

THE STATE OF NEVADA  
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

**Source** [Name of natural water source (use separate proofs for each major source)]: Gold Creek and Springs

**The water is diverted from its source** [Name of ditch, flume or pipe line]: Hardman Ditch

**at the following point(s):** [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]: SE1/4 NW1/4, Section 18, T44N, R56E, MDB&M, from which the one-quarter corner between Sections 7 and 18, T44N, R56E, MDB&M bears North 18°09' East a distance of 2,237 feet.

(1) **Name of Claimant:** John Wood Griswold and Jeanne B. Griswold, Trustees of the J. Griswold Family Trusts, one-third (1/3) interest; Walter I. Leberski and Wanda E. Leberski, one-third (1/3) interest; Margaret M. Martin, John H. Martin, Jr. and Mary Ellen Martin, one-third (1/3) interest.

**Address:** 776 West Sage Street, Elko 89801 County of Elko, State of: Nevada, Telephone No.: (702) 738-5754

(2) **The means of diversion employed** [Dam and ditch, pipe line, flume, etc.]: Dam and ditch

(3) **The date of the survey of ditch, canal, or pipe line was:** about 1873

(4) **The construction of the ditch or other works was begun:** unknown  
**and completed:** 1873

(5) **The dimensions of the ditch or canal as originally constructed were:**  
**Width on bottom:** Unknown feet, **width on top:** Unknown feet, **depth:** Unknown feet, **on a grade of:** Unknown feet per thousand feet.

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- (6) The conduit 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: D.N.A. and completed: D.N.A.
- (8) The dimensions of the ditch or canal as enlarged are: Width on bottom: --- feet, width on top 3 feet, depth 2 feet, on a grade of --- feet per thousand feet. (As shown on culture map.)
- (9) The claimant is an owner in the above-described conduit. [If claimant is an owner in the conduit, state interest held on this line]: 100%
- (10) The nature of the title to the land for which the water right is claimed is [Fee simple, public domain, etc.]: Fee simple.
- (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 April 15 to July 15 of each year.
- (13) List the year of priority for acreage irrigated prior to March 1, 1905, from all points of diversion previously described, with corresponding subdivisions, appending extra sheets if necessary.

YEAR 1901, 1.06 ACRES IN THE SE1/4NW1/4 OF SEC. 18, T. 44 N., R. 56 E.  
 YEAR 1901, 1.20 ACRES IN Lot 2 OF SEC. 18, T. 44 N., R. 56 E.  
 YEAR 1901, 4.265 ACRES IN Lot 3 OF SEC. 18, T. 44 N., R. 56 E.

THE DOCTRINE OF RELATION BACK IS CLAIMED.

- (14) The maximum acreage irrigated in any year was 6.525 acres.
- (15) The water claimed has not been used for irrigation each and every year since the right was initiated.

(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 is necessary]:

Diversion dam and ditch bisected by county road at some time prior to 1974 and not replaced. Ditch used in times of high water when available.

(17) The claimant's water right was recorded in the office of the County Recorder of Elko County, said record being at Page 463 of Book 2 of Water Rights, and being a claim for (Not Stated) of water for the irrigation of (Not Stated) acres of land in the following legal subdivisions: (Not Stated) [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: Livestock

(19) The character of the soil is [Sandy, gravelly, loam] Sandy loam. A continuous flow of --- cubic feet of water per second has been used to irrigate 6.525 acres of land and --- acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks: As shown in this proof, a priority of 1901 is evidenced by the ditch location of John R. Hardman. Evidence found on the ground at the present time in the form of old ditches shows that the diversion was made and the claimed area was irrigated. The claimants are not aware of continuous use, but since purchase of the land in 1974, a portion of the area has been irrigated at times of high water.

At the time of recordation of the ditch location, John R. Hardman did not own the land to be irrigated nor did he later acquire any title. However, available records indicate that John R. Hardman leased the land from the claimants' predecessors.

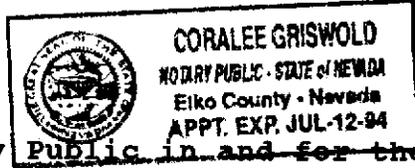
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The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by the claimants herein are full and correct to the best of his knowledge and belief. [If proof is not made by claimant, deponent

should state on this line by virtue of what authority he represents the claimant.]

Proof being made by John W. Griswold, one of the claimants.

By John W. Griswold  
Telephone No. (702) 738-5754

Subscribed and sworn to before me this 9 day of October,  
1991.



Coralee Griswold

Notary Public in and for the County of Elko

My commission expires July 12, 1994

\$100 FILING FEE MUST ACCOMPANY PROOF

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