Filing Serial No. 05242

THE STATE OF NEVADA

MINING, MILLING & DOMESTIC

PROOF OF APPROPRIATION OF WATER FOR ~~IRRIGATION~~

Source: Maggie Creek (Springs) Tributary to Trail Creek
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source: Maggie Creek, Mine Tunnel & Springs
Name of ditch, flume or pipe line

at the following point(s): SE 1/4 SE 1/4 Section 19, T.44N., R.53E., MDM or
List all points of diversion from this source, appending a sheet if necessary

at a point from which the Southeast Corner of Said Section 19 bears
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed

S 75° 03' 40" E, a distance of 298.91 feet
land, it should be stated

(1) Name of claimant: James Clark Talley Sr., Virginia I. Talley, James Clark Talley Jr., and Kenney Kirk Talley

Address: 12820 Thomas Creek Rd., Reno, County of: Washoe

State of: Nevada Phone: (702) 853-7993

(2) The means of diversion employed: N/A
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was: 1883

3
37
EL

(4) The construction of the ditch or other works was begun: prior to 1883

and completed: 1883

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom: N/A feet, width on top ..... feet, depth ..... feet, on a grade of ..... 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) and (8)

(7) The work of enlargement of the ditch or canal was begun: N/A

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

N/A
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:

U.S. Government Mining Patent dated December 10, 1883
Fee simple, public domain, etc.

(11) Crops of: N/A
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: N/A (Day of month) to ..... (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.

....., ...acres in the.....of Sec....., T....., R.....E.
Year

.....acres in the.....of Sec....., T....., R.....E.

.....acres in the.....of Sec....., T....., R.....E.

.....acres in the.....of Sec....., T....., R.....E.

.....acres in the.....of Sec....., T....., R.....E.

.....acres in the.....of Sec....., T....., R.....E.

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.....acres in the.....of Sec....., T....., R.....E.

.....acres in the.....of Sec....., T....., R.....E.

.....acres in the.....of Sec....., T....., R.....E.

.....acres in the.....of Sec....., T....., R.....E.

(14) The maximum ~~acreage irrigated~~ water quantity used in any year was entire flow of spring, creek & mine tunnel ~~acres~~.
see remarks

(15) The water claimed ~~has~~ (has not) been used for irrigation each and every year since the right was initiated.
Strike out one not wanted

(16) The years during which no water was used for irrigation or during which the full water right was not used were N/A
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)

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(18) Water from the source given and through the works described is also used for the following purposes other than irrigation: Mining, milling & domestic

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

(20) Remarks: No evidence of water measurements having ever been taken exist. Unable to quantify the amount of water used. It is assumed that the maximum amount of water used was the entire flow of the spring during peak periods of ore production. Water was utilized directly from the source, which was a spring at the mouth of the mine tunnel. Also utilized the entire flow of the creek for sluice box operations-mining & milling

Claimants are the decedants of one of the original patent owners. The patent to which these waters are appurtenent have been with the family for over 100 years.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by the claimants are full and correct to the best of his knowledge and belief. Undersigned is the agent for the claimants

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

Michael D. Buschelman

Michael D. Buschelman - Agent

5405 Mae Anne Avenue Reno, Nevada 89523

Subscribed and sworn to before me this 19th day of FEBRUARY, 19 91

Nancy A. Mark

Notary Public in and for the County of WASHOE

My commission expires OCT. 26, 1992

NANCY A. MARK
Notary Public - State of Nevada
Appointment Recorded in Washoe County
MY APPOINTMENT EXPIRES OCT. 26, 1992

$10 FILING FEE MUST ACCOMPANY PROOF

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STATE ENGINEERS OFFICE