

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Slaughter House Creek & Tributaries
Name of natural water source (use separate proofs for each major source)

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

at the following point(s) Diversion No. 1 - NW¼ SE¼ Section 25, T. 46 N., R. 53 E., M.D.B. & M. (Unsurveyed)
List all points of diversion from this source, appending a sheet if necessary

or at a point from which the S¼ Corner of Section 26 bears S 66° 58' 51" W, 5,753.21 feet.
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section. If on unsurveyed land, it should be stated

Diversion No. 2 - SE¼ SW¼ Section 25, T. 46 N., R. 53 E., M.D.B. & M. (Unsurveyed) or at a point from which
the S¼ Corner of Section 26 bears S 74° 41' 02" W, 4,723.30 feet.

Diversion No. 3 - SE¼ SW¼ Section 25, T. 46 N., R. 53 E., M.D.B. & M. (Unsurveyed) or at a point from which
the S¼ Corner of Section 26 bears S 84° 59' 22" W, 4,473.90 feet.

Diversion No. 4 - NE¼ NW¼ Section 36, T. 46 N., R. 53 E., M.D.B. & M. (Unsurveyed) or at a point from which
the S¼ Corner of Section 26 bears N 83° 21' 53" W, 4,270.44.

Diversion No. 5 - NE¼ NW¼ Section 36, T. 46 N., R. 53 E., M.D.B. & M. (Unsurveyed) or at a point from which
the S¼ Corner of Section 26 bears N 73° 07' 03" W, 4,273.42.

(1) Name of claimant August J. & Marjorie S. Vitale

Address 127 W. Pine St., Elko, County of Elko

State of Nevada 89801 Telephone No. () _____

(2) The means of diversion employed Diversion dams & open ditches
Dam and ditch, pipe line, flume, etc.

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

(4) The construction of the ditch or other works was begun 1896
 and completed 1896.

(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~~ (has not) been enlarged.
NOTE - If enlargement or extension of ditch was made, supply information under (7) or (8)

(7) The work of enlargement of the ditch or canal was begun _____ and
 completed _____.

37
81

(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 ~~(is not)~~ an owner in the above-described conduit.

Full Ownership

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

(11) Crops of Native Hay 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 30 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.

1896, 1.13 acres in the NE 1/4 SW 1/4 of Sec. 25, T. 46 N., R. 53 E.
Year

1896, 8.71 acres in the SE 1/4 SW 1/4 of Sec. 25, T. 46 N., R. 53 E.

1896, 10.90 acres in the NE 1/4 NW 1/4 of Sec. 36, T. 46 N., R. 53 E.

1896, 9.32 acres in the NW 1/4 NW 1/4 of Sec. 36, T. 46 N., R. 53 E.

1896, 3.00 acres in the SE 1/4 NW 1/4 of Sec. 36, T. 46 N., R. 53 E.

1896, 4.64 acres in the SW 1/4 NW 1/4 of Sec. 36, T. 46 N., R. 53 E.

(14) The maximum acreage irrigated in any year was 37.70 acres.

(15) The water claimed has ~~(has not)~~ 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

(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, Wildlife, and Domestic

(19) The character of the soil is Loam (Sandy, gravelly, loam). A continuous flow of 3.0 cubic feet of water per second has been used to irrigate 37.70 acres of land and 4 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks The waters of Slaughter House Creek and Tributaries are used to irrigate a portion of the Vitale Ranch land and the waters of the Owyhee River are used to irrigate a portion of the Ranch.
(See Proof of Appropriation No. 03706.)

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.

August J. Vitale

Marjorie S. Vitale
Marjorie S. Vitale

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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