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Filing Serial No. 05064

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Harrison 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 Ditch
Name of ditch, flume or pipe line

at the following point(s) NE 1/4 SE 1/4 of Section 17, T.28 N., R.58 E., M.D.B.& M., or
List all points of diversion from this source, appending a sheet if necessary

at a point from which the SE Corner of Section 17, T.28 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.~~ S 22°29'30" E., 1,584 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 1860

(4) The construction of the ditch or other works was begun 1860

and completed 1860.

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom

176 Varies feet, width on top Varies feet, depth Varies feet, on a grade of Varies feet per thousand feet.

(6) The conduit has 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 1950

and completed 1950.

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

(9) The claimant is an owner in the above-described conduit. The ditches are maintained by the Claimant and are on his private land.

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 Meadow 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 (Day of month) to October 15 (Day of month) of each year.

(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.

MEADOW PASTURE

1860, 10.06 acres in the SE 1/4 SE 1/4 of Sec. 17, T. 28 N., R. 58 E.

(14) The maximum acreage irrigated in any year was 10.06 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 there wasn't sufficient water to irrigate all the meadow.

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 [redacted] (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 (Sandy, gravelly, loam). A continuous flow of 1 cubic feet of water per second has been used to irrigate 10.06 acres of land and 4 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks: **The waters of Harrison Creek and Lime Kiln Creek co-mingle to irrigate the land 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.

Cliff Burcher

Subscribed and sworn to before me this 23 day of Feb, 19 87

Phyllis C. Naylor

Notary Public in and for the County of Elko

My commission expires 12/28/87

PHYLLIS C. NAYLOR
Notary Public - State of Nevada
Elko County, Nevada
Appointment expires 12-28-87

$50 FILING FEE MUST ACCOMPANY PROOF