

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source ...Taft Creek ad Tributaries, South Taft Creek and Ranger Creek. ....  
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source.. Diversion Structures, Pipelines, Concrete Lined Ditches and Open Ditches.....  
Name of ditch, flume or pipe line

at the following point(s).....  
List all point 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

.The NE ¼ of the SE ¼ Section 14 T17N., R66E. MDB&M; or at a point from which the NE Corner of Section 18 T17N.,  
R67E. MDB&M bears N 70° 29'39"E, 11704.26 ft .....

(1) Name of claimant ...Arthur Andrae and Audrae Andrae.....

Address ..HC 33 Box 33960, Ely, NV 89301....., County of ..White Pine.....

State of ..Nevada.....Telephone No. (775).591-0346.....

(2) The means of diversion employed ..Water is diverted through a ditches and earth stone and concrete dam.....  
Dam and ditch, pipe line, flume, etc

(3) The date of the survey of ditch, canal, or pipe line was ...Unknown, prior to 1883 and re-surveyed in 2007.....

(4) The construction of the ditch or other works was begun ..approximately post 1883.....  
and completed ...year unknown.....

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom .....2.....feet, width  
on top.....varies.....feet, depth.....1.....feet, on a grade of...varies.....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 ....pipeline installed prior to 1940.....and  
completed .....in 1940.....

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom .....2.5.....feet, width on top  
.....varies.....feet, depth...varies....feet, on a grade of .....varies.....feet per thousand feet

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

..... Ditches are on claimants land and public lands by right-of-way.....  
If claimant is an owner in the conduit, state interest held on this line

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(10) The nature of the title to the land for which the water right is claimed..... is ownership under deeds deriving from Prior Patentees ownership.

(11) Crops of alfalfa, wild hay, and diversified pasture ..... 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 15th ..... to ..... October 15th ..... of each year. Day of month Day of month

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

**SEE ATTACHED DESCRIPTION SHEET**

Year. .... acres in the ..... of Sec ....., T....., R..... E.
Year. .... acres in the ..... of Sec ....., T....., R..... E.
Year. .... acres in the ..... of Sec ....., T....., R..... E.
Year. .... acres in the ..... of Sec ....., T....., R..... E.
Year. .... acres in the ..... of Sec ....., T....., R..... E.
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Year. .... acres in the ..... of Sec ....., T....., R..... E.
Year. .... acres in the ..... of Sec ....., T....., R..... E.
Year. .... acres in the ..... of Sec ....., T....., R..... E.

(14) The maximum acreage irrigated in any year was .....769.14..... ac.

(15) The water claimed has (has not) been used for irrigation each and every year since the right was initiated. To the best of our knowledge, the water has been used for irrigation and stockwatering each and every year beginning about 1885.

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(16) The years during which no water was used for irrigation of during which the full water right was not used

were .....Not Applicable .....  
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

..... 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:

...Stockwatering and domestic.....  
.....  
.....  
.....

(19) The character of the soil is .....sandy loam and gravels..... A continuous flow of .....5 to 20.....cubic  
(Sandy, gravelly, loam)  
feet of water per second has been used to irrigate .....769.14.....acres of land and  
Harvest 6.0 ac. ft./ac. and Meadow 3.0 ac. ft./acre acre-feet per acre per annum have been used to irrigate the crops.

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## TAFT CREEK, UNNAMED SPRINGS AND TRIBUTARIES

SECTION	SUBDIVISION	TOWNSHIP	RANGE	CULTIVATED ACREAGE	DESCRIPTION OF CULTURE	DATE OF FIRST CULTURE
7	NE1/4 NE1/4	17 NORTH	67 EAST	5.31 ACRES	MEADOW GRASSES	
7	SE1/4 NE1/4	17 NORTH	67 EAST	0.16 ACRES	MEADOW GRASSES	
7	NE1/4 SE1/4	17 NORTH	67 EAST	20.95 ACRES	MEADOW GRASSES	
7	SE1/4 SE1/4	17 NORTH	67 EAST	21.24 ACRES	MEADOW GRASSES	
18	NW1/4 NW1/4	17 NORTH	67 EAST	1.37 ACRES	HARVEST GRASSES	
18	NE1/4 NW1/4	17 NORTH	67 EAST	3.11 ACRES	MEADOW GRASSES	
18	NE1/4 NW1/4	17 NORTH	67 EAST	17.43 ACRES	HARVEST GRASSES	
18	NW1/4 NE1/4	17 NORTH	67 EAST	26.31 ACRES	MEADOW GRASSES	
18	SW1/4 NW1/4	17 NORTH	67 EAST	15.90 ACRES	HARVEST GRASSES	
18	SE1/4 NW1/4	17 NORTH	67 EAST	40.10 ACRES	HARVEST GRASSES	
18	SW1/4 NE1/4	17 NORTH	67 EAST	28.32 ACRES	HARVEST GRASSES	
18	SW1/4 NE1/4	17 NORTH	67 EAST	11.15 ACRES	MEADOW GRASSES	
18	NW1/4 SW1/4	17 NORTH	67 EAST	7.84 ACRES	HARVEST GRASSES	
18	NE1/4 SW1/4	17 NORTH	67 EAST	40.17 ACRES	HARVEST GRASSES	
18	NW1/4 SE1/4	17 NORTH	67 EAST	24.29 ACRES	HARVEST GRASSES	
18	NW1/4 SE1/4	17 NORTH	67 EAST	14.29 ACRES	MEADOW GRASSES	
18	SW1/4 SW1/4	17 NORTH	67 EAST	5.23 ACRES	HARVEST GRASSES	
18	SE1/4 SW1/4	17 NORTH	67 EAST	41.91 ACRES	HARVEST GRASSES	
18	SW1/4 SE1/4	17 NORTH	67 EAST	14.61 ACRES	HARVEST GRASSES	
18	SW1/4 SE1/4	17 NORTH	67 EAST	16.96 ACRES	MEADOW GRASSES	
18	SE1/4 SE1/4	17 NORTH	67 EAST	16.91 ACRES	MEADOW GRASSES	
19	NW1/4 NW1/4	17 NORTH	67 EAST	13.01 ACRES	HARVEST GRASSES	
19	NE1/4 NW1/4	17 NORTH	67 EAST	12.36 ACRES	MEADOW GRASSES	
19	NE1/4 NW1/4	17 NORTH	67 EAST	25.17 ACRES	HARVEST GRASSES	
19	NW1/4 NE1/4	17 NORTH	67 EAST	1.06 ACRES	HARVEST GRASSES	
19	NW1/4 NE1/4	17 NORTH	67 EAST	21.18 ACRES	MEADOW GRASSES	
19	NE1/4 NE1/4	17 NORTH	67 EAST	32.26 ACRES	MEADOW GRASSES	
19	SW1/4 NW1/4	17 NORTH	67 EAST	21.98 ACRES	HARVEST GRASSES	
19	SE1/4 NW1/4	17 NORTH	67 EAST	35.08 ACRES	HARVEST GRASSES	
19	SE1/4 NW1/4	17 NORTH	67 EAST	3.16 ACRES	MEADOW GRASSES	
19	SE1/4 NE1/4	17 NORTH	67 EAST	36.18 ACRES	MEADOW GRASSES	
19	NW1/4 SW1/4	17 NORTH	67 EAST	14.82 ACRES	HARVEST GRASSES	
19	NW1/4 SW1/4	17 NORTH	67 EAST	6.38 ACRES	MEADOW GRASSES	
19	NE1/4 SW1/4	17 NORTH	67 EAST	32.96 ACRES	MEADOW GRASSES	
19	NE1/4 SW1/4	17 NORTH	67 EAST	5.25 ACRES	HARVEST GRASSES	
19	SE1/4 SW1/4	17 NORTH	67 EAST	38.36 ACRES	MEADOW GRASSES	
19	NE1/4 SE1/4	17 NORTH	67 EAST	38.28 ACRES	MEADOW GRASSES	
19	SW1/4 SW1/4	17 NORTH	67 EAST	19.13 ACRES	MEADOW GRASSES	
30	NW1/4 NW1/4	17 NORTH	67 EAST	4.90 ACRES	MEADOW GRASSES	
30	NE1/4 NW1/4	17 NORTH	67 EAST	34.06 ACRES	MEADOW GRASSES	
TOTAL ACRES				769.14 ACRES		

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## Yelland Ranch Photos

### Additional Evidence for Vested Right Claims

Photo #

- 1 Panoramic view of the entire ranch from North looking South note main farmstead complex on the right side of photo.
- 2 North portion of property from East side looking West main farmstead in upper right and alluvial fan out of Taft Creek Canyon in the upper portion of the photo. State Highway 893 running North and South on Western boundary of main ranch.
- 3 North portion of ranch and farmstead area looking from the Southeast to the Northwest. Note Highway 893 in upper portion and spring areas in the center of the photograph.
- 4 Central portion of ranch looking from the East toward the West, note spring areas.
- 5 Southern portion of the ranch looking from East to West. Boundary of the cultivated area in the left hand portion of the photo approximately delineates the South boundary of the ranch.

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FILED  
August 29, 1940  
STATE ENGINEER'S OFFICE

Filing Serial No. 02304

THE STATE OF NEVADA

AMENDED PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

From Taft Creek and its tributaries  
Name of natural water source

Through Ditches, unnamed  
Name of ditch, flume, or pipe line

MARION E. YELLAND, the undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by predecessors in interest 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

(1) Name of claimant Marion E. Yelland  
Address McGill, County of White Pine  
State of Nevada

(2) The means of diversion employed ditches and earth and stone dam  
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was Unknown, prior to 1883

(4) The construction of the ditch or other works was begun year unknown and completed year unknown

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 2 feet, width on top varies feet, depth 1 feet, on a grade of varies 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.  
There is no conduit. Ditches on claimant's own land.  
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 ownership under deeds deriving from patentees.

(11) Crops of alfalfa, wild hay, orchard and pasture have been grown upon the land irrigated.

(12) The water has been used for irrigation from March 15th to October 15th of each year, when available.  
Day of month Day of month

(13) The water was first used for irrigation by claimant or her grantors in the year 1870 or prior when 300 acres were irrigated in the  $W\frac{1}{2}$  and  $W\frac{1}{2}$  of  $E\frac{1}{2}$  of Sec. 18 T. 17 N., R. 67 E.

map shows 233.10 acres FWS



(19) The map <sup>required</sup> ~~provided~~ by the State Engineer and <sup>submitted herewith</sup> ~~attached hereto~~ as a part of this proof is hereby accepted as correctly showing the ditch lines or irrigation works diverting or conveying the water claimed and the lands irrigated.

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

(21) The character of the soil is sandy loam The soil needs six acre-feet  
(Sandy, gravelly, loam)  
per annum to properly irrigate the crops. A continuous flow of two cubic feet of water per second, during the irrigation season of seven months, is needed to irrigate each 100 acres of land.

(22) Remarks: This proof is being filed in order to establish a record of use of water under claim of vested right. Map submitted herewith shows present point of diversion and place of use. An application for permission to change point of diversion and place of use will be hereafter made. Although the entire flow of Taft Creek and its tributaries has been beneficially used, according to applicant's information and belief, since prior to the year 1905 at least, an application was made by John Yelland in 1915 under Serial No. 3383 to appropriate water for use in irrigation in Sec. 14, T. 17 N., R. 66 E., on the bench higher upstream, on which approved application Certificate No 1036 issued.

x Marion E. Yelland

Subscribed and sworn to before me this 27<sup>th</sup> day of August, 19 40

Robert R. Gill

Notary Public in and for the County of White Pine

My commission expires Sept. 21, 1943

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Filing Serial No. **028104**

STATE OF NEVADA  
PROOF OF APPROPRIATION OF  
WATER FOR IRRIGATION

Water Source Taft Creek and its  
tributaries  
Through Unnamed Ditches.  
Claimant Marion E. Yelland

Filed in the office of the State Engineer on  
August 29, 1940

Alfred Merritt Smith  
State Engineer.  
Certificate No. .... issued hereunder

19

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