

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source.....Mott Canyon Creek.....
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source.....by a diversion box & pipeline.....
Name of ditch, flume or pipe line

at the following point(s) NE 1/4 SE 1/4 Section 4, T.12N., R.19E., M.D.B.&M., from which
List all points of diversion from this source, appending a sheet if necessary

the 1/4 corner common to Sections 3 and 4, T.12N., R.19E., lies North 12° 45' 30"
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
East, a distance of 763 feet.

(1) Name of claimant.....Mottsville Cemetery Association.....
c/o Aldo Biaggi
Address.....P.O. Box 194, Minden....., County of.....Douglas.....
State of.....Nevada..... Telephone No. (.702...).....782-2512.....

(2) The means of diversion employed.....Diversion box to pipeline.....
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was.....August 1992.....

(4) The construction of the ditch or other works was begun.....in 1859.....
and completed.....1862.....

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 1 1/4" pipeline
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.

.....100% of pipeline.....
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 title to cemetery
in which plots are owned by individuals, both dead and alive.

(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 domestic & April 1 to November 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.

1859	0.59	acres in the	SE 1/4 NW 1/4	of Sec. 3	T. 12	R. 19 E.
<small>Year</small>						
1859	2.44	acres in the	NE 1/4 SW 1/4	of Sec. 3	T. 12	R. 19 E.
1859	0.13	acres in the	NW 1/4 SW 1/4	of Sec. 3	T. 12	R. 19 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.
		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.
		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.
		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.

(14) The maximum acreage irrigated in any year was 3.16 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 continuous use
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

Douglas County, said record being at page 34 of Book E of deeds, and being a claim for undetermined amount originally of water for the irrigation of 160 acres of land in the following legal subdivisions:

NW 1/4 SW 1/4; NW 1/2 NW 1/4 Section 3; SE 1/4 NE 1/4 Section 4, T. 12N., R. 19E., M.D.B.&M.

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:

Drinking water by visitors to cemetery

(19) The character of the soil is decomposed granite (Sandy, gravelly, loam) A continuous flow of 1 1/4 miner's inches ~~feet~~ feet of water per second has been used to irrigate 3.16 acres of land and acre-feet per acre per annum have been used to irrigate the crops cemetery

(20) Remarks Water is used for domestic and irrigation for cemetery. Water on said parcel was first used by Israel Mott in 1851 and filed in his preemption claim on 2097 acres of land and for domestic water for his home, blacksmith shop, and school filed May 7, 1860. The "backyard" of the Mott residence was the burial place for the Mott family. In addition, the water used on this plot was part of the three miner's inches used on the R.D. & Sarah Alvey land since 1862 as so decreed in by Judge C.M. Harris on June 3, 1871, in the Second District Court, Douglas County, in the case of Almon M. Taylor vs. R.D. Alvey, Defendent. The Alvey land was acquired by James & Mary Dickens in 1872. Upon the demise of Mary Dickens, the water (Book 0 Page 400 of deeds) was purchased from the Dickens Estate on March 23, 1909. H.I. Jones & John McCue deeded the land (3.16 acres) and 1 1/4 inches of water to the Mottsville Cemetery Association (Book 0 Pages 6 & 7 Roll 8) which was organized to operate the cemetery. The right to use the water, therefore, is from 3 sources: The Mott Preemption Claim on 1860, the Alvey-Taylor Court decree of 1871, and the Dickens to Jones-McCue sale of 1909.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Aldo Biaggi 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

1691 County Road Menden N.V. 89423
Aldo Biaggi
Telephone No. (702) 782-2512

Subscribed and sworn to before me this 31 day of March, 1993
Karen Leet



Notary Public in and for the County of Douglas
My commission expires Aug 27, 1994

\$100 FILING FEE MUST ACCOMPANY PROOF

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Mott Canyon Creek
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source By a diversion box & pipeline.
Section Name of ditch, flume or pipe line

at the following point(s) NE 1/4 SE 1/4 4 Tp 12N R 19E MDB&M from which the 1/4 corner
List all points of diversion from this source, appending a sheet if necessary

common to sections 3 & 4, Tp 12N
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
R 19E Lies North 12° 45' 30" East, a distance of 763 feet.

(1) Name of claimant Mottsville Cemetery Association
c/o Aldo Biaggi
Address P.O. Box 194, Minden, County of Douglas
State of Nevada Telephone No. (702) 782-2512

(2) The means of diversion employed Diversion box to pipeline.
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was August, 1992

(4) The construction of the ditch or other works was begun in 1859
and completed 1862

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 1 1/2 feet, width
on top feet, depth feet, on a grade of feet per thousand feet. pipeline

(6) The conduit has (has not) been enlarged.
NOTE—If enlargement or extension of ditch was made, supply information under (7) and (8)

105
Do (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.
100% of pipeline
If claimant is an owner in the conduit, state interest held on this line

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

were continuous use.

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

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amount originally of water for the irrigation of 160

acres of land in the following legal subdivisions:

NW $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 3; SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4 T $\frac{1}{2}$ N R 19E MDB&M

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:

Drinking water by visitors to cemetery.

(19) The character of the soil is decomposed granite. A continuous flow of 1 $\frac{1}{2}$ miner's inches cubic
(Sandy, gravelly, loam)

~~feet of water per second~~ has been used to irrigate 2.94 acres of land and stop acre-feet per acre per annum have been used to irrigate the cemetery.

(20) Remarks. Water is used for domestic and irrigation for cemetery. Water on said parcel was first used by Israel Mott in 1851 and filed in his pre-emption claim on 2097 acres of land and for domestic water for his home, blacksmith shop, and school filed May 7, 1860. The "backyard" of the Mott residence was the burial place for the Mott family.

In addition, the water used on this plot was part of the 3 miner's inches used on the R.D. & Sarah Alvey land since 1862 as so decreed in by Judge C.M. Harris on June 3, 1871 in the Second District Court, Douglas County, in the case of Almon M. Taylor Vs R.D. Alvey, Defendant. The Alvey land was acquired by James & Mary Dickens in 1872. Upon the demise of Mary Dickens, the water (Book O Pge 400 of deeds) was purchased from the Dickens Estate on March 23, 1909. H.I. Jones & John McCue deeded the land (2.94 acres) and 1 1/4 inches of water to the Mottsville Cemetery Association (Book O Pgs 6&7 Roll 8) which was organized to operate the cemetery. The right to use the water, therefore, is from 3 sources:

The Mott Preemption Claim of 1860, the Alvey-Taylor Court decree of 1871 & the Dickens to Jones-McCue sale of 1909.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water

by Aldo Biaggi are full and correct to the best of his knowledge and belief.

If proof is made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

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STATE ENGINEERS OFFICE
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Aldo Biaggi
1691 County Road Manda New 89423
Telephone No. (702) 782 2512

Subscribed and sworn to before me this 11th day of September, 1992

Claire H. Bauer

Notary Public State of Nevada Notary Public in and for the County of Douglas
Appointment Recorded in Douglas County
MY APPOINTMENT EXPIRES JAN. 9, 1994 My commission expires Jan. 9, 1994

\$100 FILING FEE MUST ACCOMPANY PROOF