

AMENDED

THE STATE OF NEVADA  
 PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Willis Creek and/or Rain Creek and/or Merritt Creek  
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Willis Ditch and Ditch No. 1  
Name of ditch, flume or pipe line

at the following point(s) Willis Ditch (Willis Creek), within the SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 17, T. 47 N.,  
List all points of diversion from this source, appending a sheet if necessary

R. 54 E., MDM (unsurveyed) at a point from which the SE corner of Section 31, T. 16 S., R. 5 E., 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

bears N. 25°37' E., 12,864 feet.  
land, it should be stated

Willis Ditch (Rain Creek), is within the SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 17, T. 47 N., R. 54 E., MDM (unsurveyed)  
at a point from which the SE corner of Section 31, T. 16 S., R. 5 E., B.M., bears N. 25°55' E., 13,025 feet.

Ditch No. 1 (Merritt Creek), is within the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Section 16, T. 47 N., R. 54 E., MDM (unsurveyed)  
at a point from which the SE corner of Section 31, T. 16 S., R. 5 E., B.M., bears N. 02°18' E., 15,084 feet.

(1) Name of claimant Theodore Robert and Lillian Tindall, husband and wife

Address HC-85 Box 169, Bruneau, County of Owyhee

State of Idaho 83604

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

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

(4) The construction of the ditch or other works was begun 1901  
 and completed 1901

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

(6) The conduit 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 \_\_\_\_\_ 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 an owner in the above-described conduit.

**Total interest**

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**

Fee simple, public domain, etc.

(11) Crops of Meadow (hay or pasture) Harvest \_\_\_\_\_ 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 1st to October 1st 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.

<u>P.O.D.</u>	<u>SEC.</u>	<u>1/4</u>	<u>1/4</u>	<u>T. N.</u>	<u>R. E.</u>	<u>ACRES</u>	<u>TYPE OF CULTURE</u>	<u>DATE OF CULTURE</u>
Ditch #1 from	17	NW	NE	47	54	0.08	Meadow	1901
Merritt Creek,	17	SW	NE	47	54	0.14	Meadow	1901
Willis Ditch from	17	SE	NE	47	54	1.99	Meadow	1901
Willis Creek and/	17	NE	NE	47	54	12.59	Meadow	1901
or Rain Creek	8	SE	SE	47	54	2.70	Meadow	1901

(14) The maximum acreage irrigated in any year was 17.50 acres.

(15) The water claimed has 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 None

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 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 and Domestic

(19) The character of the soil is loam. A continuous flow of 2 1/2 cubic feet of water per second has been used to irrigate 100 acres of land and 4.0 acre-feet per acre per annum have been used to irrigate the crops.

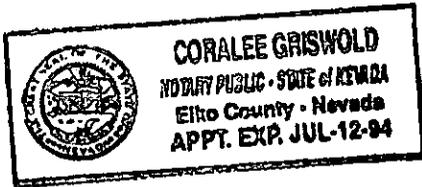
(20) Remarks: See attached affidavit by William I. Tindall  
Claiming 1901 from all ditches and land.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Theodore Robert and Lillian Tindall, husband and wife are full and correct to the best of his knowledge and belief deponent has been authorized by the claimant to act as agent.  
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

William C. Fisher  
421 Court Street, Elko, Nevada 89801

Subscribed and sworn to before me this 12 day of July, 1993

Coralee Griswold



Notary Public in and for the County of Elko

My commission expires July 12, 1994

**\$100 FILING FEE MUST ACCOMPANY PROOF**

THE STATE OF NEVADA  
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

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*40 acre survey*

38  
21

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Claiming 1901 from all ditches and land.

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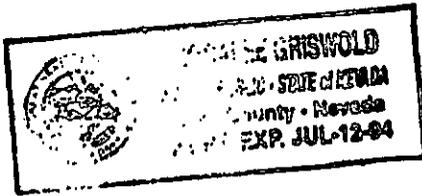
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William A. Nisbet

421 Court Street, Elko, Nevada 89801

Subscribed and sworn to before me this 13 day of November, 1992

Carol Griswold



Notary Public in and for the County of Elko

My commission expires July 12, 1994

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