

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION
MINING MILLING AND DOMESTIC

Source Illinois Spring. 1903. Before 1903 called Deer Spring.

Name of natural water source (use separate proofs for each major source)

The water is diverted from its source by one and one fourth inch PVC pipe, Sch. 40

Name of ditch, flume or pipe line

at the following point(s) Source of Illinois (Deer) spring is in SE 1/4 sec. of SE 1/4 Sec. 15 Twn. 13 N. R. 37E. M.D. M. Illinois spring is tied

List all points of diversion from this source, appending a sheet if necessary

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 to SW corner of the Victory lode c&a, a distance of 720ft. Sw corner of the Victory lode claim is tied to the 1/4 Sec. corner of sec- 14 & 15, Twn. 13N. R. 37E MDM, a distance of 1803.93 ft. in a line bearing N. 28° 25' E.

(1) Name of claimant L. E. & Peggy F. McKinney

Address 460 C St.--P. O. Box 1701, County of Mineral Hawthorne

State of Nevada Telephone No. (702) 945-3213

(2) The means of diversion employed by one and one quarter inch PVC pipe.

Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was 1903

(4) The construction of the ditch or other works was begun 1903

and completed 1903

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom NA feet, width on top NA feet, depth NA feet, on a grade of NA 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 None 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 (S.M.D.) an owner in the above-described conduit.

Is owners.

If claimant is an owner in the conduit, state interest held on this line

09-122 NVE



(16) The years during which no water was used for irrigation or during which the full water right was not used were.....  
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

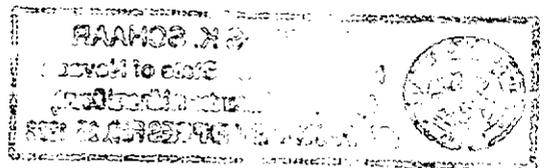
(17) The claimant's water right was (was not) recorded in the office of the County Recorder of .....County, said record being at page.....of Book.....of  
....., and being a claim for.....  
.....of water for the irrigation of.....  
acres of land in the following legal subdivisions:

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:

Mining, milling and domestic purposes.

(19) The character of the soil is gravelly..... A continuous flow of nine gallons cubic per minute is used for mining and milling.  
(Sandy, gravelly, loam)  
~~has been used to irrigate~~.....  
~~have been used to irrigate the crops.~~



(20) Remarks. Mine for which water is used was discovered in 1868 by Peggy F. (LeBeau) McKinney, s Grandfather, Mitchell Le Beau. Mitchell LeBeau erected a three stamp mill at Marble Falls before land survey in 1881. Water for milling and domestic purposes was piped from Illinois (Deer) spring by a two inch red wood pipe bound by steel wire. A smaller mill was erected by Mitchell LeBeau and his brother in law, Mathew Drew) in 1887 to better work the high grade ore. Party by name of Denton Fowler was mill operator. Source of water for this mill came from a spring five hundred feet below the Illinois spring at a point where I now have a twenty five foot by twenty foot by ten foot deep reservoir. Water was transported by same type of piping used for the stamp mill. Four brick and stone houses also used water from this spring. When I first went into Marble Falls in 1936 i was running a Burro pack train packing out ore for various miners in isolated places and I watered my Burros from water coming out of the water line. We used the water for various purposes from this line until a severe flash flood destroyed the line. In same year we used one inch and three-quarter inch steel pipe to bring water back to mine. Later we put in the present line as our demand for water became greater.

'95 FEB 10 A 9 33  
 STATE ENGINEERS OFF

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by L. E. & Peggy F. McKinney their 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

*L. E. McKinney*  
*Peggy F. McKinney*  
 Telephone No. (702) 945-3213

Subscribed and sworn to before me this 9th day of February, 1995

*Delores K. Schaar*



Notary Public in and for the County of Mineral

My commission expires February 25, 1998

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