

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Duck Creek and Tributaries
Name of natural water source (use separate proofs for each major source)

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

at the following point(s) The original points of diversion have been destroyed by
List all points of diversion from this source, appending a sheet if necessary

floods and erosion. Point of Diversion no. 1 is located within the SW 1/4 SE 1/4 of Section 31, Township 19 North, Range 65 East, Mount Diablo Base and Meridian; or at a point from land, it should be stated which the SE Corner of said Section 31 bears S. 85°23'00" E., at 1,784.17 feet. Point of Diversion No. 2 is located within the NW 1/4 NE 1/4 of Section 30, Township 19 North, Range 65 East, Mount Diablo Base and Meridian, or at a point from which the North-quarter Corner of said Section 30 bears N. 37°08'10" W., at 1,408.55 feet.

(1) Name of claimant Kennecott Corporation

Address McGill, County of White Pine

State of Nevada Telephone No. (.702.) 235-7741

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

(3) The date of the survey of ditch, canal, or pipe line was October 22, 1985

(4) The construction of the works was begun Prior to the 1870es
and completed Unknown

(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.

(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 100%
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 Hay and 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 1 January to 31 December
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.

1874	4.20 acres in the	NE $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 18	T. 18 N., R. 65 E.
Year				
"	30.83 acres in the	NE $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. "	T. " , R. " E.
"	37.19 acres in the	NW $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. "	T. " , R. " E.
*1874	18.36 acres in the	SW $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 7	T. 18 N., R. 65 E.
* "	39.26 acres in the	SE $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. "	T. " , R. " E.
* "	25.33 acres in the	SE $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. "	T. " , R. " E.
* "	16.61 acres in the	NE $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. "	T. " , R. " E.
* "	19.85 acres in the	NE $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. "	T. " , R. " E.
* "	5.74 acres in the	SE $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. "	T. " , R. " E.
*1874	31.68 acres in the	SW $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 8	T. 18 N., R. 65 E.
* "	7.04 acres in the	SE $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. "	T. " , R. " E.
1880	21.12 acres in the	SW $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 6	T. 18 N., R. 65 E.
1885	37.88 acres in the	NW $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. "	T. " , R. " E.
"	32.48 acres in the	SW $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. "	T. " , R. " E.
"	27.89 acres in the	NW $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. "	T. " , R. " E.
"	16.87 acres in the	NE $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. "	T. " , R. " E.
1885	31.11 acres in the	SE $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 31	T. 19 N., R. 65 E.
"	30.53 acres in the	SW $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. "	T. " , R. " E.
"	30.76 acres in the	NW $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. "	T. " , R. " E.
"	33.06 acres in the	NE $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. "	T. " , R. " E.

*Records lost in fire. NOTE: Continued on Attachment "A"

(14) The maximum acreage irrigated in any year was 1103.67 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 _____
 A portion of _____ County, said record being at page 41 of Book 106 of _____, and being a claim for _____

_____ of water for the irrigation of 320.00
 acres of land in the following legal subdivisions: S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, Township 19 North, Range 65 East and ALSO SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 19 North, Range 64 East all of Mount Diablo Base and Meridian.

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 and Domestic

(19) The character of the soil is Sandy, Gravelly and Loam A continuous flow of 11.03 cubic feet of water per second has been used to irrigate 1,103.67 acres of land and 4,414.68 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks: The White Pine County Recorders office, when located in Hamilton, was burned (See Exhibit No. 1) in December 1885, all of the County real estate records were burned at that time, thus making it impossible to trace the original claimants.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Kennecott are full and correct to the best of his knowledge and belief. Agent

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

Richard E. Fonger
State Water Right Surveyor
P.O. Box 491 - 401 Murry Street
Ely, Nevada 89301
Telephone No. (702) 289-2898

Subscribed and sworn to before me this 23 day of January, 1986

Clara O. Fondi



CLARA O. FONDI Notary Public in and for the County of White Pine
Notary Public - State of Nevada
Appointment Recorded In White Pine My commission expires 2-5-89
MY APPOINTMENT EXPIRES FEB. 5, 1989

\$50 FILING FEE MUST ACCOMPANY PROOF