

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) NE 1/4 SE 1/4 Section 4, T.12 N., R.19 E., MDM, or at a point
List all points of diversion from this source, appending a sheet if necessary

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

(1) Name of claimant Patrick R. Clark and Tracy Lynn Hughes
249 Mottsville Lane
Address Gardnerville, NV 89410, County of Douglas
State of Nevada Telephone No. (702) 782-6104

(2) The means of diversion employed diversion box and pipelines
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 varies 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. co-ownership based on owning a portion of the Jones 1/4 of Mott Canyon Creek
If claimant is an owner in the conduit, state interest held on this line



(16) The years during which no water was used for irrigation or during which the full water right was not used were occasional years, as a result of ownership changes or periods of  
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  
significantly reduced flows and also during 1997 and 1998 as explained  
given, appending a sheet if necessary  
under Item 20, Remarks.

(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 and Water Rights, and being a claim for 3/16 interest in Mott Canyon Creek of water for the irrigation of 100 acres

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:  
domestic and stockwater

(19) The character of the soil is sandy loam (Sandy, gravelly, loam) A continuous flow of .002 cubic feet of water per second has been used to irrigate 0.36 acres of land and 4.0 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks. The claimant's parcel is the original homesite of the Jones Ranch which was allocated  $\frac{1}{4}$  portion of Mott Canyon Creek in the December 5, 1952 agreement dividing the Mott Canyon Creek into four equal parts. See also: Court Decrees dated June 3, 1871 Taylor vs Jones allocating  $\frac{3}{16}$  of the flow of Mott Creek to Jones and Taylor vs Alvey allocating  $\frac{1}{16}$  of said flow to Alvey and thence to Jones. Copies of these decrees are provided under Proof 05070. The chain of title to the claimant's portion will be filed separately. Except during occasional years, due to ownership changes or significantly reduced flows, the water has been used continuously on claimant's parcel for irrigation purposes on domestic landscaping since 1852 until January 1997 when a flood deposited sand in the irrigation laterals. Also in 1997 repairs to the portion of pipeline on the claimant's property were made by others. During the course of these repairs one of the spigots on the pipeline was removed and not replaced. In 1998 the claimants replaced the spigot, however actions by other claimants and the Nevada Division of Water Resources have so far prevented the use of water from this spigot (See letters provided). Water to the house is now supplied by domestic well

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Patrick R. Clark and Tracy Lynn Hughes 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

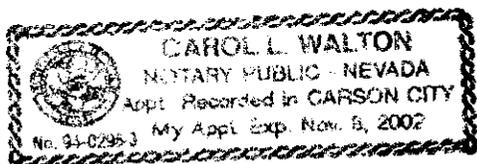
*Tracy L. Hughes*  
Tracy L. Hughes

Telephone No. (.702.) 782-6104

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Subscribed and sworn to before me this 19th day of November, 1998

*Carol L. Walton*



Notary Public in and for the County of Carson City

My commission expires November 6, 2002

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