AMENDED

Filing Serial No. 02759

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source BROWN'S CREEK
Name of natural water source

The water is diverted from its source BY THE BROWN'S CREEK DITCH
Name of ditch, flume or pipe line

at the following point(s) NW 1/4 SE 1/4 SEC. 15, T. 17N., R. 19E.,
List all points of diversion from this source, appending a sheet if necessary

M.D.B.&M., OR AT A POINT FROM WHICH THE EAST
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed

1/4 CORNER OF SAID SEC. 15 BEARS N 85° 47' E., 2137.9'
land, it should be stated

(1) Name of claimant LEE B. AND MARGARET E. SMITH

Address 955 WASHOE DR. CARSON CITY, County of WASHOE

State of NEVADA

(2) The means of diversion employed ROCK DAM AND DITCHES
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was BETWEEN MARCH 1 AND MAY 10, 1972

(4) The construction of the ditch or other works was begun MAY, 1858

and completed MAY, 1858

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 3 feet, width on top 4 feet, depth 3 feet, on a grade of 1 INCH ~~feet~~ per ~~thousand feet~~ ROD.

(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.

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 BY DEED

Fee simple, public domain, etc.

(11) Crops of MEADOW PASTURE (NOT HARVESTED) 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

FILED
June 30, 1972
STATE ENGINEER'S OFFICE

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

1858 (Year), 0.44 acres in the SE1/4 SE1/4 SW1/4 of Sec. 23, T. 17 N, R. 19 E.

1858, 0.47 acres in the SW1/4 SW1/4 SE1/4 of Sec. 23, T. 17 N, R. 19 E.

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

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

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(14) The maximum acreage irrigated in any year was .91 acres.

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

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

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 WASHOE County, said record being at page 278 of Book F of LEINS, and being a claim for 1/2 of water for the irrigation of 200 ACRES acres of land in the following legal subdivisions: SE1/4 SE1/4 SW1/4 AND SE1/4 of SEC. 23, T 17N, R 19E, M.D.B.+M. OUR CLAIM ON .91 ACRES IS A PORTION OF THE ACREAGE CLAIMED IN THE ABOVE WATER CLAIM ON PAGE 278 OF BOOK F OF LEINS

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: STOCKWATER

(19) The character of the soil is SANDY LOAM (Sandy, gravelly, loam) 5 acre-feet per acre per annum have been used to irrigate the crops. A continuous flow of 2.5 cubic feet of water per second has been used to irrigate .91 acres of land.

(20) Remarks: FILED WITH THIS PROOF OF APPROPRIATION ARE THE FOLLOWING DOCUMENTS:

a. TITLE WORK PAPERS (FROM U.S.A. THROUGH BILLY PAYNE)

b. COPY OF DEED FROM BILLY PAYNE TO DAVID TUTTLE

c. COPY OF DEED FROM DAVID TUTTLE TO LEE B. SMITH

d. COPY OF RECORDED CLAIM OF ANDREW SAUER FOR 1/2 INTEREST IN THE WATERS OF THE WINTERS AND SAUER BROWN'S CREEK AND BENNETT'S CANYON DITCH.

e. A MAP PREPARED BY WILLIAM J. JOHNSON, A LICENCED STATE WATER RIGHT SURVEYOR

DRAINAGE FROM THIS PARCEL IS CONVEYED TO THE NE 1/4 NW 1/4 AND THE N 1/2 NE 1/4 OF SEC. 26, T. 17 N., R. 19 E. M.D.B.+M.

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

Lee B. Smith

Margaret E. Smith

Subscribed and sworn to before me this 30th day of June, 1972

Mrs. Hilda Sherwood

Notary Public in and for the County of Carson City

My commission expires July 1, 1973

$10 FILING FEE MUST ACCOMPANY PROOF

MRS. HILDA SHERWOOD
Notary Public — State of Nevada 4316
Ormsby County
My Commission Expires July 1, 1973

FILED
MAY 15, 1972
STATE ENGINEER'S OFFICE

Filing Serial No. 02759

THE STATE OF NEVADA

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Lee B. Smith
Margaret E. Smith

Subscribed and sworn to before me this 15 day of May, 1972

Fern Hillygus

FERN HILLYGUS
Notary Public — State of Nevada
Ormsby County
My Commission Expires June 10, 1973

Notary Public in and for the County of Ormsby

My commission expires June 10, 1973

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