

**THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION**

Source Martin Creek, a tributary of Penrod Creek
Name of natural water source

The water is diverted from its source Sunflower flat reservoir & ditch
Name of ditch, flume or pipe line

at the following point(s) In the SW 1/4 of section 28, T45N, R56E, MDM., or N66° 10' W, 1499 ft.
List all points of diversion from this source, appending a sheet if necessary

from the East 1/2 corner of the same section 28, thence traversing generally westerly along
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

the sunflower flat ditch line to the sunflower flat reservoir, which lies in section 36, T45N, R55E, MDM. As water is needed it is released from the resevoir to flow along the natural Gold Creek water course to its conflux with Martin Creek & on to Martin Creek's conflux with Penrod Creek where it again is diverted in the NWNE of section 26 T44N, R55E MDM or S21° 38' E, 910 ft. from the North 1/2 corner of the same section 26, where it is distributed in proof of appropriation #02871.

Note: this "proof" is supplemental to "proof" #02871

(1) Name of claimant Raymond Y. and Toni L. Mendive

Address North Fork, County of Elko

State of Nevada

(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 July 1976

(4) The construction of the ditch or other works was begun in 1897
and completed in 1899.

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 3 ft.
feet, width on top 6 feet, depth 4 feet, on a grade of 14 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) an owner in the above-described conduit.

Owner (purchased improvements Feb. 21, 1950)
If claimant is an owner in the conduit, state interest held on this line

(10) The nature of the title to the land for which the water right is claimed is
Homestead
Fee simple, public domain, etc.

(11) Crops of Hay, Grain, Vegetables & Meadow Hay
have been grown upon the land irrigated.

(12) The water has been used for irrigation from May 1st to August 30th
of each year. Day of month Day of month

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(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.

1900 , 25.2 acres in the SE NW of Sec. 26 , T. 44N , R. 55 E.
Year
1900 , 2.5 acres in the SW NE of Sec. 26 , T. 44N , R. 55 E.
1902 , 9.2 acres in the NE NW of Sec. 26 , T. 44N , R. 55 E.
1902 , 21.3 acres in the SW NW/ of Sec. 26 , T. 44N , R. 55 E.
1902 , 1.7 acres in the NW SW of Sec. 26 , T. 44N , R. 55 E.
1903 , 22.2 acres in the NE SE of Sec. 27 , T. 44N , R. 55 E.
1904 , 13.3 acres in the SE NE of Sec. 27 , T. 44N , R. 55 E.
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(14) The maximum acreage irrigated in any year was 95.4 acres.

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

(16) The years during which no water was used for irrigation or during which the full water right was not used were ~~those years when the natural stream flow was adequate to continuously irrigate the prescribed lands.~~
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

(17) The claimant's water right was (was not) recorded in the office of the County Recorder of Elko County, said record being at page 398 of Book 2 of Water Rights, and being a claim for 500 (five hundred) miners inches of water for the irrigation of 95.4

acres of land in the following legal subdivisions: all in T. 44N, R. 55E. M. 26; SENW
SWNE, NENE, SWNW, NWSW
Section 27; NESE, SENE

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)

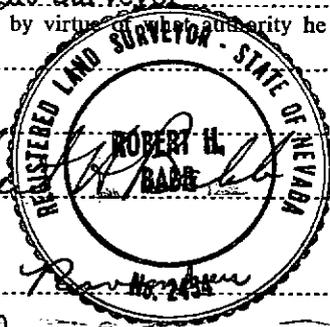
(18) Water from the source given and through the works described is also used for the following purposes other than irrigation: stockwater & domestic

(19) The character of the soil is loam .05 acre-feet per acre per annum have been used to irrigate the crops. A continuous flow of 1 cubic feet of water per second has been used to irrigate 95.4 acres of land.
(Sandy, gravelly, loam)

(20) Remarks: The little sunflower flat and reservoir was originally constructed for mining purposes. The miners water needs coincided with the ranch water needs, as the natural stream flow dwindled to marginal levels in late spring. Because of the ranch's downstream location, they were able to beneficially use the overflow or waste water, created by the miners. When mining activities ceased in this area, Prudencio Mendive purchased the little sunflower flat resevoir water system and improvements from Elko County to protect and preserve their continued future use.
There have been several high water years when the natural stream water was adequate and the water stored in the reservoir was not used.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Raymond Y. & Toni L. Mendive are full and correct to the best of his knowledge and belief. Robert H. Babb State Water Right Surveyor

If proof is not made by claimant, deponent should state on this line by virtue of his authority he represents the Agent of Raymond Y. & Toni L. Mendive claimant



Subscribed and sworn to before me this 18th day of November, 1976

Patty K. Helwick



Notary Public in and for the County of Elko

My commission expires Aug. 14, 1978

\$10 FILING FEE MUST ACCOMPANY PROOF



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