

OFFICE
STATE ENGINEER

1957 JUN 7 PM 3 53

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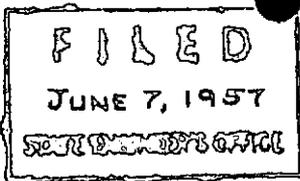
Filing Serial No. 02424

STATE OF NEVADA
PROOF OF APPROPRIATION OF
WATER FOR IRRIGATION

Water Source.....
Through.....
Claimant.....

Filed in the office of the State Engineer on
....., 191.....

State Engineer.
Certificate No. issued hereunder
....., 191.....



THE STATE OF NEVADA

Filing Serial No. 02423

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

From Indian or McNett Creek, Esmeralda County, Nevada

Name of natural water source

Through See Exhibit "H" attached

Name of ditch, flume, or pipe line

ADJUDICATION FILE

Frank Seminario, the undersigned, being first

duly sworn, deposes and says that the facts relative to the appropriation of water by Frank Seminario and of his predecessors' interest, to-wit: Clarks, McNett family, and others are full and correct to the best of his knowledge and belief.

Claimant is deponent.

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 Frank Seminario

Address Fish Lake Valley via Tonopah County of Esmeralda

Mailing address: c/o Adams & Reed, Box 187, Reno, Nevada.

State of Nevada

From natural channel, High Line Ditch, Northeast

(2) The means of diversion employed Ditch, and Southeast Ditch, dams and pipes placed in the banks were used for diversion onto immediately adjacent lands to grow forage or hay; from McNett Ditch there was a system of dams and ditches to

(3) The date of the survey of ditch, canal, or pipe line was April 24 to 26, 1957.

(4) The construction of the ditch or other works was begun prior to 1876

and completed prior to 1876.

(5) The dimensions of the ditch or canal as originally constructed were: the ditches were for the most part Width on bottom 2 feet, width on top 3-6 feet, depth 1-4 feet, on a grade of page 3 feet per thousand feet.

See #1

(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 See #2, page 3

and completed

(8) The dimensions of the ditch or canal as enlarged are: none Width on bottom feet, width on top feet, depth feet, on a grade of feet per thousand feet.

(9) The claimant is owner an owner in the above-described conduit.

If claimant is an owner in the conduit, state interest held on this line certain of said points

(10) The nature of the title to the land for which the water right is claimed is of diversion and place of use as disclosed by map filed in support of the proof are on patented lands wherein claimant has fee title and certain others are situate on Publ Domain whereof claimant owns long-term Sec. 15 USBLM grazing leases.

(11) Crops of alfalfa, hay, clover, various pastures, various sorts of native grasses, potatoes, fruit trees and garden vegetables have been grown upon the land irrigated.

(12) The water has been used for irrigation from January 1 to January 31 (See #3, Day of month Day of month page 3) of each year.

(13) The water was first used for irrigation by claimant or claimants predecessors when 28.4 acres were irrigated in the NW 1/4 SE 1/4 of Sec. 2 T. 2 S. R. 34 E. when acres were irrigated in the of Sec.

T., R., E.

** convey water to pasturo lands, to alfalfa under cultivation and to other cultivated crops.

(14) The additional number of acres first irrigated in subsequent years was as follows:

102
70

Year	Acres	Location	Section	T.	S.	R.	E.
prior to 1886	17.3	NE ¹ of SE ¹	2	2	34	E	
"	10.0	SE ¹ of NE ¹	2	2	34	E	
"	10.6	SW ¹ of NW ¹	1	2	34	E	
"	4.1	SE ¹ of NW ¹	1	2	34	E	
"	27.6	SW ¹ of NE ¹	1	2	34	E	
"	40.0	SE ¹ of NE ¹	1	2	34	E	
"	2.8	NW ¹ of SW ¹	1	2	34	E	
"	17.3	NE ¹ of SW ¹	1	2	34	E	
"	7.4	NW ¹ of SE ¹	1	2	34	E	
"	8.0	SW ¹ of NE ¹	2	2	34	E	
"	2.8	SE ¹ of NE ¹	3	2	34	E	
"	2.8	NE ¹ of SE ¹	3	2	34	E	
"	10.0	SE ¹ of SE ¹	2	2	34	E	
"	6.0	SW ¹ of SW ¹	1	2	34	E	
"	4.0	NW ¹ of NW ¹	12	2	34	E	

Remarks: Application No. 3129 and Certificate No. 958 were filed and
Append a sheet if necessary

obtained to obtain supplemental waters for portions of acreages of
vested rights described above and without waiver of vested right and
also to add additional acreages to the above described ~~vested~~ vested rights
and those also described in Proof No. 01310.

(15) The maximum acreage irrigated in any year was 199.7 acres.

(16) The water claimed has ~~(been)~~ been used for irrigation each and every year since the right was
initiated, whenever sufficient water was available for such irrigation.

(17) The years during which no water was used for irrigation or during which the full water right was
not used were All water available was always used. Stream varied in
flow considerably through the years.
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

(18) The claimant's water right was ~~(recorded)~~ recorded in the office of the County Recorder of
Esmeralda County, said record being at page 261 of Book A of
Pre-emptions, Claims, & Surveys, and being a claim for all
of the stream
of water for the irrigation of

acres of land in the following legal subdivisions: (according to deed from Jones to
Wetherill, a copy whereof is attached hereto as Exhibit "D", which
deed was made the same date as said notice was recorded as above
mentioned, the water would have been applied to the lands described
in said deed herewith specifically referred to and incorporated
herein.)

Harry H. Hughes

(19) 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 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: Stock watering and domestic. (Domestic use has been considerable for garden, trees and domestic animals at ranch house and for one family which has resided there continuously. The home was destroyed by fire in 1956 and will be rebuilt.)

(21) The character of the soil is sandy and rocky with volcanic mixture. The soil needs 3012.05 acre-feet (Sandy, gravelly, loam) per annum to properly irrigate the crops. A continuous flow of 2.23 cubic feet of water per second, during the irrigation season of 12 months, is needed to irrigate each 100 acres of land.

(22) Remarks: See Exhibit "G" attached.

#1 High Line Ditch may drop as much as 500 ft. The Northeast Ditch 200 to 300 ft., and the Southeast Ditch from said point of diversion approximately 100 to 200 ft. to where it is applied; the McNett Ditch drops overall approximately 100 to 200 ft.; the Natural channel probably 500 to 1,000 feet.

#2 The only changes in these diversions have been the repair and restoration of the High Line Ditch subsequent to the cloudburst of 1955.

#3 Winter use was in order to grow grasses, hay, pasture and forage in all ditches. It is emphasized that such winter diversions are necessary to obtain growth of grasses in those areas.

Frank Seminario

Subscribed and sworn to before me this 7th day of June, 1957

Barrett J. Swales

Notary Public in and for the County of Washita

My commission expires April 1, 1958