

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Sec. 2 & 3, T16N, R21E, M.D.B. & M.
Underground water--Sec. 29, 32, 33, & 34, T17N, R21E, M.D.B. & M.
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Sutro Tunnel
Name of ditch, flume or pipe line
at the following point(s) various points in Sutro Tunnel, thence to NW $\frac{1}{4}$ of SW $\frac{1}{4}$,
Sec. 1, T16N, R21E, M.D.B. & M. Unsurveyed and thence to additional points
List all points of diversion from this source, appending a sheet if necessary
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed
of beneficial use. Length of tunnel, 20,000 L.F. more or less.
land, it should be stated

(1) Name of claimant Comstock Tunnel & Drainage Company
Address 309 E. John St, Suite 4, County of Carson City
State of Nevada

(2) The means of diversion employed tunnel, reservoir, ditches
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was 1869

(4) The construction of the ditch or other works was begun 1869
and completed 1879

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 8
feet, width on top 10 feet, depth 8 feet, on a grade of 1 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 unchanged
and completed N/A

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

(9) The claimant is ~~(XXXX)~~ an owner in the above-described conduit.
Title in fee-successor in interest to Sutro Tunnel Co. and Adolf Sutro.
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 grant right of
way to construct and maintain a tunnel
Fee simple, public domain, etc.

(11) Crops of alfalfa, row crops, domestic gardens and trees
have been grown upon the land irrigated. (e.g. alfalfa, native hay, grain, orchard, meadow or
diversified pasture)

(12) The water has been used for irrigation from April 1 to November 15
of each year. Day of month Day of month

FILED
May 21, 1979
STATE ENGINEER'S OFFICE

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation: domestic use and industrial milling gold/silver. Domestic use estimated at 200,000 g.p.d.

(19) The character of the soil is sandy loam (Sandy, gravelly, loam). A continuous flow of 16.1 cubic feet of water per second has been used to irrigate 1,700 acres of land and 4 acre-feet per acre per annum have been used to irrigate the crops. (April-October)

(20) Remarks: Claimant is the same as and successor in interest to Comstock Tunnel Company, Sutro Tunnel Company and A. Sutro.

* The water was first used for irrigation by claimant or earlier grantors in the year 1881 or earlier when approx. 1,700 acres were irrigated in the land NW of the Carson River of Secs. 1 & 12, T16N, R21E, and Secs. 5, 6, 7, T16N, R22E, and Secs. 31 & 32, T17N, R22E, all descriptions M.D.B. & M. Includes approx. 1000/5 X 1000=20,000 g.p.d. domestic use at town of Sutro, Sutro Tunnel, Sutro Ranch, etc.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by claimant 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

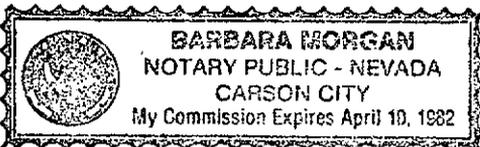
claimant

(Claimant) COMSTOCK TUNNEL & DRAINAGE COMPANY

By: James B. Schryver, President
82-2145

Subscribed and sworn to before me this 21st day of May, 1979.

Barbara Morgan



Notary Public in and for the County of Carson City

My commission expires April 10, 1982

\$10 FILING FEE MUST ACCOMPANY PROOF