

STATE OF NEVADA

**PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING
OR WILDLIFE PURPOSES**

(1) Name of claimant August J. & Marjorie S. Vitale
127 West Pine of Elko
Street and No. or P.O. Box No. City or town
Nevada 89801
State and Zip Code No.

(2) Source of water Unnamed Gulch & Tributaries
Name of natural water source

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

(4) The water is diverted at the following point(s) SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, T. 46 N., R. 53 E., M.D.B. & M.
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.

(Unsurveyed) or at a point from which the SW Corner of said Section 36 bears S 28° 25' 00" W, 4,150.30 feet.
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.

The Point of Diversion is located within H.E.S. No. 72 (private land) where UNNAMED GULCH enters the
OWYHEE RIVER.

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

(6) The construction of the ditch or other works was begun 1870
Date
and completed 1870
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:
The source of water and place of use are located both on private land and public domain with a grazing
Patented, deeded, public domain with grazing permit, etc.
permit.

(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).

(9) The approximate number of animals watered by the claimant during the first year 1870
was _____ cattle, _____ horses, 2,500 sheep, and wildlife (describe) Wildlife
Other

The watering was conducted during each of the following months April 1 through October 31 of each year

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:
153 head of cattle and an unknown number of wildlife
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.

(11) The amount of water which has been necessary to be diverted for this purpose has been 0.045
448.83 gallons per minute equals 1 cubic foot per second.
cubic feet per second.

(12) The works are located at SE 1/4 NW 1/4 of Section 36, T. 46 N., R. 53 E., M.D.B. & M. (Unsurveyed)
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated

Remarks It was reported in the Northern Nevada Historical Society - Quarterly for the 1982 summer issue that up
to 2,500 pair of sheep grazed in this area as early as 1870.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by
August J. & Marjorie S. Vitale

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.

MARJORIE S. VITALE

Claimant

Telephone No. () (702) 763-6659

By Marjorie S. Vitale

127 W. PINE ST.

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

ELKO, NEVADA 89801

City, State, Zip Code No.

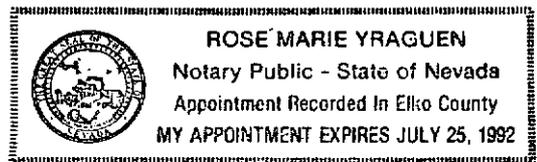
Telephone No. () (702) 763-6659

Subscribed and sworn to before me this 21st day of SEPTEMBER, 1990.

Rose Marie Yraguen

Notary Public in and for the County of ELKO

My commission expires 7-25-92



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