

AMENDED

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

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

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

at the following point(s) SE¼ NW¼ Section 5, T. 30 N., R. 60 E., M.D.B. & M., or at a point from which the
List all points of diversion from this source, appending a sheet if necessary

NW Corner of Section 6, T. 30 N., R. 60 E., M.D.B. & M. bears N. 78° 15' W., 7,665 feet.

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 Smith Bros. OX Ranch
Address Ruby Valley, County of Elko
State of Nevada

(2) The means of diversion employed Earthen dam and sloughs
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was 1898

(4) The construction of the ditch or other works was begun _____
and completed 1899.

(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 _____
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 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 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 15th May to 15th August 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.

1898, 40.00 acres in the SE 1/4 NE 1/4 of Sec. 6, T. 30 N., R. 60 E.
Year

1898, 305.17 acres in the S 1/2 of Sec. 6, T. 30 N., R. 60 E.

1898, 80.00 acres in the S 1/2 NW 1/4 of Sec. 5, T. 30 N., R. 60 E.

1898, 160.00 acres in the SW 1/4 of Sec. 5, T. 30 N., R. 60 E.

1898, 73.24 acres in the N 1/2 NW 1/4 of Sec. 7, T. 30 N., R. 60 E.

(14) The maximum acreage irrigated in any year was 658.41 acres.

(15) The water claimed has (~~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 Not used, or used in reduced quantity, only in drought years

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: Stockwatering and Wildlife (2,000 winged wildlife)

(19) The character of the soil is Loam. A continuous flow of 7.0 cubic feet of water per second has been used to irrigate 658.41 acres of land and 4 acre-feet per acre per annum have been used to irrigate the crops. also

(20) Remarks: Water from Franklin River and Sloughs is used for stock watering and wildlife needs above the following points of diversion:

SE 1/4 NW 1/4 Sec 27 T. 30N R59E MDM

SW 1/4 NE 1/4 Sec 5 T. 30N R60E MDM

SW 1/4 SW 1/4 Sec 8 T. 30N R60E MDM

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

Partner in Smith Bros OX Ranch

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



WANDA LEE KRENKA
Notary Public State of Nevada
Elko County-Nevada
Comm. Exp. 4-17-93

Paul W. Smith

Subscribed and sworn to before me this 27th day of June, 19 90.

Wanda Lee Krenka
Notary Public in and for the County of Elko, Nevada
My commission expires 4-17-93

\$50 FILING FEE MUST ACCOMPANY PROOF

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"AMENDED"
STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION
STOCK AND WILDLIFE WATERING PURPOSES

Source FRANKLIN RIVER AND SLOUGH
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source By the 680 dike & the level terrain.
Name of ditch, flume or pipe line

at the following point(s) SE 1/4 NW 1/4 Section 5 T. 30N R60E M.D. B. M.
List all points of diversion from this source, appending a sheet if necessary

Stock watering use: NW 1/4 NE 1/4 Section 27 T. 30N R59E SW 1/4 SW 1/4 Sec. 8.
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
T. 30N R60E

(1) Name of claimant Smith Bros. O X Ranch

Address O X Ranch, Ruby Valley, County of Elko

State of Nevada 89833 Telephone No. (702) 779-2293

(2) The means of diversion employed The 680 dike
Due to the level terrain the river spreads in a delta pattern.
Dam and ditch, pipe line, flume, etc.

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

(4) The construction of the ditch or other works was begun 1898
and completed 1898

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 4' feet, width on top 8 feet, depth 2.5 feet, on a grade of 3.0 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 1944 and completed 1944

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom 10 feet, width on top 16 feet, depth 3.5 feet, on a grade of 2.5 feet per thousand feet.

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

Partner
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.....
and public domain with grazing permits.....

(11) Crops of Native pasture and 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 Approx. 15 May to 15 July.....
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.

1898	40	acres in the	SW 1/4 NW 1/4	of Sec. 5	T. 30N	R. 60	E.
Year							
1898	38	acres in the	SE 1/4 NW 1/4	of Sec. 5	T. 30N	R. 60	E.
1898	40	acres in the	NW 1/4 SW 1/4	of Sec. 5	T. 30N	R. 60	E.
1898	32.5	acres in the	NE 1/4 SW 1/4	of Sec. 5	T. 30N	R. 60	E.
1898	23.5	acres in the	SE 1/4 SW 1/4	of Sec. 5	T. 30N	R. 60	E.
1898	28	acres in the	SW 1/4 SW 1/4	of Sec. 5	T. 30N	R. 60	E.
1898	14.5	acres in the	SE 1/4 NE 1/4	of Sec. 6	T. 30N	R. 60	E.
1898	40	acres in the	NW 1/4 SE 1/4	of Sec. 6	T. 30N	R. 60	E.
1898	40	acres in the	NE 1/4 SE 1/4	of Sec. 6	T. 30N	R. 60	E.
1898	40	acres in the	SE 1/4 SE 1/4	of Sec. 6	T. 30N	R. 60	E.
1898	37	acres in the	SW 1/4 SE 1/4	of Sec. 6	T. 30N	R. 60	E.
1898	40	acres in the	NW 1/4 SW 1/4	of Sec. 6	T. 30N	R. 60	E.
1898	40	acres in the	NE 1/4 SW 1/4	of Sec. 6	T. 30N	R. 60	E.
1898	40	acres in the	SE 1/4 SW 1/4	of Sec. 6	T. 30N	R. 60	E.
1898	40	acres in the	SW 1/4 SW 1/4	of Sec. 6	T. 30N	R. 60	E.
1898	35.5	acres in the	NW 1/4 NW 1/4	of Sec. 7	T. 30N	R. 60	E.
1898	40	acres in the	NW 1/4 NW 1/4	of Sec. 7	T. 30N	R. 60	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 609.....acres.

(15) The water claimed has ~~(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 Only years of drought
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 Elko 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:

Stock water for 1000 cattle, 50 horses

Wildlife: 2000 units of wildlife including mammals and birds.

The above use was made in Sections: 22, 15, 10, 11, 12, 13, 18, 30,

T.30N R59E Section 4, 5, 6, 7, T30N R60E as well as other upstream sections.

(19) The character of the soil is Loam and Clay A continuous flow of 13.25 cubic
(Sandy, gravelly, loam)
feet of water per second has been used to irrigate 609 acres of land and 3.0 acre-feet per acre per annum have been used to irrigate the crops.

RECREATION. HUNTING MAMMALS SUCH AS BEAVER, WAMP. BEAVER, SAGE GROUSE.

(20) Remarks.....
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The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by SMITH BROS. O X RANCH are full and correct to the best of his knowledge and belief.

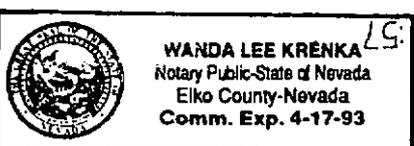
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

Carl W. Smith

Telephone No. (702) 779-2293

Subscribed and sworn to before me this 16th day of March, 1990

Wanda Lee Krenka



Notary Public in and for the County of Elko

My commission expires 4-17-93

\$100 FILING FEE MUST ACCOMPANY PROOF

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR
STOCK WATERING PURPOSES

(1) Name of claimant SMITH BROS OX RANCH
OX RANCH of RUBY VALLEY
Street and No. or P.O. Box No. City or town
NEVADA 89833
State and Zip Code No.

(2) Source of water Franklin River and Slough Fair water
from OX O'Leary best buckle ranches
Name of natural water source.

(3) The water is diverted by natural channels
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) SW 1/4 Section 13, S 1/2 Section 14
W 1/2 Section 13, W 1/2 Section 26, Section 15, 21, 22
27, 35, 34 T. 30N R. 59E M.D.B. 14
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. Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such reach.

(5) The water is impounded in natural channel and slough
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun 1869 Date
and completed 1869 Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is public domain with grazing permit
Patented, deeded, public domain with grazing permit, etc.

(8) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of _____ County, at Page _____ of Book _____ of _____
NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

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Remarks

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

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If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.
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SMITH BROS. DX RANCH
Claimant

Telephone No. (702) 779-2293

By [Signature]

DX RANCH
Street and No., or P.O. Box No.

RUBY VALLEY NV 89833
City, State, Zip Code No.

Telephone No. (702) 779-2293

Subscribed and sworn to before me this 30th day of October, 1989

Wanda Lee Krenka

Notary Public in and for the County of Elko

My commission expires 4-17-93

\$50 FILING FEE MUST ACCOMPANY

