02655

Filing Serial No.

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

FILED
Nov 4 1968
STATE ENGINEER'S OFFICE

Source Tuledad Creek
Name of natural water source

The water is diverted from its source at rock dam
Name of ditch, flume or pipe line

at the following point in the N½NE¼, Section 15, T. 36 N., R. 18 E., M.D.B.&M.

or at a point from which the east ¼ corner of said Section 15 bears
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, S49°10'E., 3390 feet distant
it should be stated

(1) Name of claimant Frank Addington and Les Lackerman

Address P.O. Box 126 Cedarville, Calif., County of Modoc

State of California

(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 1917

(4) The construction of the ditch or other works was begun in 1917

and completed 1917

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 2.5 feet, width on top 5 feet, depth 2.5 feet, on a grade of 10 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.

100% owner
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 owned by partnership

(11) Crops of Alfalfa and rye grass hay and pasture have been grown upon the land irrigated.

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

(13) The water was first used for irrigation by claimant or his grantors in the year 1917

when 160 acres were irrigated in the of Sec.

T. R. E.

STATE OF CALIFORNIA
COUNTY OF } SS.

[illegible]

On [illegible]
before me, the undersigned, a Notary Public in and for said County and State, personally appeared [illegible]

known to me to be the person whose name [illegible] subscribed to the within instrument and acknowledged that [illegible] executed the same.

WITNESS my hand and official seal.

(Seal) [illegible]
Notary Public in aand for Said County and State

68783

Acknowledgment—General—Wolcotts Form 225-S

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(19) *Water from the source given and through the works described is also used for the following purposes other than irrigation:* Used for stockwatering while available

(20) *The character of the soil is* sandy loam (Sandy, gravelly, loam) *The soil needs* 6 *acre-feet per annum to properly irrigate the crops. A continuous flow of* ..... *cubic feet of water per second, during the irrigation season of* ..... *months, is needed to irrigate each 100 acres of land.*

(21) *Remarks:* Water came for 2 full weeks in the spring of 1968, the driest year since 1961. Stanley Powell, who lived in the dwelling shown on the supporting map from Thanksgiving Day 1911 until his death at age 91 in 1966, reported that there were other short years in his experience but we cannot, now, pinpoint those years.

There were 100 voters in Duck Flat about 1918-1920; however, Stanley Powell stayed until he was taken to Reno at the age of 91. In 1911 and for many years thereafter, he would work as a millwright in the Salt Lake or Bay Area during the winter, and in the spring, take the train to Gerlach. He would walk from Gerlach to the ranch, a distance of 40 miles, catch his team, and drive back to Gerlach for supplies.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Frank Addington & Les Lackerman 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

Les Lackerman

Subscribed and sworn to before me this ..... *day of* ..... *, 19* .....

Notary Public in and for the County of .....

My commission expires .....

(14) The date of culture, number of acres and legal description of the land irrigated in subsequent years:

1917, 160 acres in the ..... of Sec. ....., T. ....., R. ..... E.
Year

..... 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.

1968, 160 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.

..... 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.

..... 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.

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

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

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

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

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

(17) The years during which no water was used for irrigation or 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 of necessary

(18) The claimant's water right was (~~was not~~) ~~recorded~~ filed in the office of the ~~County Recorder of~~ State Engineer of Nevada ~~County, said record being at page ..... of Book ..... of~~ Permit No. 4244 ~~, and being a claim for ..... of water for the irrigation of ..... acres of land in the following legal subdivisions:~~ But action was suspended in 1939, at Stanely Powell's request, since he stated he had broken his leg and lost his cast. (See letter on file with State Engineer)

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 (19)