ORIGINAL

Filing Serial No. 06323

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Unnamed Spring (A)-Direct Diversion, Unnamed Spring (B), & Luther Creek - Return Flow
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Unnamed Spring A - SW 1/4 NW 1/4 Section 26, T.12N.,
Name of ditch, flume or pipe line

at the following point(s) R.19E., M.D.B.&M., or at a point on California/Nevada state
List all points of diversion from this source, appending a sheet if necessary

line from which the NW corner of Section 26 bears N 24° West, a distance of 1550 feet.
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

Unnamed Spring (B) within the SE 1/4 NW 1/4 Section 26, T.12N., R.19E., M.D.B.&M., or at a point from which the NW corner of said Section 26 bears N 47° 37' 14" West, a distance of 3508 feet. Luther Creek within the NE 1/4 SE 1/4 Section 35, T.12N., R.19E., M.D.B.&M., or at a point from which the NE corner said Section 35 bears N 13° 21' 16" East, a distance of 3072'.

(1) Name of claimant Prather Family Trust of 10-31-85

Address P.O. Box 326, Gardnerville, County of Douglas

State of Nevada 89410 Telephone No. (702) 265-6510

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

(3) The date of the survey of ditch, canal, or pipe line was 1969

(4) The construction of the ditch or other works was begun 1853 (all sources)

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.
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.

See Remarks #20
If claimant is an owner in the conduit, state interest held on this line

105 00

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

(11) Crops of native 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 (Day of month) to December 31 (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.

Year	Acres	Subdivision	Sec.	T.	R.
1853	17.44	NW 1/4 NW 1/4	25	12N.	19 E.
1853	22.61	NE 1/4 NE 1/4	26	12N.	19 E.
1853	0.30	SE 1/4 NE 1/4	26	12N.	19 E.
					E.
					E.
					E.
					E.
					E.
					E.
					E.
					E.
					E.
					E.
					E.
					E.
					E.
					E.
					E.

(14) The maximum acreage irrigated in any year was 40.35 acres.

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

06323

(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 208, 225 of Book B, A of Book of Judgments, Book A Record of Ditch & Water Rights, and being a claim for Luther Creek Also recorded in Book A, Page 394, Record of Ditch & Water Rights of water for the irrigation of not specified

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 [illegible], 6 horses

(19) The character of the soil is sandy loam (Sandy, gravelly, loam). A continuous flow of 1.0 Return Flow 0.10 Direct Diversion cubic feet of water per second has been used to irrigate 40.35 acres of land and 4.0 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks Please use maps filed under 02856 and 24918 - Claimant is also the owner of a portion of 02856; 24918 and 24919 (see letter from DWR - Dick Clyde to Prather dated April 6, 1993).

Point of Diversion for return flows claimed is as shown on map filed under 02856 from Unnamed Spring (B), under 02857 and Luther Creek Point of Diversion in Section 35 under 02858.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Prather Family Trust of 10-31-85 are full and correct to the best of his knowledge and belief.

Trustee

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

'94 MAR 1[illegible] A11:1[illegible]

RECEIVED STATE ENGINEERS OFFICE

Telephone No. (702) 265-6510

Subscribed and sworn to before me this 17th day of March, 1994.

Karen Leet

KAREN LEET
Notary Public — Nevada
Douglas County
My Appointment Expires Aug. 27, 1994

Notary Public in and for the County of Douglas

My commission expires Aug 27, 1994

$100 FILING FEE MUST ACCOMPANY PROOF

(Rev. 8-89) (O)-2080