

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 diversion splitter box and unnamed pipeline
Name of ditch, flume or pipe line

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

or at a point from which the East 1/4 corner of said Section 4 bears North 14° 15' 43"
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 767.47 feet.

(1) Name of claimant Norman & Shirley Melnikoff, husband and wife as joint tenants
with right of survivorship
Address 389 Mottsville Lane, Gardnerville County of Douglas
State of Nevada Telephone No. (.702.) 782-5155

(2) The means of diversion employed diversion box, pipeline 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 1852
and completed 1853

(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.

(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.
Percentage based on final decreed right
If claimant is an owner in the conduit, state interest held on this line

105 po

(10) The nature of the title to the land for which the water right is claimed is fee simple

(11) Crops of meadow 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 January 1 to December 31 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.

1852, 4.2 acres in the NE 1/4 SE 1/4 of Sec. 3, T. 12N., R. 19 E.  
Year

1852, 3.5 acres in the SE 1/4 SE 1/4 of Sec. 3, T. 12N., R. 19 E.

1852, 4.4 acres in the SW 1/4 SE 1/4 of Sec. 3, T. 12N., R. 19 E.

1852, 7.9 acres in the NW 1/4 SE 1/4 of Sec. 3, T. 12N., R. 19 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.

(14) The maximum acreage irrigated in any year was 20.0 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 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

Douglas County, said record being at page 112 of Book A of Ditch & Water Rights, and being a claim for 3/16 interest in Mott Canyon Creek of water for the irrigation of 100

acres of land in the following legal subdivisions: NOT SPECIFIED

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 sandy loam rotation rotation flow of 1.2 cubic feet of water per second has been used to irrigate 20 acres of land and 4.0 acre-feet per acre per annum have been used to irrigate the crops.  
(Sandy, gravelly, loam)

(20) Remarks. Chitwood, Melnikoff, Mirtle and Wright have been using 100% of the Jones' 1/4 portion of Mott Creek (see 1952 agreement) in rotation. These Claimant's portion of Motts Canyon Creek (being 1/4 of the flow) is derived from the Court Decree June 3, 1871 in Taylor vs. Jones (3/16 to Jones); and Taylor vs. Alvey, June 3, 1871 (1/16 of the flow of 3 miners inches) to Alvey and thence to Jones which decrees are attached hereto. 3 miners inches decreed to Alvey is approximately 34 gpm, which is 1/16 of 1/4 of the flow in Mott Canyon Creek [eg  $\frac{1.2 \text{ cfs}}{16} = 34 \text{ gpm}$ ]. See Affidavit dated March 16, 1993, filed herewith.

Chain of Title from Jones & Alvey to Claimant's portion on file in 05070. Also, see attached agreement dated December 5, 1952, dividing the Mott Canyon Creek into four equal parts.

Stockwater use is continuous throughout the year by 20 cows and 6 horses.

Supporting map filed herewith.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Norman & Shirley Melnikoff 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

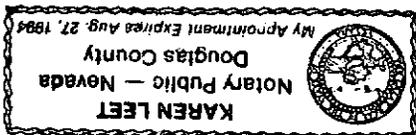
'94 MAR 18 AM 10:08  
STATE ENGINEERS

*[Handwritten signature]*

Telephone No. (.702.) 782-5155

Subscribed and sworn to before me this 15<sup>th</sup> day of March, 1994

*Karen Leet*



Notary Public in and for the County of Douglas

My commission expires 8/27/94

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