

2nd AMENDED

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

Source Unnamed Spring
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source via Unnamed Ditches
Name of ditch, flume or pipe line

at the following point(s) P.O.D. #1, within the NE¼SE¼ of Section 6, T. 45 N., R. 57 E., MDM.
List all points of diversion from this source, appending a sheet if necessary

(unsurveyed), at a point from which the S¼ corner of Section 31, T. 46 N., R. 57 E., MDM, (unsurveyed)
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed

bears N. 5°46' E., 1,712 feet.
land, it should be stated

P.O.D. #2, within the NE¼SE¼ of Section 6, T. 45 N., R. 57 E., MDM, (unsurveyed) at a point from which the S¼ corner of Section 31, T. 46 N., R. 57 E., MDM, (unsurveyed) bears N. 5°49' W., 1,449 feet.

(1) Name of claimant State of Nevada, Department of State Lands for and on behalf of the Nevada Department of Wildlife

Address Nevada Department of State Lands, 505 East King, Carson City, County of Carson City
State of Nevada 898710

Address Nevada Department of Wildlife, 1100 Valley Road, Reno, County of Washoe
State of Nevada 89520

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

(3) The date of the survey of ditch, canal, or pipe line was May 27, 1977

(4) The construction of the ditch or other works was begun 1897
and completed 1897

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, on a grade of _____ feet per thousand feet. (Unknown)

(6) The conduit has been **enlarged. (improved)**

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 unknown 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. (unknown)

(9) The claimant is an owner in the above-described conduit.

Total 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 Title

Fee simple, public domain, etc.

(11) Crops of Pasture and Diversified Pasture 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 October 31 of each year.
Day of month Day of month

(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.

<u>P.O.D.</u>	<u>SEC.</u>	<u>1/4 1/4</u>	<u>T. N.</u>	<u>R. E.</u>	<u>ACRES</u>	<u>TYPE OF CULTURE</u>	<u>DATE OF CULTURE</u>
1	6	SE SE	45	57	3.70**	Pasture	1897 ✓
1	6	SE SE	45	57	0.22* *	Diversified	1897 ✓
1	6	SW SE	45	57	3.09* *	Pasture	1897 ✓
1	6	SW SE	45	57	2.09**	Diversified	1897 ✓
1	6	NE SE	45	57	6.65**	Pasture	1897 ✓
1	6	NE SE	45	57	11.80**	Diversified	1897 ✓
1	6	NW SE	45	57	15.03**	Diversified	1897 ✓
1	6	Lot 1	45	57	2.28**	Pasture	1897 ✓
1	6	Lot 1	45	57	0.63**	Diversified	1897 ✓
1	6	Lot 2	45	57	0.10**	Diversified	1897
2	6	SE SE	45	57	3.70* *	Pasture	1897 ✓
2	6	SE SE	45	57	0.22**	Diversified	1897 ✓
2	6	SW SE	45	57	3.09**	Pasture	1897 ✓
2	6	SW SE	45	57	2.09**	Diversified	1897 ✓
2	6	NE SE	45	57	6.65**	Pasture	1897 ✓
2	6	NE SE	45	57	11.80**	Diversified	1897 ✓
2	6	NW SE	45	57	15.03**	Diversified	1897 ✓
2	6	Lot 1	45	57	2.28**	Pasture	1897 ✓

2	6	Lot 1	45	57	0.63**	Diversified	1897 ✓
2	6	Lot 2	45	57	0.10**	Diversified	1897 ✓

**** Acreages that may receive water from additional point of diversion and/or (Miller Creek), Proof #03531, Ditch #1.**

(14) The maximum acreage irrigated in any year was 45.59

(15) The water claimed has 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 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: Stockwater and Domestic

(19) The character of the soil is sandy loam. A continuous flow of 2½ cubic feet of water per second has been used to irrigate 100 acres of land and _____ acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks: An Affidavit dated September 11, 1893, by A.P. Shively, W.R. Book 2, Page 206 for mining and all other purposes from this ditch (#6), we are claiming 1894. An Affidavit by A.P. Shively and D.F. Shively, Water Rights Book 2, Page 197 for mining and agriculture dated January 1, 1897. An Affidavit made by Joseph F. McKnight filed in Book 242, Page 531, states that the ranch was there in 1917 and was being irrigated before 1900. An Affidavit made by John B. Scott, filed in Book 242, Page 528, states that the ranch was being irrigated before 1900. An Affidavit made by Frank P. Shively, filed in Book 242, Page 533, states that the ranch was being irrigated before the 1900's. We are claiming a 1894 through 1902 on Miller Creek, Unnamed Spring and also the Bruneau River (Ditches 8 and 9).

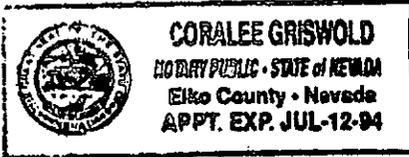
The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by State of Nevada, Department of State Lands for and on behalf of the Nevada Department of Wildlife are full and correct to the best of his knowledge and belief Deponent has been authorized by the claimant to act as his agent
If proof is not made by claimant, deponent should state
on this line by virtue of what authority he represents the claimant

William C. Aisbet

421 Court Street, Elko, NV 89801

Subscribed and sworn to before me this 28 day of October, 1992

Coralee Griswold



Notary Public in and for the County of Elko

My commission expires July 12, 1994

\$100 FILING FEE MUST ACCOMPANY PROOF

810 11/10/92

23 11:10 65:32