Filing Serial No. 04949

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

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

The water is diverted from its source: Kym Creek Ditch
Name of ditch, flume or pipe line

at the following point(s): POD #1 NE¼ SE¼ of Section 5, T 33 N, R 60 E, MDB & M., at a point from which the SE corner of said Section 5 bears S 19° 25' 00" E, 1980.00 feet, POD #2 NW¼ NW¼ of Section 10, T 33 N, R 60 E, MDB & M., at a point from which the NW corner of said Section 10 bears N 36° 45' 00" W, 1420.00 feet.
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

(1) Name of claimant: W. Wallace or Eileen M. Murdoch

Address: 1062 4th Street, County of: Elko

State of: Nevada Telephone No. (702) 738-3673

(2) The means of diversion employed: Dams, Ditches and Natural Channels
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: N/A

and completed: N/A

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom: varies feet, width on top: varies feet, depth: varies feet, on a grade of: varies 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: N/A

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom: N/A feet, width on top: N/A feet, depth: N/A feet, on a grade of: N/A feet per thousand feet.

(9) The claimant is (~~is not~~) an owner in the above-described conduit.

Full Ownership
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, 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 (Day of month) to: December 31 (Day of month) of each year.

KYM CREEK & TRIBUTARIES

(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.

1879, 40.00 acres in the NW¼ SW¼ of Sec. 14, T. 33N, R. 60 E. *
Year

" , 38.61 acres in the SW¼ SW¼ of Sec. 14, T. 33N, R. 60 E. *

" , 6.26 acres in the NW¼ NW¼ of Sec. 23, T. 33N, R. 60 E. *

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(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.

1879 (Year), 2.49 acres in the NW¼ NW¼ of Sec. 10, T. 33N, R. 60 E.*

", 0.35 acres in the NE¼ NW¼ of Sec. 10, T. 33N, R. 60 E.*

", 20.66 acres in the SE¼ NW¼ of Sec. 10, T. 33N, R. 60 E.*

", 0.98 acres in the SW¼ NE¼ of Sec. 10, T. 33N, R. 60 E.*

", 16.88 acres in the NE¼ SW¼ of Sec. 10, T. 33N, R. 60 E.*

", 33.42 acres in the NW¼ SE¼ of Sec. 10, T. 33N, R. 60 E.*

", 23.79 acres in the NE¼ SE¼ of Sec. 10, T. 33N, R. 60 E.*

", 40.17 acres in the SE¼ SE¼ of Sec. 10, T. 33N, R. 60 E.*

", 38.15 acres in the SW¼ SE¼ of Sec. 10, T. 33N, R. 60 E.*

", 30.34 acres in the SE¼ SW¼ of Sec. 10, T. 33N, R. 60 E.*

", 40.15 acres in the NW¼ NE¼ of Sec. 15, T. 33N, R. 60 E.*

", 40.15 acres in the NE¼ NE¼ of Sec. 15, T. 33N, R. 60 E.*

", 40.15 acres in the SE¼ NE¼ of Sec. 15, T. 33N, R. 60 E.*

", 39.86 acres in the SW¼ NE¼ of Sec. 15, T. 33N, R. 60 E.*

", 25.57 acres in the NW¼ SE¼ of Sec. 15, T. 33N, R. 60 E.*

", 40.00 acres in the NE¼ SE¼ of Sec. 15, T. 33N, R. 60 E.*

", 15.56 acres in the SE¼ SE¼ of Sec. 15, T. 33N, R. 60 E.*

", 0.15 acres in the SW¼ SE¼ of Sec. 15, T. 33N, R. 60 E.*

", 40.15 acres in the NW¼ NW¼ of Sec. 14, T. 33N, R. 60 E.*

", 40.00 acres in the SW¼ NW¼ of Sec. 14, T. 33N, R. 60 E.*

(14) The maximum acreage irrigated in any year was 613.84 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: .....

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, Gravelly (Sandy, gravelly, loam) A continuous flow of 3 cubic feet of water per second has been used to irrigate each 100 acres of land and 5 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks: PLEASE NOTE: *MEANS WATERS ARE CO-MINGLED.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by W. Wallace Murdoch or ~~Eileen M. Murdoch~~ are full and correct to the best of his knowledge and belief. Deponent is the Attorney for the Claimants.

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

Stewart R. Wilson
OF WILSON and BARROWS, LTD.

Telephone No. (702) 738-7271

Subscribed and sworn to before me this 28th day of February, 19 89

Judith A. Stramel

Notary Public in and for the County of Elko

My commission expires

JUDITH A. STRAMEL
Notary Public-State of Nevada
Elko County, Nevada
App. Expires 1-26-92

$50 FILING FEE MUST ACCOMPANY PROOF

(Rev. 10-83)

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