

THE STATE OF NEVADA  
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source [Name of natural water source (use separate proofs for each major source)]: Mayhugh Creek, spelled as Mayhew on existing Geological Survey Plats, formerly known as Wines Creek  
The water is diverted from its source [Name of ditch, flume or pipe line]: Mayhew 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]: at a point within the NE1/4 NE1/4 of Section 3, T 29 N, R 58 E, MDM from which the North one-quarter corner of Section 2, T 29 N, R 58 E, MDM bears N89°19'00"E, a distance of 3,450.00 feet.

- (1) Name of Claimant: Robert O. Vaughan, a married man dealing with his sole and separate property Address: P. O. Box 1420, Elko, Nevada 89801 County of Elko, State of: Nevada (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: Unknown
- (4) The construction of the ditch or other works was begun: Spring 1865 and completed: unknown
- (5) The dimensions of the ditch or canal as originally constructed were: Width on bottom: 1-1/2 feet, width on top: 2-1/2 feet, depth: 1-1/4 feet, on a grade of: 187 ± 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: See attached and completed: \_\_\_\_\_
- (8) The dimensions of the ditch or canal as enlarged are: Width on bottom: 10 feet, width on top \_\_\_\_\_ feet, depth 2 feet, on a grade of varies feet per thousand feet, being of sufficient capacity to carry all waters required for irrigation of the lands shown on the culture map.
- (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]: All interest
- (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 native hay, meadow, diversified pasture continuously with portions in alfalfa and grain in the past 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 \_\_\_\_\_ to \_\_\_\_\_ of each year, during the growing season the length of time varying as to the growth period and availability of water, with the season beginning at about April 15, decreasing during crop harvest and any available water used for production of aftermath pasture after crop harvest.

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(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.

(SEE ADDENDUM.)

(14) The maximum acreage irrigated in any year was 707.39 acres.

(15) The water claimed has ~~(has not)~~ [strike out one not wanted] 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 if necessary]:  
Full water right used continuously to the best information and belief of Claimant, to the extent possible.

(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:

See Addendum - Item 17. [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: Domestic purposes and stockwater purposes.

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

(20) Remarks: No measurements of water have been maintained, so the amount of water used to irrigate the 707.39 acres is not available. Customarily the waters of Mayhew Creek are divided between the Claimant and the ranch property adjoining on the north owned by Miller S. Vaughan, Janet C. Pierce and Dorothy M. Kaiser, not including 30 miner's inches for the period of April 10 to July 10 conveyed by a predecessor in interest. After the high water spring flow, all of the creek is diverted as necessary to irrigate the lands, with the use diminishing as harvest is commenced. After harvest, if water is available, use again increases to produce regrowth of harvested lands. Normally, irrigation use ceases after August 15, but domestic and stockwater use continues year long.

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The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Robert O. Vaughan 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.]

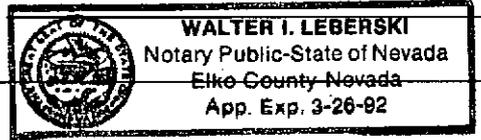
  
ROBERT O. VAUGHAN

Subscribed and sworn to before me this 30th day of October,  
19 1989.

Walter I. Leberski

Notary Public in and for the County of \_\_\_\_\_

My commission expires \_\_\_\_\_



<sup>As 100</sup> ~~\$50~~ FILING FEE MUST ACCOMPANY PROOF

2017-10-30  
10:30-1:00 PM

**EXHIBIT "A"**

**PROOF 05025**

<u>Section</u>	<u>Sub-division</u>	<u>Township</u>	<u>Range</u>	<u>Cultivated Acreage</u>	<u>Description of Culture</u>
1	SW $\frac{1}{4}$ SW $\frac{1}{4}$	T29N	R58E	6.54	Harvest
2	SW $\frac{1}{4}$ NE $\frac{1}{4}$	T29N	R58E	2.15	Pasture
2	SE $\frac{1}{4}$ NW $\frac{1}{4}$	T29N	R58E	1.90	Pasture
2	NW $\frac{1}{4}$ SW $\frac{1}{4}$	T29N	R58E	0.47	Harvest
2	NE $\frac{1}{4}$ SW $\frac{1}{4}$	T29N	R58E	20.36	Pasture
2	NE $\frac{1}{4}$ SW $\frac{1}{4}$	T29N	R58E	2.84	Harvest
2	NW $\frac{1}{4}$ SE $\frac{1}{4}$	T29N	R58E	6.56	Harvest
2	NW $\frac{1}{4}$ SE $\frac{1}{4}$	T29N	R58E	30.40	Pasture
2	NE $\frac{1}{4}$ SE $\frac{1}{4}$	T29N	R58E	5.95	Pasture
2	NE $\frac{1}{4}$ SE $\frac{1}{4}$	T29N	R58E	1.40	Harvest
2	SE $\frac{1}{4}$ SE $\frac{1}{4}$	T29N	R58E	36.53	Harvest
2	SW $\frac{1}{4}$ SE $\frac{1}{4}$	T29N	R58E	40.00	Harvest
2	SE $\frac{1}{4}$ SW $\frac{1}{4}$	T29N	R58E	16.85	Harvest
2	SE $\frac{1}{4}$ SW $\frac{1}{4}$	T29N	R58E	23.15	Pasture
2	SW $\frac{1}{4}$ SW $\frac{1}{4}$	T29N	R58E	15.63	Harvest
11	NE $\frac{1}{4}$ NW $\frac{1}{4}$	T29N	R58E	40.00	Harvest
11	NW $\frac{1}{4}$ NE $\frac{1}{4}$	T29N	R58E	40.00	Harvest
11	NE $\frac{1}{4}$ NE $\frac{1}{4}$	T29N	R58E	40.00	Harvest
12	Lot 3	T29N	R58E	36.47	Harvest
12	Lot 2	T29N	R58E	0.48	Harvest

Culture growing in an unsurveyed area = 339.71 acres of pasture.  
 Total cultivated area = 707.39 acres.