 2 bears N 79° 14' 10" W, a distance of 633.82 feet.

2. A point within Lot 4 (NW¼ NW¼) of Section 3, T 36N, R 53E, MDM, from which the Northwest corner of said Section 3 bears N 35° 57' 07" W, a distance of 1,519.72 feet.

3. A point within the SW¼ NW¼ of Section 11, T 36N, R 53E, MDM, from which the Southeast corner of said Section 11 bears S 52° 12' 42" E, a distance of 5,868.37 feet.

From the points of beginning described above down the channel to its point of intersection with Susie Creek within the NE¼ SW¼ of Section 18, T 36N, R 54E, from which the Northwest corner of Section 13, T 36N, R 53E, bears N 60° 38' 01" W, a distance of 8005.10 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 within private land and public domain upon which the claimant holds a grazing permit described as follows:

Private Land:

T 36N, R 53E, MDM

Section 11: NE¼ NE¼; S½ N½

Public Domain:

T 36N, R 53E, MDM

Section 2: Lot 3 & 4 (N½ NW¼); SE¼ NW¼; N½ SW¼; W½ SE¼; SE¼ SE¼

Section 3: Lot 4 (NW¼ NW¼); S½ NW¼; S½ NE¼; NE¼ SE¼

Section 12: NW¼; S½ NE¼

T 36N, R 54E, MDM

Section 7: Lot 2 (SW¼ NW¼); SE¼ NW¼; S½ NE¼; E½ SE¼

Section 18: N½ NE¼; SW¼ NE¼; SE¼ NW¼; NE¼ SW¼

(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 attached

(10) The approximate number of animals watered by the claimant during the first year [Date] 1873 was unknown cattle, \_\_\_\_\_ horses \_\_\_\_\_ sheep or [Other] \_\_\_\_\_. The watering was conducted during each of the following months April 1 to November 30.

(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] \_\_\_\_\_  
300 cattle by the year of 1886, with the numbers varying due to the availability of water and forage each year.

(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] 0.0094 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.]

The priority for irrigation on the owned land varies from 1873 to 1882 as evidenced in the Humboldt River Decree. This is a basis for the earliest use on the open range for watering livestock. However, a priority of 1886 as set forth in the Commensurate Property Record by Chas. R. Pedlar attached to the Affidavit of Walter I. Leberski wherein it is stated Dressi Ranching Company, predecessor of the claimant, used the public domain in the vicinity of the source for 50 years prior to the year 1936 is considered for the full numbers of livestock.

The documents attached to the Affidavit of Walter I. Leberski evidence grazing use by Dressi Ranching in the area of the source with 950 cattle and 60 horses during portions of the grazing season of April 1 to November 30.

Through management actions by the Bureau of Land Management, the claimant grazes livestock within an allotment under a management plan which will vary the season of use and number of livestock from year to year.

From experience in managing livestock grazing in the area 300 head of livestock would use the source during portions of the grazing season.

Singletree Creek is a tributary to Susie Creek which is also a source of stock water within a portion of its reach, for the claimant. However, as Singletree Creek is a major source of livestock water and is used independently of Susie Creek, a separate proof is made.

HEGUY RANCHES, INC. \_\_\_\_\_  
CLAIMANT:

Telephone No.: \_\_\_\_\_

By: Mitchell J. Heguy  
MITCHELL J. HEGUY, President  
Telephone No.: \_\_\_\_\_

Subscribed and sworn to before me this

9th day of June, 2006.

Walter I. Leberski  
NOTARY PUBLIC

