

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Bruneau River, a spring and tributaries

The water is diverted from its source Upper, East, West, and Lower Ditches; and House Spring

at the following point(s) Upper Ditch-NE 1/4 SE 1/4 Section 34, T. 44 N., R. 57 E., MDM, at a point from which the NW corner

of said Section 34, Bears N. 56°55' W., 4,961 ft.

East & West Ditches - SE 1/4 NE 1/4 Section 34, T. 44 N., R. 57 E., MDM, at a point from which the NE corner of said Section 34, bears N. 14°01' E., 1,425 feet.

Lower Ditch- SW 1/4 SE 1/4 Section 27, T. 44 N., R. 57 E., MDM, at a point from which the SE corner of said Section 27, bears N. 68°55' E., 1,785 feet.

House Spring - SW 1/4 SE 1/4 Section 22, T. 47 N., R. 57 E., MDM, at a point from which the SE corner of said Section 22 bears S. 89°58' E., 1,616 feet dist.

(1) Name of claimant Frank P. & Marjorie A. Prunty

Address HC 35, Box 280, Mountain City County of Elko

State of NV, 89831 Telephone No. ( )

(2) The means of diversion employed Dams & Ditches

(3) The date of the survey of ditch, canal, or pipe line was 1894

(4) The construction of the ditch or other works was begun 1895 and completed 1901

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

(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 unknown feet, width on top feet, depth feet, on a grade of feet per thousand feet.

(9) The claimant is (is not) owner in the above-described conduit.

East, West & Upper Ditches 100%, Lower Ditch 50%

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

Deeded

(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 April 1<sup>st</sup> to October 31<sup>st</sup>  
of each year. Day of month Day of month

(13) List the year of priority for acreage's irrigated prior to March 1, 1905, from all points of diversion previously described, with corresponding subdivisions, appending extra sheets if necessary.

|                      |       |              |       |        |       |   |   |       |   |   |       |    |
|----------------------|-------|--------------|-------|--------|-------|---|---|-------|---|---|-------|----|
| 1901                 | 6.84  | acres in the | NWNE  | of Sec | 34    | , | T | 44    | , | R | 57    | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| 1896                 | 2.39  | acres in the | NWNE  | of Sec | 34    | , | T | 44    | , | R | 57    | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| 1895                 | 0.56  | acres in the | NWNE  | of Sec | 34    | , | T | 44    | , | R | 57    | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| 1895                 | 11.14 | acres in the | NENE  | of Sec | 34    | , | T | 44    | , | R | 57    | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| 1895                 | 1.85  | acres in the | NENE  | of Sec | 34    | , | T | 44    | , | R | 57    | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| 1895                 | 8.00  | acres in the | NENE  | of Sec | 34    | , | T | 44    | , | R | 57    | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| 1895                 | 9.32  | acres in the | SWSE  | of Sec | 27    | , | T | 44    | , | R | 57    | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| 1896                 | 4.46  | acres in the | SWSE  | of Sec | 27    | , | T | 44    | , | R | 57    | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| 1897                 | 1.35  | acres in the | SWSE  | of Sec | 27    | , | T | 44    | , | R | 57    | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| 1895                 | 9.32  | acres in the | SESE  | of Sec | 27    | , | T | 44    | , | R | 57    | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| 1897                 | 8.12  | acres in the | NWSE  | of Sec | 27    | , | T | 44    | , | R | 57    | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| 1895                 | 0.13  | acres in the | NWSE  | of Sec | 27    | , | T | 44    | , | R | 57    | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| _____                |       | acres in the | _____ | of Sec | _____ | , | T | _____ | , | R | _____ | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| _____                |       | acres in the | _____ | of Sec | _____ | , | T | _____ | , | R | _____ | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| _____                |       | acres in the | _____ | of Sec | _____ | , | T | _____ | , | R | _____ | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| _____                |       | acres in the | _____ | of Sec | _____ | , | T | _____ | , | R | _____ | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| _____                |       | acres in the | _____ | of Sec | _____ | , | T | _____ | , | R | _____ | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |
| _____                |       | acres in the | _____ | of Sec | _____ | , | T | _____ | , | R | _____ | E. |
| <small>Year.</small> |       |              |       |        |       |   |   |       |   |   |       |    |

(14) The maximum acreage irrigated in any year was 63.48  
acres.

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



(20) Remarks \_\_\_\_\_  
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The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water

by Frank P. & Marjorie A. Prunty are full and correct to the best of his knowledge and belief.

The undersigned deponent is acting as agent for the claimant, Frank P. & Marjorie A. Prunty.

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

William C. Nisbet agent  
421 Court Street, Elko, NV 89801  
Telephone Number (775) 738-2121

Subscribed and sworn to before me this 29 day of July, 2008

CoraLee Griswold



Notary Public in and for the County of Elko  
My commission expires May 29, 2010

STATE ENGINEERS OFFICE  
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**THE STATE OF NEVADA  
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION**

Source Bruneau River and tributaries  
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Upper, East, West, and Lower Ditches  
Name of ditch, flume or pipe line

at the following point(s) Upper Ditch - NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 34, T. 44 N., R. 57 E., MDM, at a point from  
List all points of diversion from this source, appending a sheet if necessary

which the NW corner of said Section 34, bears N. 56°55' W., 4,961 feet.  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed

East and West Ditches - SE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 34, T. 44 N., R. 57 E., MDM, at a point from which the NE  
and, it should be stated

corner of said Section 34, bears N. 14°01' E., 1,425 feet.

Lower Ditch - SW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 27, T. 44 N., R. 57 E., MDM, at a point from which the SE corner of  
said Section 27, bears S. 68°55' E., 1,785 feet.

(1) Name of claimant Frank P. and Marjorie A. Prunty

Address HC 35, Box 280, Mountain City, County of Elko

State of Nevada 89831

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

(3) The date of the survey of ditch, canal, or pipe line was 1894

(4) The construction of the ditch or other works was begun 1895

and completed 1901

*3-38 EL  
Bru Rvr Area*

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

(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 unknown 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.  
East, West and Upper Ditches 100%, Lower Ditch 50%  
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 \_\_\_\_\_  
Deeded  
Fee simple, public domain, etc.

(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 April 1st to October 31st 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>SEC.</u> | <u>1/4 1/4</u> | <u>T. N.</u> | <u>R. E.</u> | <u>ACRES</u> | <u>TYPE OF CULTURE</u> | <u>DATE OF CULTURE</u> |
|-------------|----------------|--------------|--------------|--------------|------------------------|------------------------|
| 34          | NWNE           | 44           | 57           | 6.84         | Meadow Hay             | 1901                   |
| 34          | NWNE           | 44           | 57           | 2.39         | Meadow Hay             | 1896                   |
| 34          | NWNE           | 44           | 57           | 0.56         | Meadow Hay             | 1895                   |
| 34          | NENE           | 44           | 57           | 11.14        | Meadow Hay             | 1895                   |
| 34          | NENE           | 44           | 57           | 1.85         | Meadow Hay             | 1895                   |
| 34          | NENE           | 44           | 57           | 8.00         | Meadow Hay             | 1895                   |
| 27          | SWSE           | 44           | 57           | 9.32         | Meadow Hay             | 1895                   |
| 27          | SWSE           | 44           | 57           | 4.46         | Meadow Hay             | 1896                   |
| 27          | SWSE           | 44           | 57           | 1.35         | Meadow Hay             | 1897                   |
| 27          | SESE           | 44           | 57           | 9.32         | Meadow Hay             | 1895                   |
| 27          | NWSE           | 44           | 57           | 8.12         | Meadow Hay             | 1897                   |
| 27          | NWSE           | 44           | 57           | 0.13         | Meadow Hay             | 1895                   |

(14) The maximum acreage irrigated in any year was 63.48 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: attached is tax records from 1895 to 1905 of James Dolan, with the year 1905 showing the description of the land and also a copy of J.M. Prunty Homestead claim, which is filed under #01442.

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.

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(20) Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Frank P. and Marjorie A. Prunty are full and correct to the best of his knowledge and belief the undersigned deponent is acting as agent for the claimant, Frank P. and Marjorie A. Prunty  
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

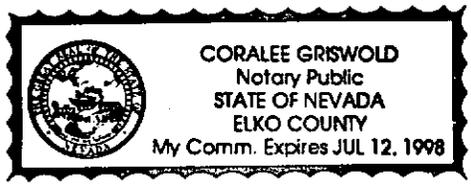
William A. Dickett agent  
421 Court Street, Elko, NV 89801

Subscribed and sworn to before me this 13 day of October, 1994

Coralie Griswold

Notary Public in and for the County of Elko

My commission expires July 12, 1998



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