

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION, STOCKWATER, RECREATION AND WILDLIFE PURPOSES

Source Franklin Lake and tributaries
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source unnamed ditches
Name of ditch, flume or pipe line
at the following point(s) See Exhibit "B" attached hereto
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 State of Nevada, Department of Wildlife
Address P.O. 10678 Reno, NV 89520-0022, County of Washoe
State of Nevada Telephone No. (702) 688-1500

(2) The means of diversion employed Natural flow to Franklin Lake
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was Oct. 1, 1863

(4) The construction of the ditch or other works was begun Oct. 1, 1863
and completed.....

(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.

~~all diversions on property owned by claimant are claimed by it~~
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

(11) Crops of Pasture and native hay
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.

*See Exhibit A attached hereto*

.....	acres in the	.....	of Sec. ....	T. ....	R. ....	E. ....
Year						
.....	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. ....
.....	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 2284.95 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 Not applicable  
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, Recreation and wildlife purposes

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

(20) Remarks:

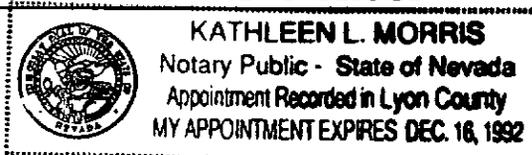
The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by State of Nevada, Dept. of Wildlife are full and correct to the best of his knowledge and belief. Deponent has been appointed Special Deputy Attorney General  
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant to represent claimant in this adjudication proceeding

Ross E. de Lipkane  
Ross E. de Lipkane  
P.O. Box 2790 Reno, Nev. 89505  
Telephone No. (702) 323-1601

Subscribed and sworn to before me this 26<sup>th</sup> day of October, 1989

Kathleen L. Morris  
Notary Public in and for the County of Lyon  
My commission expires 12/16/92

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



**EXHIBIT A  
CULTURAL MAP TABULATION**

<b>SECTION</b>	<b>SUB-DIVISION</b>	<b>TOWN SHIP</b>	<b>RANGE</b>	<b>CULTIVATED ACREAGE</b>
2	LOT 3	T28N	R58E	32.78 AC
2	LOT 4	T28N	R58E	32.75 AC
2	LOT 5	T28N	R58E	23.29 AC
2	SW1/4NW1/4	T28N	R58E	39.99 AC
2	SE1/4NW1/4	T28N	R58E	39.99 AC
2	NW1/4SW1/4	T28N	R58E	40.05 AC
2	NE1/4SW1/4	T28N	R58E	40.04 AC
2	SE1/4SW1/4	T28N	R58E	40.03 AC
3	LOT 1	T28N	R58E	15.97 AC
3	LOT 2	T28N	R58E	23.88 AC
3	LOT 3	T28N	R58E	24.76 AC
4	LOT 5	T28N	R58E	4.09 AC
4	LOT 6	T28N	R58E	9.75 AC
10	LOT 2	T28N	R58E	0.72 AC
10	LOT 3	T28N	R58E	6.00 AC
10	LOT 4	T28N	R58E	2.50 AC
25	SW1/4SW1/4	T29N	R58E	11.36 AC
26	LOT 2	T29N	R58E	0.64 AC
26	LOT 3	T29N	R58E	23.95 AC
26	SE1/4SE1/4	T29N	R58E	31.60 AC
34	LOT 1	T29N	R58E	4.75 AC
35	LOT 1	T29N	R58E	14.10 AC
35	LOT 2	T29N	R58E	37.54 AC
35	LOT 3	T29N	R58E	20.42 AC
35	LOT 4	T29N	R58E	38.55 AC
35	NW1/4NE1/4	T29N	R58E	40.02 AC
35	NE1/4NE1/4	T29N	R58E	40.02 AC
35	SW1/4NE1/4	T29N	R58E	40.01 AC
35	SE1/4NE1/4	T29N	R58E	40.01 AC
35	NE1/4SW1/4	T29N	R58E	40.00 AC
35	SE1/4SW1/4	T29N	R58E	40.00 AC
UNSURVEYED FRANKLIN LAKE				2284.85 AC
TOTAL ACREAGE				3084.41 AC
NOTE: ALL CULTURE IS PASTURE				

655  
25412  
11/10/14

**EXHIBIT B**

**POINTS OF DIVERSION**

A. All surface water which crosses the northerly boundary, as depicted on the supporting map. Said boundary bears south 79 degrees, 37 minutes, 57 seconds east, a distance of 1364.15 feet, thence south 80 degrees, 09 minutes, 43 seconds east, a distance of 8429.43 feet.

B. All surface waters which cross the westerly boundary as set forth on the supporting map. The sources of surface water include, but are not necessarily limited to Hankins Creek, North and South Smith Creek, AKA Road Canyon, Long Hair Smith Canyon, Gardner Creek, Wilson Canyon, Dawley Creek, Tipton Creek, Jasper Canyon, Molly Lou Canyon and Overland Creek.

C. All other sources of surface water which flow to Franklin Lake, and irrigate the claimants's pastures, as more particularly set forth on the accompanying plate.

APR 15 1998  
STATE