

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

Source Merritt Creek and Springs and Tributaries
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Unnamed Ditch
Name of ditch, flume or pipe line

at the following point(s) H.E.S. #67 - near SE¼SW¼ Section 35, T. 47 N., R. 54 E., MDM (unsurveyed).
List all points of diversion from this source, appending a sheet if necessary

at a point from which the SE corner of Section 31, T. 47 N., R. 54½ E., MDM, bears S. 85°04' E., 13,274
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed

feet.
land, it should be stated

(1) Name of claimant Simplot Livestock Company

Address HC 85, Box 275, County of Owyhee

State of Grandview, Idaho 83624

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

(3) The date of the survey of ditch, canal, or pipe line was 1994

(4) The construction of the ditch or other works was begun 1902

and completed 1902

34/62

(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 an owner in the above-described conduit.
100%
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>
35	H.E.S. #67	47	54	5.41	Meadow Hay	1902

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

(15) The water claimed has (has not) 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 (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: _____

See attached Affidavit by William I. Tindall

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.

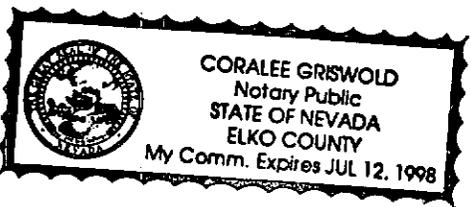
(20) Remarks: _____

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

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

Subscribed and sworn to before me this 31 day of October, 19 94

Coralee Griswold



Notary Public in and for the County of Elko
My commission expires July 12, 1998

\$100 FILING FEE MUST ACCOMPANY PROOF

STATE ENGINEERS OFFICE
RECEIVED

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