

STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Vested right from (1) Byers Canyon Creek and (2) next unnamed canyon/creek south of Byers Canyon

Name of natural water source (use separate proofs for each major source)

The water is diverted from its source

Name of ditch, flume or pipe line

at the following point(s) (List all points of diversion from this source, appending a sheet if necessary. 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.)

(1) Lot 14, Sect 6, T20N R38E MDB&M at a point that bears N 74 degrees 06' 14" a distance of 4475.48 feet from the SE corner Section 6 T20N R38E (2) NE1/4 of SW1/4 of NW1/4 Sect. 7 T20N R38E MDB&M.

(1) Name of claimant Michael A. Casey & Claudia C. Casey

Address P.O. Box 5184, Fallon, NV 89407, County of Churchill

State of Nevada Telephone No. (775)423-5019

(2) The means of diversion employed Dam and ditch

Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was To be completed when map is ordered for adjudication

(4) The construction of the ditch or other works was begun About 1863

and completed 1865 or later

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom unknown feet, width

on top _____ feet, depth _____ feet, on a grade of _____ feet per thousand feet.

(6) The conduit has (has not) been enlarged Note - If enlargement or extension of ditch was made, supply information under (7) and (8)

(7) The work of enlargement of the ditch or canal was begun _____

and completed _____

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom _____ feet, width on top

_____ feet, depth _____ feet, on a grade of _____ feet per thousand feet.

(9) The claimant is (is not) the owner in the above-described conduit.

Claimant is owner of conduit and associated right of way or easement

If claimant is an owner in the conduit, state interest held on this line.

133-644

(10) The nature of the title to the land for which the water right is claimed is Homestead Patented by U.S. June 4, 1895

(11) Crops of native hay, alfalfa, pasture, orchard, gardens
have been grown upon the land irrigated. (e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)

(12) The water has been used for irrigation from March 1 to October 31 of each year.
Day of month Day of month

(13) List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with corresponding subdivisions, appending extra sheets if necessary.

- 1863 , 80 acres in the N1/2NW1/4 of Sec 9 , T 20N , R 38E , E.
- 1863 , 80 acres in the E1/2SW1/4 of Sec 4 , T 20N , R 38E , E.
- , acres in the of Sec , T , R , E.
- , acres in the of Sec , T , R , E.
- , acres in the of Sec , T , R , E.
- , acres in the of Sec , T , R , E.
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- , acres in the of Sec , T , R , E.
- , acres in the of Sec , T , R , E.
- , acres in the of Sec , T , R , E.

(14) The maximum acreage irrigated in any year was 160 acres.

(15) The water claimed has ~~(has not)~~ been used for irrigation each and every year since the right was initiated. it has been

(16) The years during which no water was used for irrigation or during which the full water right was not used were (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, appending a sheet if necessary.)

There is no record to indicate this

(17) The claimant's water right was (was not) recorded in the office of the County Recorder of _____
County, said record being at page _____ of Book _____ of _____, and being a claim for
_____ of water for the irrigation of
_____ acres of land in the following legal subdivisions:

Note - Failure to record in the county in no way invalidates a water right, but if ditch or right was so recorded, supply full information under (17)

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation:

Livestock water for cattle, sheep, and horses is vested livestock water from any point within the watersheds or creeks and from various springs and seeps within both Byers Canyon and the unnamed canyon to the south, including Eagle Spring in SW1/4 NW1/4 Section 26 T21N R37E.

(19) The character of the soil is gravelly loam. A continuous flow of 10 (5cfs from each) cubic feet
Sandy, gravelly, loam
of water per second has been used to irrigate 160 acres of land and varied amounts from year to year
acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks

This application is intended to inform the State Engineer and any future applicants that this claimed vested rights exist.

We understand that a proper survey and supporting map may be required at such time as the State Engineer orders that they be submitted.

Waters from the two canyons described above is intermixed in such a way that the application of water from a specific source cannot be identified. There are no other potential claimants for water from either source since there is no other patented land ownership.

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

Michael A Casey

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

Name

Michael A Casey

Address

PO Box 5184 Fallon NV 89407

Telephone Number

775-423-5019

RECEIVED
2011 APR 14 PM 4:15
STATE ENGINEER'S OFFICE

Subscribed and sworn to before me this

14

day of

April

, 20 11

Susan Cox

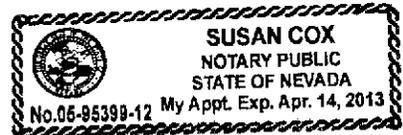
Notary Public in and for the County of

Carson City

My commission expires

4-14

, 20 13

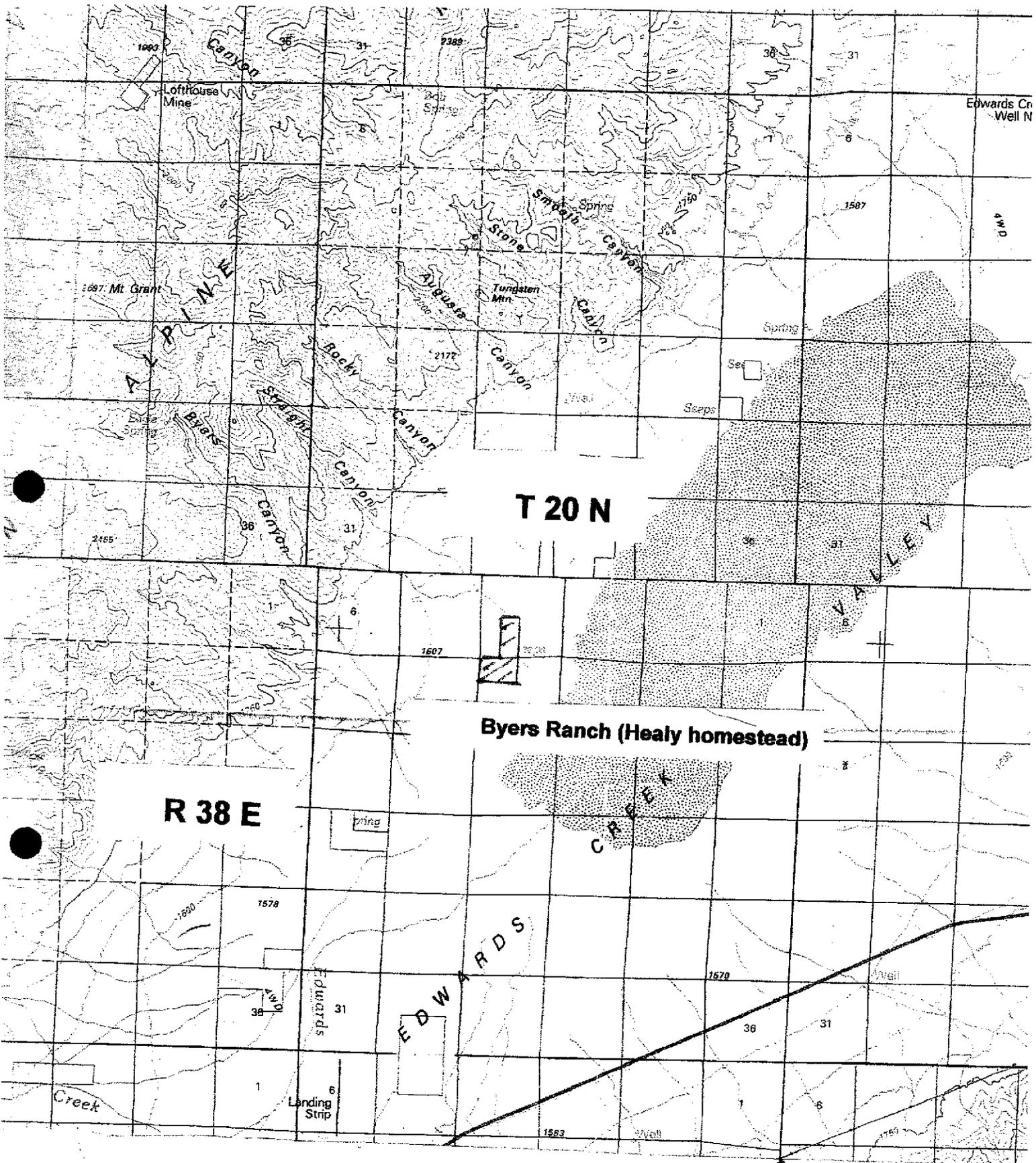


\$100 FILING FEE MUST ACCOMPANY PROOF

**ABSTRACT OF TITLE FOR VESTED RIGHT (BYERS RANCH)
T20N R38E North half of Northwest quarter Section Nine and
T20N R38E East half of Southwest quarter Section four**

**U.S. patent/Homestead Certificate No. 216
recorded June 4, 1895 and March 11, 1922**

<u>RECORDED</u>	<u>GRANTEE</u>	<u>BOOK</u>	<u>PAGE</u>	
6-4-1895	David L. Healy	5	186	(Homestead Patent)
6-24-1902	J.F. Byers	7	301	
1-24-1902	Patrick Walsh	7	306	
3-15-1916	J.F. Byers	12	475	
11-5-1917	Williams Estate Company	13	326	
3-11-1922	David L. Healy	1	589	
12-14-1933	W.W. Whitaker	20	180	
2-20-1937	W.W. Whitaker	14	453	
5-14-1937	W.W. Whitaker	21	329	
5-14-1937	Thomas Ormachea	21	331	
6-16-1967	Magnuson Ranch	42	21	
4-21-1972	John C Carpenter Jr. & Roseann S. Carpenter	42	454	
5-22-1978	John C Carpenter Jr. & Roseann S. Carpenter	130	214	
7-18-1978	Alpine Ranching Company	133	524	
12-12-1986	Michael P. Casey	Alpine Ranching Comp Bankruptcy Court #86-172		
10-13-1997	Co-administrators Michael A. Casey Violet J. Rechel	Official Record No 309068		
6-12-1998	Michael A Casey Claudia C. Casey	Official Record No 314544		



Byers Ranch Location Map
 Approximate scale 1:100,000
 Source copied is BLM Land Status map

