

04577

Filing Serial No. 04577

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION
QUASI MUNICIPAL PURPOSES, STOCK WATERING AND DOMESTIC

Source... Underground
Name of natural water source (use separate proofs for each major source)
The water is diverted from its source... Underground
Name of ditch, flume or pipe line
at the following point(s)... See Exhibit "A"
List all points of diversion from this source, appending a sheet if necessary

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

10-17-17

(1) Name of claimant... CASEY TRUST
Address... P. O. BOX 8625, County of CALABASAS
State of CALIFORNIA 91302 Telephone No. (.818.) 888-5052

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

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

(4) The construction of the ditch or other works was begun... about 1892
and completed... about 1893

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom... N/A
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.

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... Native hay, alfalfa, barley and meadow 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 about 3/15 to 10/30
of each year. Stock water, domestic, and quasi municipal water used all 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.

1904	40	acres in the	Lot 1	of Sec. 4	T. 3 S., R. 35 E.
Year					
1904	40	acres in the	Lot 2	of Sec. 4	T. 3 S., R. 35 E.
1904	40	acres in the	SE 1/4 NE 1/4	of Sec. 4	T. 3 S., R. 35 E.
1904	40	acres in the	SW NE	of Sec. 4	T. 3 S., R. 35 E.
1904	40	acres in the	SE 1/3 NW	of Sec. 4	T. 3 S., R. 35 E.
1904	40	acres in the	NE SW	of Sec. 4	T. 3 S., R. 35 E.
1904	40	acres in the	NW SE	of Sec. 4	T. 3 S., R. 35 E.
1904	30	acres in the	NE SE	of Sec. 4	T. 3 S., R. 35 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.
		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.

W per letter dated May 12, 2011

(14) The maximum acreage irrigated in any year was approximately 310 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 N/A
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: Lots 1 and 2, S 1/2 NE 1/4, N 1/2 SE 1/4 (less 5 acres in SE corner which was donated to Dyer School) SE 1/4 NW 1/4, and E 1/2 NE 1/4 SW, Sec. 4, T. 3 S., R. 35 E., M.D.B. & M.

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: See Question 20

(19) The character of the soil is sandy loam. A continuous flow of about 2.5 cubic feet of water per second has been used to irrigate 100 acres of land and about 4.0 acre-feet per acre per annum have been used to irrigate the crops.
(Sandy, gravelly, loam)

(20) Remarks: The property, the subject of this Proof of Appropriation, was commonly known as the FOLWICK PLACE, which commenced operation in 1892 or 1893. It subsequently became the town of Dyer, Nevada. At the inception of the FOLWICK PLACE, it contained the only facilities in Fishlake Valley, Esmeralda County, as follows: Post Office, General Store, Blacksmith's Shop, Feed & Seed Store, with loading dock, 5 buildings which housed up to 40,000 chickens, 5 water wells, a large room next to the P.O. and upstairs from the General Store where there were 12 cots, for overnight travelers. The Barn had a row of 4 stalls on each side for horses, a covered shed for wagons, two water storages, (1) dirt reservoir of 300,000 gallons, an adobe-cement reservoir of 150,000 gals. The settlement had a large vegetable garden in front of main house. Main farmhouse had large dining room which seated 10 at one large oak table and 6 at another, which was where everyone ate, including travelers. All 7 water wells were in plus Busher Springs prior to 1913, according to Folwick's son and daughter. Last well was drilled 24 years
(continued on Exhibit "B")

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

John Casey

JOHN CASEY for Casey Trust
P. O. Box 8625, Calabasas, CA 91302

Telephone No. (818) 888-5052

Subscribed and sworn to before me this 24th day of November, 1986

Susan D. Purdy

OFFICIAL SEAL
SUSAN D. PURDY
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
LOS ANGELES COUNTY
My Commission Expires July 15, 1988

Notary Public in and for the County of Los Angeles, California

My commission expires July 15th, 1988

\$50 FILING FEE MUST ACCOMPANY PROOF

EXHIBIT "A"

1. Well #2 - within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T.3S., R.35E., M.D.B.& M. at a point from which the SW corner of said Section 4 bears S. 60° 16' 30" W., a distance of 2,885.57 feet.
2. Well #3 - within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T.3S., R.35E., M.D.B.& M. at a point from which the SW corner of said Section 4 bears S. 70° 39' 40" W., a distance of 4,340.51 feet.
3. Well #7 - within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T.3S., R.35E., M.D.B.& M. at a point from which the SW corner of said Section 4 bears S. 55° 44' 26" W., a distance of 3,453.73 feet.
4. Well #8 - within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T.3S., R.35E., M.D.B.& M. at a point from which the SW corner of said Section 4 bears S. 54° 18' 06" W., a distance of 3,403.73 feet.
5. Well #1 - within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T.3S., R.35E., M.D.B.& M. at a point from which the SW corner of said Section 4 bears S. 61° 44' 24" W., a distance of 4,073.90 feet.
6. Well #5 - within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T.3S., R.35E., M.D.B.& M. at a point from which the SW corner of said Section 4 bears S. 51° 04' 19" W., a distance of 5,220.31 feet.
7. Well #4 - within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T.3S., R.35E., M.D.B.& M. at a point from which the SW corner of said Section 4 bears S. 50°31'05" W., a distance of 5,169.68 feet.

ESMERALDA
10-117
FISH LAKE
VALLEY

EXHIBIT "B"

ago by claimant's father in 1962. Folwick's son and daughter said that 5 of the water wells were in place prior to 1902 and were dug by their father and the well man who lived just north of the ranch.

Ownership of the land and improvements is held in the Casey Trust and has been in the Casey name since 1948.

Use map on file under 41226.