

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Browns Creek and Tributaries
Name of natural water source
The water is diverted from its source by the Winters & Sauer Upper Browns Creek ditch
Name of ditch, flume or pipe line
at the following point(s) which bears S 85°54' W 2,133 feet from the
List all points of diversion from this source, appending a sheet if necessary
east quarter corner of Section 15, Township 17 North,
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed
Range 19 East, M.D.B. & M., Washoe County, Nevada, located within
land, it should be stated
the NW 1/4 of the SE 1/4 of said Section 15, Township 17 North, Range
19 East, M.D.B. & M.

(1) Name of claimant Mt. Rose Development Company
Address P.O. Box 2406, Reno, County of Washoe
State of Nevada 89502

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

(3) The date of the survey of ditch, canal, or pipe line was May 1858

(4) The construction of the ditch or other works was begun see (3) above
and completed see (3) above

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 3 ft.
1" per Rod =
feet, width on top 4 feet, depth 3 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

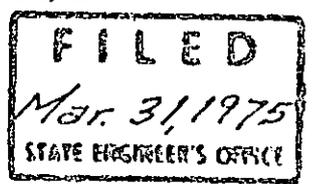
(8) The dimensions of the ditch or canal as enlarged are: Width on bottom feet, width on
top feet, depth feet, on a grade of feet per thousand feet.

(9) The claimant is (is not) an owner in the above-described conduit.

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
Fee simple, public domain, etc.

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

(12) The water has been used for irrigation from April 15 to October 15
of each year. Day of month Day of month



(18) Water from the source given and through the works described is also used for the following purposes other than irrigation: (By change of Place and Manner of Use) Certificate 4222, 4684 and 4685

(19) The character of the soil is sandy-loam 4.0 acre-feet per acre per annum have been used to irrigate the crops. A continuous flow of 2.5 (3.2) cubic feet of water per second has been used to irrigate ea. 100 acres of land.

(20) Remarks: Starting in the year 1858, Theodore Winters made claim to and diverted waters from Browns Creek to irrigate lands belonging to his estate which included Section 26, T17N, R19E, The Mt. Rose Development Co. claim .025 cfs of said water for lands which they acquired through a chain of title in which L.H. Sauer and Neva Sauer, successors to the Theodore Winters estate, were a part of.

The chain of title shows that 1 1/2 miners inches (.038 cfs) of water was conveyed by deed and consequently transferred to the "Sky Tavern" area through Certificates 4222, 4684 and 4685. The amount of water claimed by Mt. Rose Development Co., .025 cfs, is that amount remaining from the original .038 cfs shown above and to which they now hold title.

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

Ludwig F. Kraus
Ludwig F. Kraus
Mt. Rose Development Co.

Subscribed and sworn to before me this 31st day of March, 1975

Notary Public in and for the County of Washoe
My commission expires September 24, 1978

LEONA D. WESTLAKE
Notary Public — State of Nevada
Washoe County
Commission Expires Sept. 24, 1978

\$10 FILING FEE MUST ACCOMPANY PROOF