8/28/17

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01517

THE STATE OF NEVADA

Proof of Appropriation of Water for Power (Mining) (Milling)

From Artificially developed springs 01517
(Name of natural water source.)

Through Pipe
(Name of ditch, flume, or pipe line.)

OTT F. HEIZER, the undersigned,

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

M.S. Louisiana Consolidated Mining Co. ~~[illegible]~~ agent of Tybo Consolidated Mining Co

are full and correct to the best of his knowledge and belief.

Said Ott F. Heizer is General Manager of Louisiana Consolidated Min. Co.
(If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.)

(1) Name of claimant Tybo Consolidated Mining Company

Address Tonopah County of Nye

State of Nevada

(2) The means of diversion employed Pipe line
(Dam and ditch, pipe line, flume, etc.)

(3) The date of the survey of ditch, canal or pipe line was about 1872

(4) The construction of the ditch or other works was begun 1872,

and completed 1872

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom ..... feet; width on top ..... feet; depth ..... feet; on a grade of ..... feet per thousand feet. 4" pipe originally

M.M.S. (6) The amount of water claimed is ~~all water developed~~ Two (2) second-feet.

(7) The conduit ~~xxx~~ (has not) been enlarged.
(NOTE: If enlargement or extension of ditch was made, supply information under (7) and (8.)

(8) The work of enlargement of the ditch or canal was begun No,

and completed

(9) 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.

(10) The claimant is (~~xxxx~~) an owner in the above-described conduit

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

(11) The nature of the title to the land upon which the works are located is U. S. Patent

(12) If works are not completed give description of work already done. expect to replace old pipe line with a new one at once.

(13) The water has been used for power (mining) (milling) from not used for generation of power. See answer No. 19
(Strike out any not wanted) (Day of month)

to ..... of each year.
(Day of month)

(14) The water was first used for power (mining) (milling) by claimant or ..... grantors in the year
(Strike out any not wanted)

1872, when ..... horse-power was generated.

(15) The maximum power generated in any year was ..... horse-power.

(16) The years during which no water was used for power (mining) (milling) or during which the fully water right was not used were at various short periods when mine was inactive but used continuously for domestic use and irrigating gardens from 1872 - 1917
(Strike out any not wanted) (If water was not used, or used in reduced quantity at any time, full information as to the cause and duration of non-use should be given, appending a sheet if necessary.)

(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 generating power (mining)
(Strike out any not wanted)

(milling) Records not available

(NOTE: Failure to record in the county in no way invalidates a water right, but if a ditch or right was so recorded, supply full information.

(18) The map provided by the State Engineer and attached hereto as a part of this proof is hereby accepted as correctly showing the ditch lines or other works diverting or conveying the water claimed, to the point of use.

(19) Water from the source given and through the works described is also used for the following purposes other than power (mining) (milling).....
(Strike out any not wanted)

Boilers and domestic use in town of Tybo and for irrigating gardens. From 1872-1895 for smelter and mill.

(20) Remarks:

This water was artificially developed from small seepage holes by means of tunnels and shafts and four such seepage flows are piped to a penstock and thence to the company's plant 1½ miles distant. No water naturally flows except for a very short time each spring. The water has been used continuously and without dispute since 1872 by the predecessors of the present company.

Otto J. Heizer

Subscribed and sworn to before me, this 2nd day of August 1917.

Madeline M. Gassin

Notary Public in and for the County of Nye

My commission expires [illegible] 1921

This part of form to be left blank by claimant.

Filing Serial No. 01517

STATE OF NEVADA

Proof of Appropriation of Water for Power (Mining) (Milling)

Water source Tybo Canyon Springs

Through .....

Claimant ~~Louisiana~~ Tybo Consolidated Mining Company.

Filed in the State Engineer's office on

August 24, 1917

J. L. Scrugham
State Engineer

Certificate No. ..... *issued hereunder*

....., 191....

Form 210H—500—6 1 11