

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

Source Luther Creek
Name of natural water source

The water is diverted from its source through unnamed pipelines and ditches
Name of ditch, flume or pipe line

at the following point(s) (1) within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 35, T.12N., R.19E., M.D.B.&M., Alpine County, California, from which the northeast corner of said Section 35 bears N13°21'16"E, 3072 feet. (2) within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, T.12N., R.19E., M.D.B.&M., Alpine County, California, from which the northwest corner of said Section 36 bears N7°05'10"W, 2163 ft.
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
List all points of diversion from this source, appending a sheet if necessary

(1) Name of claimant The Heritage Land & Cattle Co., E. J. McGah, owner.
Address 43 Overhill Rd., Orinda, County of _____
State of California

(2) The means of diversion employed (1) Split weir, open channel (2) Small diversion dam, pipe intake.
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was 1975

(4) The construction of the ditch or other works was begun 1853
and completed 1853

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 2-3 ft.
feet, width on top 10+ feet, depth 2-3 feet, on a grade of 80 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 ~~(owner)~~ an owner in the above-described conduit.~~

(1) $\frac{1}{2}$ interest (2) 100% interest

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 hay
have been grown upon the land irrigated.

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

FILED
Apr. 23, 1975
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.

1/6 of Luther Crk.

1853	30.4	acres in the	SE $\frac{1}{2}$ NE $\frac{1}{2}$	of Sec. 26	T. 12N	R. 19	E.
Year							
"	0.4	acres in the	NE $\frac{1}{2}$ SE $\frac{1}{2}$	of Sec. 26	T. "	R. "	E.
"	0.7	acres in the	NE $\frac{1}{2}$ NE $\frac{1}{2}$	of Sec. 26	T. "	R. "	E.
"	11.6	acres in the	NW $\frac{1}{2}$ NW $\frac{1}{2}$	of Sec. 25	T. "	R. "	E.
"	30.5	acres in the	SW $\frac{1}{2}$ NW $\frac{1}{2}$	of Sec. 25	T. "	R. "	E.
"	26.4	acres in the	NE $\frac{1}{2}$ NW $\frac{1}{2}$	of Sec. 25	T. "	R. "	E.
"	16.9	acres in the	SE $\frac{1}{2}$ NW $\frac{1}{2}$	of Sec. 25	T. "	R. "	E.
"	29.0	acres in the	NW $\frac{1}{2}$ NE $\frac{1}{2}$	of Sec. 25	T. "	R. "	E.
"	3.5	acres in the	SW $\frac{1}{2}$ NE $\frac{1}{2}$	of Sec. 25	T. "	R. "	E.
Total	149.4	Acres					

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

1/2 of Luther Crk.

1853	20.6	acres in the	NE $\frac{1}{2}$ SW $\frac{1}{2}$	of Sec. 25	T. "	R. "	E.
"	18.9	acres in the	SE $\frac{1}{2}$ SW $\frac{1}{2}$	of Sec. 25	T. "	R. "	E.
"	36.5	acres in the	SW $\frac{1}{2}$ SE $\frac{1}{2}$	of Sec. 25	T. "	R. "	E.
"	33.4	acres in the	NW $\frac{1}{2}$ SE $\frac{1}{2}$	of Sec. 25	T. "	R. "	E.
"	1.6	acres in the	NE $\frac{1}{2}$ SE $\frac{1}{2}$	of Sec. 25	T. "	R. "	E.
Total	129.0	Acres					

..... 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.

(14) The maximum acreage irrigated in any year was **278.4** 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 **Douglas** County, said record being at page **225** of Book **A** of Book B of Judgements. **Book A, Record of Ditch and Water Rights.**

....., and being a claim for **Luther Crk.**
 Also recorded in Book A, P. 394, Record of Ditch & Water Rights
 of water for the irrigation of **unspecified**

acres of land in the following legal subdivisions: **unspecified**

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: Domestic and Stockwatering

(19) The character of the soil is Sandy Loam (Sandy, gravelly, loam) acre-feet per acre per annum have been used to irrigate the crops. A continuous flow of varies cubic feet of water per second has been used to irrigate 278.4 acres of land.

(20) Remarks: At diversion (1) one half of the entire flow of Luther Creek is removed by a splitting weir and flows northerly to the Bud Dressler Ranch. At a point on the Bud Dressler Ranch, 1/3 of this flow is diverted northerly to the Heritage Land & Cattle Co. Ranch, and used on 149.4 acres as shown.
At diversion (2) the 1/2 of the entire flow remaining in Luther Creek after Diversion (1) is diverted into a pipeline and a surface channel by means of a small diversion dam, a pipe intake and a headgate; from here it goes to the Heritage Land & Cattle Co. Ranch.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Heritage Land and Cattle Co. are full and correct to the best of his knowledge

and belief. Undersigned is employed by E. J. McGah to survey, map and file existing old water rights on the Heritage Land & Cattle Co. Ranch.

claimant

Robert L. Downer

Subscribed and sworn to before me this 22nd day of April, 19 75

Carlene A. Farris

Notary Public in and for the County of Douglas

My commission expires April 3, 1978

\$10 FILING FEE MUST ACCOMPANY PROOF

