

THE STATE OF NEVADA  
 PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source [Name of natural water source (use separate proofs for each major source)]: Draftsman Creek (also known as Ward Creek) The water is diverted from its source [Name of ditch, flume or pipe line]: Vaughan 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]: within Lot 2 of Section 2, T29N, R58E, MDM, from which point the North one-quarter of said Section 2 bears N62°22'00"W a distance of 330.00 feet.

- (1) Name of Claimant: Miller S. Vaughan, Janet C. Pierce and Dorothy M. Kaiser, all married persons dealing with their sole and separate property Address: c/o Robert O. Vaughan, P. O. Box 1420, Elko, Nevada 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: 1866 and completed: 1866.
- (5) The dimensions of the ditch or canal as originally constructed were: Width on bottom: \_\_\_\_\_ feet, width on top: \_\_\_\_\_ feet, depth: \_\_\_\_\_ feet, on a grade of: \_\_\_\_\_ feet per thousand feet. Dimensions vary as to location and slope.
- (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: Unknown and completed: Unknown.
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E1 (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. Sufficient to irrigate acreage claimed and varies as to location and slope.
- (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]: 100% 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 and 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 April 1 to July 1 of each year, or as long as flow continues.
- (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.

- (14) The maximum acreage irrigated in any year was 8.75 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 is necessary]:  
Waters used each year to the extent available.
- (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 19 of Book 1 of Water Rights, and being a claim for an unspecified quantity of water for the irrigation of unspecified acres of land in the following legal subdivisions: A portion of the N1/2 N1/2 of Section 2, T 29 N, R 58 E. [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 purposes.
- (19) The character of the soil is [Sandy, gravelly, loam] Gravelly loam.  
A continuous flow of not known cubic feet of water per second has been used to irrigate 8.75 acres of land and not known acre-feet per acre per annum have been used to irrigate the crops.
- (20) Remarks: John S. Mayhugh filed a statement of water rights in Book 1 of Water Rights at Page 19, Elko County, Nevada describing certain ditch locations. Ditch No. 4 as shown upon the sketch map attached to said statement and the location of Ditch No. 4 approximate the location of the ditch from Draftsman Creek, and on the basis of that statement a priority of 1866 for these waters is established.

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The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Miller S. Vaughan, Janet C. Pierce and Dorothy M. Kaiser

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.]

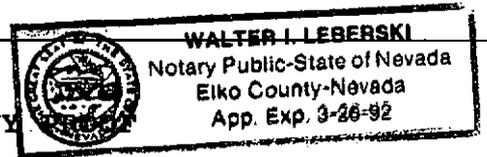
Being executed by Robert O. Vaughan, attorney for Claimant.

By Robert Vaughan

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

Walter J. Leberski

Notary Public in and for the County of \_\_\_\_\_  
My commission expires \_\_\_\_\_



\$50 FILING FEE MUST ACCOMPANY