WHOLEY RANCH

FILED
AUG 9 1971
STATE ENGINEER'S OFFICE

Filing Serial No. 02708

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source REESE RIVER AND TRIBUTARIES
Name of natural water source

The water is diverted from its source BY DITCHES
Name of ditch, flume or pipe line

at the following point in the SE¼NW¼ Section 33, T15N, R41E, M. D. B. & M, at a point from which the northwest corner of Section 33 bears N 54°00' W 3190 feet

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

(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 DITCH
Dam and ditch, pipe line, flume, etc.

(3) *The date of the survey of ditch, canal, or pipe-line was* February, 1971 (old survey date unknown)

(4) *The construction of the ditch or other works was begun* 1864 (and 1874)

and completed 1864 (and 1874) (See itemization in Answer 14)

(5) *The dimensions of the ditch or canal as originally constructed were: Width on bottom* 3 *feet, width on top* 4 *feet, depth* 1.5 *feet, on a grade of* 4 *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 (and 1874)

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:

Year	Acres	Legal description	Sec.	T.	R.
1864	4.32	SE¼NW¼	28	15N	41 E.
"	34.45	SW¼NE¼	28	"	" E.
"	38.68	SE¼NE¼	28	"	" E.
	27.12	NE¼SW¼	28	"	"
"					E.
"	40.00	NW¼SE¼	28	"	" E.
"	19.21	NE¼SE¼	28	"	" E.
"	16.45	SW¼SW¼	28	"	" E.
"	40.00	SE¼SW¼	28	"	" E.
"	37.78	SW¼SE¼	28	"	" E.
"	2.22	SE¼SE¼	28	"	" E.
1874	32.23	NW¼NW¼	33	"	" E.
1864	40.00	NE¼NW¼	33	"	" E.
"	19.74	NW¼NE¼	33	"	" E.
1874	38.67	SW¼NW¼	33	"	" E.
"	40.00	SE¼NW¼	33	"	" E.
1864	4.90	SW¼NE¼	33	"	" E.
					E.
					E.
					E.
					E.

(15) The maximum acreage irrigated in any year was 435.77 *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 watering

(20) *The character of the soil is* LOAM (Sandy, gravelly, loam) *The soil needs* 5 *acre-feet 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, *19* 71

Lavonne Shepherd

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

My commission expires

CHURCHILL COUNTY
LAVONNE SHEPHERD
NOTARY PUBLIC, STATE OF NEVADA
MY COMMISSION EXPIRES OCTOBER 8, 1972

This part of form to be left blank by claimant

Filing Serial No. 02708

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 05