

04403
Amended

Filing Serial No.....

A M E N D E D

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source..... Boulder Spring - Boulder Reservoir

Name of natural water source

The water is diverted from its source..... Boulder Reservoir

Name of ditch, flume or pipe line

at the following point(s)..... within the NE 1/4 of the NW 1/4 of Section 33, T40N, R20E, MDM,

List all points of diversion from this source, appending a sheet if necessary

or at a point from which the north quarter corner of Section 33, T40N, R20E,

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed MDM bears N 85° 18' E a distance of 1196.6 feet.

land, it should be stated

(1) Name of claimant..... Home Camp Land and Livestock Company, Inc.

Address... P.O. Box 665, Eagleville, County of Modoc

State of... California (96110)

(2) The means of diversion employed... Dam - Spillway and Outlet Pipe

Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was... Prior to 1885

and completed..... was begun.....

(4) The construction of the ditch or other works... Prior to 1885

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom..... Natural Channel

feet, width on top..... feet, depth..... feet, on a grade of..... 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... N/A

and completed.....

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom... N/A 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.

..... Spring Diversion Creek and Ditches on Fee Land

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 have been grown upon the land irrigated.

(12) The water has been used for irrigation from... March 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.

1885	14.5	acres in the	SW $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 28	T. 40	R. 20 E.
Year						
1885	38.1	acres in the	SE $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 29	T. 40	R. 20 E.
1885	34.2	acres in the	SW $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 29	T. 40	R. 20 E.
1885	13.3	acres in the	NW $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 29	T. 40	R. 20 E.
1885	8.7	acres in the	NE $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 29	T. 40	R. 20 E.
1885	2.3	acres in the	SE $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 29	T. 40	R. 20 E.
1885	0.3	acres in the	SE $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 29	T. 40	R. 20 E.
1885	7.6	acres in the	NE $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 32	T. 40	R. 20 E.
1885	17.6	acres in the	NW $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 33	T. 40	R. 20 E.
1885	0.9	acres in the	NE $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 33	T. 40	R. 20 E.
1885	15.7	acres in the	SW $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 19	T. 40	R. 20 E.
1885	18.5	acres in the	SE $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 19	T. 40	R. 20 E.
1885	1.8	acres in the	NE $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 19	T. 40	R. 20 E.
1885	6.8	acres in the	NE $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 24	T. 40	R. 19 E.
1885	19.3	acres in the	SE $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 24	T. 40	R. 19 E.
1885	14.8	acres in the	SW $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 24	T. 40	R. 19 E.
1885	.1	acres in the	NE $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 24	T. 40	R. 19 E.
1885	8.8	acres in the	NW $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 24	T. 40	R. 19 E.
1885	9.1	acres in the	NE $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 24	T. 40	R. 19 E.
1885	0.2	acres in the	SW $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 29	T. 40	R. 20 E.

(14) The maximum acreage irrigated in any year was 232.6 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 None

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: Stock Water

(19) The character of the soil is Gravelly Loam (Sandy, gravelly, loam) acre-feet per acre per annum have been used to irrigate the crops. A continuous flow of 1.5 average cubic feet of water per second has been used to irrigate 231.3 acres of land.

(20) Remarks: Home Camp Land and Livestock Company, Incorporated, has had the beneficial use of the water from Boulder Spring for irrigation and stock water since their acquisition of the property in 1937 to present. Prior owners also used the water for the same purposes from its patent in the 1870's until Home Camp purchase. The water from Boulder Spring naturally irrigates the lands along with old ditches that are used for flood irrigation. In the spring more water is used due to flood irrigation. In the summer and fall, the natural flow from the spring supplies the irrigation water. The first evidence of beneficial use of water is from GLO Plot Map which was surveyed in the late 1870's. A house is shown on this plat which reflects the habitation of the area. The field next to the house was early irrigated by use of the spring. A copy of the plot map is attached. The affidavit of David L. Grove further substantiates the beneficial use of water prior to the 1900's. The signed notarized copy of Mr. Grove's affidavit is attached. This affidavit shows the continuous use of water to the present.

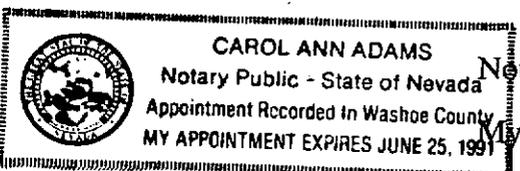
The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Home Camp Land & Livestock, Inc are full and correct to the best of his knowledge and belief. Richard W. Arden, Water Right Surveyor, Agent,

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the Home Camp Land and Livestock Company, Inc. claimant

Richard W. Arden

Subscribed and sworn to before me this 11th day of August, 19

Carol Ann Adams



Notary Public in and for the County of Washoe My commission expires June 25, 1991

\$10 FILING FEE MUST ACCOMPANY PROOF

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THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source BOULDER SPRING - BOULDER RESERVOIR
Name of natural water source (use separate proofs for each major source)

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

at the following point(s) Within the NE 1/4 of the NW 1/4 of Section 33, T.40 N., R.20 E.,
List all points of diversion from this source, appending a sheet if necessary

M.D.B. & M., at a point from which the north quarter corner of Section 33, T.40 N.,
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed
R.20 E., M.D.B. & M. bears N.84°41'42" E., a distance of 1191.75 feet.
land, it should be stated

(1) Name of claimant Home Camp Land and Livestock Company, Inc.

Address P.O.Box 665, Eagleville, County of Modoc

State of California 96110

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

(3) The date of the survey of ditch, canal, or pipe line was Please see remarks on Line #20

(4) The construction of the ditch or other works was begun Please see remarks on Line #20
and completed

(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.
***Please see remarks on Line #20.

(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 N/A
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. N/A

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

N/A

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
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 March 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.

1885	15	acres in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$	of Sec. 28	T. 40	R. 20	E.
Year						
1885	30	acres in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$	of Sec. 29	T. 40	R. 20	E.
1885	30	acres in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$	of Sec. 29	T. 40	R. 20	E.
1885	15	acres in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$	of Sec. 29	T. 40	R. 20	E.
1885	10	acres in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$	of Sec. 29	T. 40	R. 20	E.
1885	5	acres in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$	of Sec. 29	T. 40	R. 20	E.
1885	20	acres in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$	of Sec. 32	T. 40	R. 20	E.
1885	10	acres in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$	of Sec. 32	T. 40	R. 20	E.
1885	40	acres in the N $\frac{1}{2}$ of the NW $\frac{1}{4}$	of Sec. 33	T. 40	R. 20	E.
1885	30	acres in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$	of Sec. 19	T. 40	R. 20	E.
1885	35	acres in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$	of Sec. 19	T. 40	R. 20	E.
1885	10	acres in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$	of Sec. 19	T. 40	R. 20	E.
1885	10	acres in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$	of Sec. 24	T. 40	R. 19	E.
1885	35	acres in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$	of Sec. 24	T. 40	R. 19	E.
1885	20	acres in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$	of Sec. 24	T. 40	R. 19	E.
1885	15	acres in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$	of Sec. 24	T. 40	R. 19	E.
1885	30	acres in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$	of Sec. 24	T. 40	R. 19	E.
1885	30	acres in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$	of Sec. 24	T. 40	R. 19	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 380 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 None

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: Stock water

(19) The character of the soil is Gravelly loam. A continuous flow of 1.5 cubic feet of water per second has been used to irrigate 380 acres of land and acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks: Home Camp Land and Livestock Company, Incorporated, has had the beneficial use of the water from Boulder Spring for irrigation and stock water since their acquisition of the property in 1937 to present. Prior owners also used the water for the same purpose from its patent in the 1870's until Home Camp purchase.

The water from Boulder Spring naturally irrigates the lands listed on Line #13 of this form, however, there is evidence of old ditches that were used prior to and still used by Home Camp for irrigation.

The date of construction, and the original size of these ditches is unknown.

The early settlement and use of Boulder Spring on the land listed in Item #13 is evidenced by the house shown on the plat map which was surveyed in the late 1870's. A copy of the plat map is enclosed.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Home Camp & Livestock, Co., Inc. 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

Samuel A. Harris
Samuel A. Harris, Secretary-Treasurer

Subscribed and sworn to before me this 25 day of May, 1985

Mabelle A. McKinsey

Notary Public in and for the County of Modoc

My commission expires Apr. 5, 1988

\$50 FILING FEE MUST ACCOMPANY PROOF

