

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source..... J. K. Creek
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source..... stream bed
Name of ditch, flume or pipe line

at the following point(s)..... Township 34N, R. 60E MDB. & M.
List all points of diversion from this source, appending a sheet if necessary

..... Section 34 SE1/4 SE1/4 in a south and southeasterly direction;
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed
NE1/4 SW1/4 in a southeasterly direction and NW1/4 SW1/4.
land, it should be stated

..... (2 diversions) in southerly and northerly directions;

..... J. K. Creek has no name on the USGS 7.5 minute series map (Secret
Valley, Nev. 1969). It is shown on the map as parallel to and
the next creek north of Krenka Creek. The source of J. K. Creek
is in the T 34N. R 60E Section 32 NW1/4 SE1/4. This claim
includes the tributaries of J. K. Creek.

(1) Name of claimant John W. Krenka and Wanda L. Krenka, his wife.

Address Arthur Route, Wells, County of Elko

State of Nevada

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

(3) The date of the survey of ditch, canal, or pipe line was..... none-one will be made prior
to adjudication.

(4) The construction of the ditch or other works was begun..... approximately 1878-1879
and completed..... approximately 1879-1880.

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom..... 1
gentle
feet, width on top..... 1 1/2 feet, depth..... 1..... feet, on a grade of slopes..... feet per thousand feet.
(all ditches are approximately the same size).

(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..... grain, pasture, hay
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..... June 1..... to..... Sept...... unless source
of each year. Day of month Day of month
dried up sooner.

APPENDIX TO NO. 16

In 1938, Albert Krenka, claimant's uncle, conveyed to John and Alma Murphy the following property:

T 34 N, R 60 E, Section 34 N1/2 SE1/4;
NE1/4 SW1/4; Section 35 N1/2 SW1/4
This property embraces approximately 18
acres of the cultivation shown on item
13 above.

In or about 1959, claimant, John Krenka, gave one John Murphy permission to divert 1/2 of the water in J. K. Creek onto the above-described property, in order to prevent an altercation with said John Murphy, husband of Alma (Krenka) Murphy, Krenka's first cousin. Sometime later John Krenka allowed his uncle, John Murphy, to use 2 inches of the said Spring Ditch by means of a pipe diversion, again to prevent a family quarrel.

Subsequently the above-described property passed to Eileen Murdoch, the Murphy's daughter, by decree of distribution in 1977. Claimant again gave Eileen Murdoch permission to use the water, again to avoid a family quarrel.

From 1979 to 1981, claimants leased from Eileen Murdoch the above-described property. During that time, claimant used the J. K. Creek water to irrigate the ground in much the same way as shown on item 13 of this proof of appropriation. In 1981, Eileen Murdoch leased the said property to one Leslie Sharp, and again to avoid a quarrel claimants permitted the J. K. Creek water to be used on the above-described property on a temporary basis.

APPENDIX TO NO. 19

Due to fluctuation caused by the vagaries of annual water accumulation and spring recharge, it is impossible to compute flow with any accuracy. It is known that all of the available water was used every year for the irrigation of the 138 acres shown on item 13 of this application, and there was no wastage. In fact, in most years, there was insufficient water for all planned irrigation.