

AMENDED

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source BURNT CANYON CREEK And DELMUE SPRINGS No. 1, 2 and 3 and 2 diversion dams. Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Delmue ditch Name of ditch, flume or pipe line

at the following point(s) Delmue Springs # 1 and 2 are located within the SE 1/4 SE 1/4 of Sect. 14, T. 5 N., R. 69 E. List all points of diversion from this source, appending a sheet if necessary

Delmue Spring No. 1 bears S. 6°37'37" E., at 939 ft. and Delmue Spring # 2 bears S. 41°58'14" E., at 229 feet to said Section 14 S. E. Corner. Delmue Spring # 3 land, it should be stated is located within Lot No. 2 of Sec. 19, T. 5 N. R. 70 E., or at a point from which the West Quarter Corner of said Set. 19 bears S. 86°06'40" W., at 817.7 feet.

Delmue Dam No. 1 is located within the NE 1/4 NW 1/4 and the NW 1/4 NE 1/4 of Sect. 24, T. 5 N., R. 69 E., or at a point from which the East-Quarter Corner of said Sect. 24 bears S. 57°19'56" E., at 3,120.24 ft.

Delmue Dan, No. 2 is located within the NE 1/4 NE 1/4 of Sect. 30, T. 5 N., R. 70 E., or at a point from which the N. E. Cor. of said Sect. 30 bears N. 85°24'48" E. at 692.65 ft.

(1) Name of claimant Frank and Rose Marie Delmue

Address Pioche, County of Lincoln

State of Nevada 89008 Telephone No. (702) 962 5241

(2) The means of diversion employed Dams and Ditches 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 2 feet, on a grade of 6 feet per thousand feet.

(6) The conduit 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 an owner in the above-described conduit. Full

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 Meadow 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 January 1 to December 31 of each year. Day of month Day of month



(18) Water from the source given and through the works described is also used for the following purposes other than irrigation: stock water

(19) The character of the soil is loam (Sandy, gravelly, loam). A continuous flow of 1.931 cubic feet of water per second has been used to irrigate 77.24 acres of land and 5 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks:

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

*Richard E. Frago*  
PO Box 491, Elko, Nevada 89301  
Telephone No. (702) 289-2898

Subscribed and sworn to before me this 6 day of June, 1985

*Clara O. Fondi*

Notary Public in and for the County of White Pine

CLARA O. FONDI  
Notary Public - State of Nevada  
Appointment Recorded In White Pine County  
MY APPOINTMENT EXPIRES FEB. 5, 1989

My commission expires 2-5-89

**\$50 FILING FEE MUST ACCOMPANY PROOF**



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

Source..... BURNT CANYON CREEK and DELMUE SPRINGS Nos. 1, 2 and 3 and 2 diversion dams.  
Name of natural water source (use separate proofs for each major source)

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

at the following point(s)..... Delmue Springs No. 1 and No. 2 are located within the SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>  
List all points of diversion from this source, appending a sheet if necessary

of Section 17, T.5N., R.69E. Delmue Spring No. 1 bears S. 6°37'37"E. at 939 ft. and  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed  
 Delmue Spring No. 2 bears S. 41°59'14"E. at 229 feet to said section 14 SE Corner.  
land, it should be stated

Delmue Spring No. 3 is located within Lot No. 2 of Section 19, T.5N., R.70E., or at a  
 point from which the West Quarter Corner of said Section 19 bears S. 86°06'40"W.,  
 at 817.7 feet.

Delmue Dam No. 1 is located within the NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> and the NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of section 24, T.5N.,  
 R.69E., or at a point from which the East-Quarter Corner of said Section 24 bears  
 S. 57°19'56"E. at 3,120.24 ft.

Delmue Dam No. 2 is located within the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 30, T.5N., R.70E., or at a  
 point from which the NE Cor. of said Sect. 30 bears N. 85°24'48"E. at 692.65 ft.

(1) Name of claimant..... Frank and Rose Marie Delmue

Address..... Pioche, County of Lincoln

State of Nevada 89008 Telephone No. (702) 962 5241

(2) The means of diversion employed..... dams and ditches  
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..... 2 feet, on a grade of..... 6 feet per thousand feet.  
has not

(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.....  
full  
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..... Meadow 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..... January 1 to..... December 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.

prior to 1890, 0.7 acres in the NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Sec. 24, T. 5N., R. 69E.  
 Year  
 prior to 1890, 0.12 acres in the SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Sec. 24, T. 5N., R. 69E.  
 prior to 1890, 12.64 acres in the SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Sec. 24, T. 5N., R. 69E.  
 prior to 1890, 15.21 acres in the SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Sec. 24, T. 5N., R. 69E.  
 prior to 1890, 17.51 acres in the Lot 2 of Sec. 19, T. 5N., R. 70E.  
 prior to 1890, 14.13 acres in the SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Sec. 19, T. 5N., R. 70E.  
 prior to 1890, 5.80 acres in the NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Sec. 19, T. 5N., R. 70E.  
 prior to 1890, 0.83 acres in the NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Sec. 19, T. 5N., R. 70E.  
 prior to 1890, 4.70 acres in the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Sec. 30, T. 5N., R. 70E.  
 prior to 1890, 5.40 acres in the SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Sec. 30, T. 5N., R. 70E.  
 prior to 1890, 0.20 acres in the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Sec. 29, T. 5N., R. 70E.  
 \_\_\_\_\_, \_\_\_\_\_ 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.  
 \_\_\_\_\_, \_\_\_\_\_ 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 77.24 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 \_\_\_\_\_  
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 loam A continuous flow of 1.931 cubic feet of water per second has been used to irrigate 77.24 acres of land and 5 acre-feet per acre per annum have been used to irrigate the crops.  
(Sandy, gravelly, loam)

(20) Remarks:

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

*Frank DeWine*

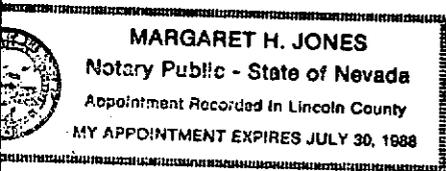
Telephone No. (. 702 .) 962 5241

Subscribed and sworn to before me this 18th day of May, 1985

*Margaret H. Jones*

Notary Public in and for the County of Lincoln

My commission expires July 30, 1988



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