

STATE OF NEVADA

**PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING
OR WILDLIFE PURPOSES**

(1) Name of claimant DeLong Ranches, Inc.
335 Bottle Creek Road of Winnemucca
Street and No. or P.O. Box No. City or town
Nevada, 89445
State and Zip Code No.

(2) Source of water Artesian Well
Name of natural water source.

(3) The water is diverted by a 12 inch diameter metal casing pipe protruding vertically out of the ground which created the original artesian water source. Later in the early 1990's, the well was re-developed and re-drilled within 15 feet of the original well. An 8 inch casing and a solar-panel pump were installed to increase the flow of water from the artesian source. From the 8 inch casing, the water is diverted into an 18-foot round galvanized steel trough and then into an overflow reservoir with an approximate diameter of 30 feet.
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) T40N R31E, Section 18: Lot 3
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.

(5) The water is impounded in an 18-foot round galvanized metal trough and an overflow reservoir with an approximate diameter of 30 feet.
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun prior to 1905 Date
and completed prior to 1905 (See Exhibit "A" - Already on file with the Division of Water Resources, filed under V09804.)
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is privately-deeded land owned by the claimant.
Patented, deeded, public domain with grazing permit, etc.
Places of Use include: T40N R31E, Section 18: Lot 3

(8) The claimant's water right was (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).

28-111

(9) The approximate number of animals watered by the claimant during the first year prior to 1905
Date
 was 500 cattle 30 horses 300 sheep or wildlife (describe) deer, plus various birds
Other

The watering was conducted during each of the following months Cattle were watered year-
round (12 months.) Horses were watered at gathering, branding, and shipping times during the
spring and fall (4 months). Sheep were watered at various times throughout the year when the
bands were moved (2 months.)

(10) The approximate number of animals watered by the claimant in subsequent years was as follows: 500 cattle have been watered at Artesian Well in every subsequent year following 1905.
300 sheep were watered at Artesian Well until the 1920's when the Lay brothers cut down their
bands. (See Exhibit "A" for documentation of use - Already on File with Division of Water
Resources under Bliss Spring and Bliss Canyon # V09804)

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.

(11) The amount of water which has been necessary to be diverted for this purpose has been
0.0446 cubic feet per second.
 448.83 gallons per minute equals 1 cubic feet per second.

(12) The works are located at T40N, R31E, Section 18: Lot 3
 Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Remarks:

Artesian Well is located at Jackson Creek Ranch -- a historic, family-owned ranch near the Black Rock Desert. Jackson Creek Ranch has been in existence and continual-use prior to the year 1875 when the first surveys of the area were completed. General Land Office (GLO) survey maps depict a house and corral established on Jackson Creek in the year 1875 on the Mount Diablo Meridian T40N, R30E, Section 24. In the book, *A History of the State of Nevada*, by Thomas Wren published in 1904, James Ruddell and wife are residing at Jackson Creek Ranch with a granddaughter. (The Ruddells were in-laws of the Lay family.) In a series of articles about Humboldt County written by Allen C. Brag in the year 1905 and compiled into a book entitled *Humboldt County, 1905*, the Lay Brothers are stated as owning Jackson Creek Ranch and running cattle. The Lays were known as ambitious, industrious, and innovative people. Jackson Creek Ranch has been in the DeLong Family since 1939. Jackson Creek Ranch and Artesian Well are both extremely historic and long-established.

Artesian Well was constructed prior to 1905 by the Lay Brothers who first dug it by hand to create the artesian water source. The original 12 inch metal casing was installed later. Although exact methods and dates are unknown, the priority date of use is prior to 1905, as this was when the Lay Brothers were constructing additional water sources for their livestock (See Exhibit "A" - Already on File under #V09804). In the early 1990's the well was re-drilled within 15 feet of the original well. An 8 inch metal casing and solar panel pump were installed.

Jackson Creek Ranch and the surrounding range land are very historic grazing areas owned by DeLong Ranches, Inc. Various predecessors to the claimant, including James Sloan and George D. Bliss, have been grazing cattle in this area since 1889, based on recorded documentation and evidence presented in Exhibit "A" Proof of Vested Right; Exhibit "B" List of Nevada State Patents; Exhibit "C" List of United States Patents; and Exhibit "D" Chain of Title (Exhibits "A" through "D" -- Already on File with Division of Water Resources under Bliss Spring and Bliss Canyon # V09804.) Exhibit "E" is a Google Earth reference map to show the location of the points of diversion and places of use for Artesian Well.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by DeLong Ranches, Inc. 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.

DeLong Ranches, Inc.
Claimant

Telephone No. (775) 941-0196

By Will DeLong V.P.

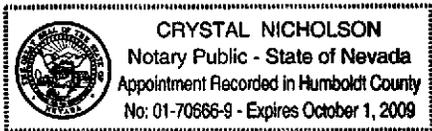
384 Denio Hwy 140

Street and No., or P.O. Box No.

Gardnerville NV 89415

City, State, Zip Code No.

Telephone No. (775) 941-0196



Subscribed and sworn to before me this 19 day of September, 2009

State of Nevada Crystal Nicholson

Notary Public in and for the County of Humboldt

My commission expires 10/1/09

\$50 FILING FEE MUST ACCOMPANY PROOF

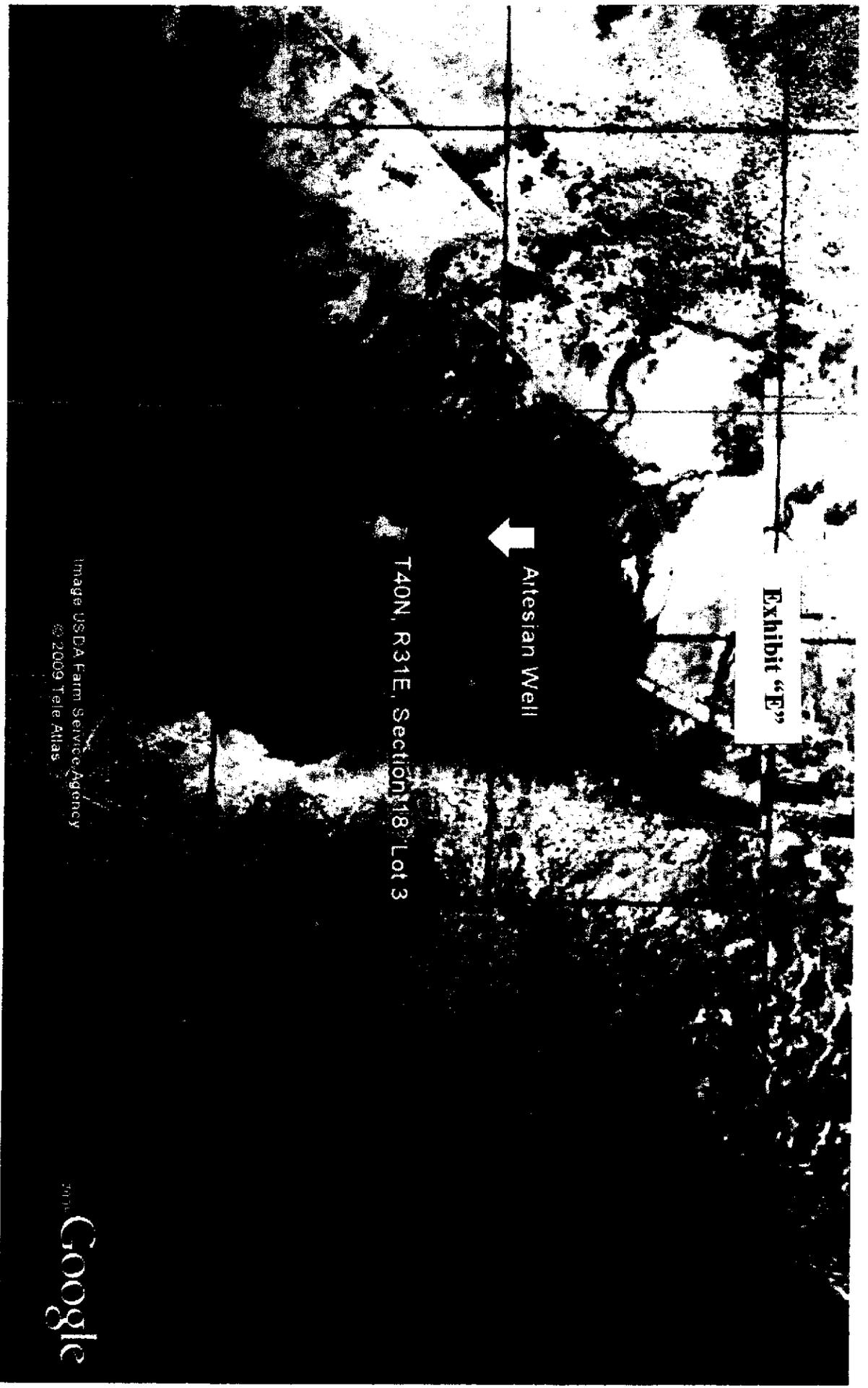


Exhibit "E"

Artesian Well

T40N, R31E, Section 18, Lot 3

Image: USDA Farm Service Agency
© 2009 Tele Atlas

Google

FILED
 OCT 06 2009
 STATE ENGINEERS OFFICE