

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 through a diversion box and un-named pipeline
Name of ditch, flume or pipe line

at the following point(s) Primary diversion box is located within the NE 1/4 SE 1/4 of Section 4,
List all points of diversion from this source, appending a sheet if necessary

T. 12N., R. 19E., M.D.M., from which the 1/4 corner common to Sections 3 and 4, T. 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., bears North 12°45' East, a distance of 763 feet. A secondary diversion box
is located within the SE 1/4 SW 1/4 of Section 3, T. 12N., R. 19E., M.D.M., from which the 1/4
corner common to Sections 3 and 4, T. 12N., R. 19E., bears North 51°49' West, a distance
of 2,906 feet.

(1) Name of claimant John W. and Erna Nawratil
Address P.O. Box 2440, Carson City, County of Carson City
State of Nevada Telephone No. (702) 885-0798

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

(3) The date of the survey of ditch, canal, or pipe line was March 1993

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

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 1.5 feet, width
on top 2 feet, depth 1.5 feet, on a grade of feet per thousand feet.

(6) The conduit has (has not) been enlarged. (See attached historical agreements)
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 (is not) an owner in the above-described conduit.
Pursuant to agreement dated September 18, 1952 and proportionate share of irrigated
lands, owner has a nine percent (9%) interest in the 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 the current owners and claimants purchased the property in 1990 from the Lodato's. 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. The claimants do not currently reside on the subject property and, therefore, have not actively pursued irrigation of the land since 1990. Prior to that date the property had been continually irrigated.

(17) The claimant's water right was ~~was~~ recorded in the office of the County Recorder of Douglas County, said record being at page 565 of Book G of Agreements, and being a claim for 1/2 interest in Mott Canyon Creek of water for the irrigation of approximately 92

acres of land in the following legal subdivisions:

portions of the NE 1/4 SW 1/4, the SE 1/4 SW 1/4, the NW 1/4 SE 1/4, the SW 1/4 SE 1/4, the NE 1/4 SE 1/4, and the SE 1/4 SE 1/4 all within Section 3 and a portion of the NW 1/4 SW 1/4 of Section 2 T. 12N., R. 19E., M.D.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)

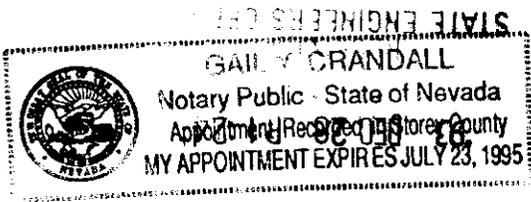
(18) Water from the source given and through the works described is also used for the following purposes other than irrigation: Stockwatering and, by historical decrees and agreements, domestic purposes.

(19) The character of the soil is Gravelly Loam (Sandy, gravelly, loam). A continuous flow of 1.1 cubic feet of water per second has been used to irrigate 8.29 acres of land and 9.0 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks. In the 1871 court action of Taylor vs. Jones, the court determined that the Jones Ranch was entitled to 3/16 of the flows from Mott Canyon Creek. Jones Ranch included a total of approximately 150 acres. In September of 1952, an agreement was entered into by and between Cheesman, Hansen, Allerman & Jones setting each parties interests at one-fourth (1/4) of the flow in Mott Canyon Creek. The Jones Ranch encompassed 120 acres. A copy of these decrees, agreements and the chain of title for the claimants' property is attached. Based upon historic irrigation ditches the claimant owns 8.29 irrigated acres of the total 91.94 irrigated acres of the historic Jones Ranch, or approximately 9.0 percent of one-fourth (1/4) of the waters of Mott Canyon Creek.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by John W. and Erna Nawratil 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



X John W. Nawratil

John W. Nawratil
P.O. Box 2440 Carson City, NV 89702

Telephone No. (702) 885-0798

Subscribed and sworn to before me this 27th day of December, 1993

Gaily Crandall

Notary Public in and for the County of Storey

My commission expires July 23, 1995

\$100 FILING FEE MUST ACCOMPANY PROOF