

**THE STATE OF NEVADA  
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION**

Source Dry Creek and Tributaries  
Name of natural water source (use separate proofs for each major source)

The water is to be diverted from its source Unnamed Open Ditches  
Name of ditch, flume or pipe line

at the following point(s) NE 1/4 SW 1/4 Section 10, T.29 N., R.58 E., M.D.B. & M.  
List all points of diversion from this source, appending a sheet if necessary

or at a point from which the NE Corner of Section 3, T.29 N., R.58 E., M.D.B. & M. bears  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed  
N. 18°46'03" E., 8,923 feet.  
land, it should be stated.

(1) Name of Claimant Dawley Creek Ranch, c/o Clifton Gardner  
Address Ruby Valley, County of Elko  
State of Nevada 89833

(2) The means of diversion employed Rock Dam and Open Ditches  
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was 1865

176  
E1  
(4) The construction of the ditch or other works was begun 1865  
and completed 1865.

(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 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 an owner in the above-described conduit.

Ditch is on private property of claimant

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, Meadow Pasture 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 April 1 to October 15 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.

HARVEST

1865, 0.70 acres in the SW 1/4 NE 1/4 of Sec. 10, T. 29 N., R. 58 E.  
1865, 30.55 acres in the NW 1/4 SE 1/4 of Sec. 10, T. 29 N., R. 58 E.  
1865, 26.03 acres in the Lot 1 of Sec. 10, T. 29 N., R. 58 E.  
1865, 21.50 acres in the SW 1/4 SE 1/4 of Sec. 10, T. 29 N., R. 58 E.  
1865, 18.40 acres in the Lot 2 of Sec. 10, T. 29 N., R. 58 E.  
1865, 0.89 acres in the Lot 1 of Sec. 15, T. 29 N., R. 58 E.  
1865, 0.51 acres in the Lot 3 of Sec. 11, T. 29 N., R. 58 E.  
1865, 27.04 acres in the Unsurveyed Part of Sec. 10, T. 29 N., R. 58 E.  
1865, 12.26 acres in the " of Sec. 11, T. 29 N., R. 58 E.  
1865, 5.10 acres in the " of Sec. 15, T. 29 N., R. 58 E.

MEADOW PASTURE

1865, 86.90 acres in the Unsurveyed Part of Sec. 11, T. 29 N., R. 58 E.  
1865, 223.41 acres in the " of Sec. 14, T. 29 N., R. 58 E.  
1865, 33.33 acres in the " of Sec. 15, T. 29 N., R. 58 E.

DIVERSIFIED PASTURE

1865, 0.90 acres in the Unsurveyed Part of Sec. 11, T. 29 N., R. 58 E.

1865, 213.97 acres in the \_\_\_\_\_ of Sec. 13, T. 29 N., R. 58 E.  
1865, 306.21 acres in the \_\_\_\_\_ of Sec. 14, T. 29 N., R. 58 E.  
1865, 1.02 acres in the \_\_\_\_\_ of Sec. 22, T. 29 N., R. 58 E.  
1865, 484.97 acres in the \_\_\_\_\_ of Sec. 23, T. 29 N., R. 58 E.  
1865, 131.35 acres in the \_\_\_\_\_ of Sec. 24, T. 29 N., R. 58 E.  
1865, 1.43 acres in the \_\_\_\_\_ of Sec. 25, T. 29 N., R. 58 E.  
1865, 331.76 acres in the \_\_\_\_\_ of Sec. 26, T. 29 N., R. 58 E.  
1865, 52.64 acres in the \_\_\_\_\_ of Sec. 27, T. 29 N., R. 58 E.  
1865, 32.07 acres in the Lot 1 of Sec. 24, T. 29 N., R. 58 E.  
1865, 42.42 acres in the Lot 2 of Sec. 24, T. 29 N., R. 58 E.  
1865, 12.77 acres in the Lot 3 of Sec. 24, T. 29 N., R. 58 E.  
1865, 24.25 acres in the Lot 4 of Sec. 24, T. 29 N., R. 58 E.  
1865, 80.00 acres in the E 1/2 SW 1/4 of Sec. 24, T. 29 N., R. 58 E.  
1865, 38.57 acres in the Lot 1 of Sec. 25, T. 29 N., R. 58 E.  
1865, 80.00 acres in the E 1/2 NW 1/4 of Sec. 25, T. 29 N., R. 58 E.  
1865, 40.00 acres in the SW 1/4 NW 1/4 of Sec. 25, T. 29 N., R. 58 E.  
1865, 80.00 acres in the N 1/2 SW 1/4 of Sec. 25, T. 29 N., R. 58 E.  
1865, 27.80 acres in the SW 1/4 SW 1/4 of Sec. 25, T. 29 N., R. 58 E.  
1865, 23.20 acres in the Lot 1 of Sec. 26, T. 29 N., R. 58 E.  
1865, 37.70 acres in the Lot 2 of Sec. 26, T. 29 N., R. 58 E.  
1865, 8.10 acres in the SE 1/4 SE 1/4 of Sec. 26, T. 29 N., R. 58 E.

(14) The maximum acreage irrigated in any year was 2,537.75 acres.

(15) The water claimed has 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 dry years when the waters of Dry Creek did not reach the

If water was not used, or used in reduced quantity at any time, full information as to causes

Franklin Lake

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

(19) The character of the soil is Sandy Loam. A continuous flow of 5 cubic (Sandy, gravelly, loam) feet of water per second has been used to irrigate 2,537.75 acres of land and 3 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks: The waters of Dry Creek are co-mingled with the waters of Tipton Creek, along with Franklin River water to irrigate the lands listed under Question No. 13.

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

**OFFICER IN THE DAWLEY CREEK RANCH CORPORATION**

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

\_\_\_\_\_  
*Clifton Gardner*

Subscribed and sworn to before me this 23 day of Feb, 1983

\_\_\_\_\_  
*Phyllis C. Naylor*

Notary Public in and for the County of Elko

My commission expires 12/28/87

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

