

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

Source McDonald Creek, Badger Creek and Tributaries
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Through ditches #1, 2, and 3
Name of ditch, flume or pipe line

at the following point(s) a)(McDonald Creek) within the NE 1/4 NE1/4 sec. 5, T.46N., R. 55E MDM., from
List all points of diversion from this source, appending a sheet if necessary
which the NE corner of Sec. 33, T.47N., R.55E bears N. 48° 51' E., 8,163 ft dist.
as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed

b)(McDonald Creek) within SE 1/4 SE1/4 sec. 32, T. 47N., R. 55E from which the NE corner of sec 33, in said
land, it should be stated
township, bears N 49° 53'E., 7,490 ft. dist.

c) (on Badger Creek) within SE 1/4 SW 1/4 Sec 33, T. 47., R.55E , M.D.M, from which the NE corner of said
section bears N. 32° 09' E., 5,370 feet. dist

(1) Name of claimant TM Ranch Company
Address HC 85, Box 275, County of Owyhee
State of Grandview, Idaho 83624

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

(3) The date of the survey of ditch, canal, or pipe line was 1999

(4) The construction of the ditch or other works was begun _____
and completed _____.

Handwritten signature/initials

(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 (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 Approximately 1960 and completed the same year.

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom 3 feet, width on top 4 feet, depth 1 1/2 feet, on a grade of 6 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 (Harvest crop) 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.

Acreage irrigated from McDonald Creek

<u>Sec.</u>	<u>Subdiv.</u>	<u>T.N.</u>	<u>R.E.</u>	<u>Acres</u>	<u>Type of Culture</u>	<u>Date of Culture</u>
5	NE4 NE4	46	55	00.24	Harvest crop	
32	SE4 SE 4	47	55	04.84	"	
33	SW4 SW4	47	55	13.25	"	
33	SE4 SW4	47	55	03.31	"	

<u>Sec.</u>	<u>Subdiv.</u>	<u>T.N.</u>	<u>R.E.</u>	<u>Acres</u>	<u>Type of Culture</u>	<u>Date of Culture</u>
33	NW4 SW4	47	55	01.30		
33	NE4 SW4	47	55	11.52		
33	NW4 SE4	47	55	00.08		
33	SW4 NE4	47	55	00.52		
Total				35.06		

Acreage irrigated from Badger Creek

<u>Sec.</u>	<u>Subdiv.</u>	<u>T.N.</u>	<u>R.E.</u>	<u>Acres</u>	<u>Type of Culture</u>	<u>Date of Culture</u>
33	SE4 SW4	47	55	00.93		
33	NE4 SW4	47	55	07.64		
33	NW4 SE4	47	55	01.87		
33	SW4 NE4	47	55	01.37		
Total				11.81		

(14) The maximum acreage irrigated in any year was 46.87 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 not known
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 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: stockwater and domestic

(19) The character of the soil is loam. A continuous flow of _____ cubic feet of water per second has been used to irrigate 46.87 acres of land and 4.0 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks: Historic information gathering is continuing and will be submitted as supplemental information.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by TM Ranch Company are full and correct to the best of his knowledge

and belief The undersigned deponent is acting as Agent for the claimant - TM Ranch Company
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

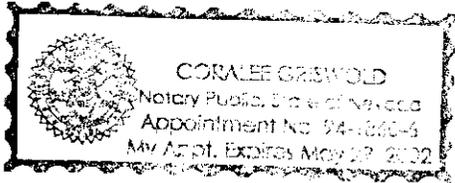
William A. Nisbet Agent

421 Court Street, Elko, Nevada 89801

Subscribed and sworn to before me this 17 day of August, 2000
By William A. Nisbet

POA of Water for Irrigation
McDonald Creek

CoraLee Griswold



Notary Public in and for the County of Elko

My commission expires May 29, 2002

\$100 FILING FEE MUST ACCOMPANY PROOF