04353

Filing Serial No. 04353

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source MEADOW VALLEY WASH
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Condor Canyon Ditch
Name of ditch, flume or pipe line

at the following point(s) NW¼SW¼ Section 27, T1S, R68E, MDB&M; at a point from which the
List all points of diversion from this source, appending a sheet if necessary

southwest corner of section 33 bears S36°17'43"W a distance of 8841.41 feet.

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

(1) Name of claimant LaVon Phillips and Bernice Phillips

Address P.O. Box 184, Panaca, County of Lincoln

State of Nevada 89042 Telephone No. (702) 728 4625

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

(3) The date of the survey of ditch, canal, or pipe line was prior to 1890

(4) The construction of the ditch or other works was begun prior to 1890

and completed prior to 1890

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 2 feet, width on top 8 feet, depth 1½ feet, on a grade of 6 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 (~~is not~~) an owner in the above-described conduit.

1/4 interest one fourth 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 alfalfa, grain, row crops 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 January 1 (Day of month) to December 31 (Day of month) of each year.

(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.

prior to 1890, 0.5 acres in the NE¼NW¼ of Sec. 33, T. 1S, R. 68 E.
Year

prior to 1890, 17.7 acres in the SE¼NW¼ of Sec. 33, T. 1S, R. 68 E.

prior to 1890, 16.1 acres in the NE¼SW¼ of Sec. 33, T. 1S, R. 68 E.

prior to 1890, 1.3 acres in the NW¼SW¼ of Sec. 33, T. 1S, R. 68 E.

prior to 1890, 0.6 acres in the SW¼SW¼ of Sec. 33, T. 1S, R. 68 E.

prior to 1890, 2.5 acres in the SE¼SW¼ of Sec. 33, T. 1S, R. 68 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.

....., ... 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 38.7 acres. 38.7

(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 ..... 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

(19) The character of the soil is sandy loam (Sandy, gravelly, loam). A continuous flow of 0.9675 cubic feet of water per second has been used to irrigate 38.7 acres of land and 5 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks: The construction of Echo Dam has severely reduced the amount of irrigation water available from this source. The water which enters this reservoir is held by it until the water (quite rapidly) permeates into the subsurface strata. None is allowed to come down the wash to be used for irrigation purposes as was done previously.

A portion of this water was proved in Lincoln County Cistrict Court Decree: C.P. Ronnow, Charles Mathews, William Mathews, and Phillip Mathews, Plaintiff vs. Joseph Delmue and Marcellus Delmue, Defendants. (Copy enclosed) Subsequent transactions.

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

LaVon Phillips
Bernice Phillips

Telephone No. (702) 728-4675

Subscribed and sworn to before me this 2nd day of May, 1985

Margaret H. Jones

Notary Public in and for the County of Lincoln

My commission expires July 30, 1988

MARGARET H. JONES
Notary Public - State of Nevada
Appointment Recorded In Lincoln County
MY APPOINTMENT EXPIRES JULY 30, 1988

$50 FILING FEE MUST ACCOMPANY PROOF