

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

Source.....MOHAWK CREEK.....  
Name of natural water source

The water is diverted from its source... by ditch .....  
Name of ditch, flume or pipe line

at the following point... in the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 9, T13N, R41E, M. D. B. & M.,

at a point from which the SW Corner of Sec. 9 bears S 17 $^{\circ}$ 00' W, 2640  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,  
feet

it should be stated

(1) Name of claimant.....BARTLEY O'TOOLE AND LILLY E. O'TOOLE.....

Address.....RT. 1., Box 13 Austin, County of Lander.....

State of.....Nevada.....

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

(3) The date of the survey of ditch, canal, or pipe line was...February, 1971 (old survey date /

(4) The construction of the ditch or other works was begun.....1864.....

and completed.....1864.....

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom...3.....

feet, width on top.....4.....feet, depth.....2.....feet, on a grade of.....5.....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%.....

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.....

.....Fee simple and deeded.....

(11) Crops of.....Hay and pasture.....  
have been grown upon the land irrigated.

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

(13) The water was first used for irrigation by claimant or...their.....grantors in the year...1864.....

when.....acres were irrigated in the.....of Sec.....

T....., R..... E.....

(See itemization in Answer 14)

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

1868 ✓ 14.41 acres in the NW<sup>4</sup>NE<sup>4</sup> of Sec. 30, T. 14N, R. 41 E.  
 Year  
 " ✓ 26.48 acres in the NE<sup>4</sup>NW<sup>4</sup> of Sec. 30, T. 14N, R. 41 E.  
 1864 ✓ 4.00 acres in the SE<sup>4</sup>SW<sup>4</sup> of Sec. 19, T. 14N, R. 41 E.  
 " ✓ 36.29 acres in the SW<sup>4</sup>SE<sup>4</sup> of Sec. 19, T. 14N, R. 41 E.  
 " ✓ 5.30 acres in the SE<sup>4</sup>SE<sup>4</sup> of Sec. 19, T. 14N, R. 41 E.  
 " ✓ 27.50 acres in the NE<sup>4</sup>SE<sup>4</sup> of Sec. 19, T. 14N, R. 41 E.  
 " ✓ 20.50 acres in the NW<sup>4</sup>SE<sup>4</sup> of Sec. 19, T. 14N, R. 41 E.  
 " ✓ 1.40 acres in the SW<sup>4</sup>NE<sup>4</sup> of Sec. 19, T. 14N, R. 41 E.  
 " ✓ 33.16 acres in the SE<sup>4</sup>NE<sup>4</sup> of Sec. 19, T. 14N, R. 41 E.  
 " ✓ 17.70 acres in the NE<sup>4</sup>NE<sup>4</sup> of Sec. 19, T. 14N, R. 41 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.  
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 \_\_\_\_\_ 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 ~~196.74~~ 186.74 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 only when water was not available  
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 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 (19)

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

(20) The character of the soil is loam The soil needs 5 acre-feet  
(Sandy, gravelly, loam)  
per annum to properly irrigate the crops. A continuous flow of 2.5 cubic feet of water per second, during the irrigation season of 8 months, is needed to irrigate each 100 acres of land.

(21) Remarks:

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

*Bartley O'Toole*  
BARTLEY O'TOOLE

Subscribed and sworn to before me this 29th day of JULY, 1971

*Laverne Shepherd*  
Notary Public in and for the County of Churchill, State of Nevada

My commission expires.....



This part of form to be left blank by claimant

Filing Serial No. **02704**

STATE OF NEVADA  
PROOF OF APPROPRIATION OF  
WATER FOR IRRIGATION

Water Source.....

Through.....

Claimant.....

Filed in the office of the State Engineer on

....., 19.....

..... State Engineer.

Certificate No..... issued hereunder

....., 19.....

Form B-8-62-2M

4316



OFFICE  
STATE ENGINEER  
1971 AUG 9 AM 11 07