Filing Serial No. 03109

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source: Unnamed Spring
Name of natural water source

The water is diverted from its source through an irrigation ditch
Name of ditch, flume or pipe line

at the following point(s) within the NW 1/4 SW 1/4 Sec. 10, T. 16 N., R. 19 E.,
List all points of diversion from this source, appending a sheet if necessary

M.D.B. & M. at a point from which the SW corner of said Sec. 10 bears
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed

S 8°31'53" W, a distance of 1413.76 feet.
land, it should be stated

(1) Name of claimant Jack Bacon, Ramon and Abigail Schmutz, Robert and Lillian Martin

Address 2839 Markridge Drive, Reno County of Washoe

State of Nevada

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

(3) The date of the survey of ditch, canal, or pipe line was 1855

(4) The construction of the ditch or other works was begun 1855

and completed 1855

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 2 feet, width on top 3 feet, depth 2 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 N/A

and completed

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom N/A 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.

The claimants set forth in Paragraph 1 own the land in fee simple.
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 hay (harvest) have been grown upon the land irrigated.

(12) The water has been used for irrigation from January 1st to December 31 of each year.
Day of month — Day of month

FILED
Jan. 16, 1979
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.

1855, 16.3736 acres in the N 1/2 N 1/2 of Sec. 15, T. 16 N. R. 19 E.
Year

1855, 4.0934 acres in the S 1/2 S 1/2 of Sec. 10, T. 16 N. R. 19 E.

1855, 90.0 acres in the SW 1/4 of Sec. 10, T. 16 N. R. 19 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.

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

(14) The maximum acreage irrigated in any year was 110.467 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 None

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 ..... 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 (17)

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation: 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 2.5 cubic feet of water per second has been used to irrigate each 100 acres of land.

(20) Remarks: The acreage set forth in Item 13 are a portion of the same lands included in the case entitled "In the Matter of the Determination of the Relative Rights in and to the Waters of Franktown Creek and its Tributaries in Washoe County, State of Nevada, Case No. 182418 in the Second Judicial District Court of the State of Nevada in and for the County of Washoe". The subject spring issues forth on lands covered in Item 13, and are diverted into the main irrigation system, where they are comingled with Franktown Creek waters. This Proof of Appropriation is filed for the purpose of insuring the waters remain appurtenant to the above described lands, and to include them within the same as irrigated by Franktown Creek and its Tributaries.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by the claimants (#1 supra) are full and correct to the best of his knowledge and belief. Deponent is the attorney and Agent for the claimants

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

Ross E. de Lipkau

Ross E. de Lipkau

Subscribed and sworn to before me this 15th day of January, 1979

Kathleen L. Morris

Notary Public in and for the County of Washoe

My commission expires 10/20/80

$10 FILING FEE MUST ACCOMPANY PROOF

KATHLEEN L. MORRIS
Notary Public - State of Nevada
Washoe County
My Commission expires Oct. 20, 1980

4316