

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source: Bradley Springs
Name of natural water source (use separate proofs for each major source)

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

at the following point(s): A point within the NW 1/4 NW 1/4 of Section 28, T 22N, R 43E., MDM, from
List all points of diversion from this source, appending a sheet if necessary

which the North 1/4 corner of Section 29, T 22N., R 43E., MDM, bears No. 81°21'02" W., a distance of
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
3,350.74 feet (P.O.D. #33)

(1) Name of Claimant: Silver Creek Ranch, Inc., a Nevada corporation

Address: HC61 Box 61230, Austin County of Lander

State of: Nevada Telephone No. (775) 964-2541

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

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

(4) The construction of the ditch or other works was begun: August 1, 1889
and completed: Unknown

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom: 1.5 feet,
width on top: --- feet, depth: 0.833 feet, on a grade of 17.6 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: --- 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% interest
If claimant is an owner in the conduit, state interest held on this line

Handwritten initials or mark in the bottom right corner.

10) The nature of the title to the land for which the water right is claimed is fee simple title and public lands  
which claimant makes use under a grazing permit.

(11) Crops of Pasture and diversified pasture  
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 3/15 to 10/31  
of each year. Day of month Day of month

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

- Year, \_\_\_\_\_ acres in the \_\_\_\_\_ of Sec.\_\_\_\_, T.\_\_\_\_, R\_\_\_\_ E .
- Year, \_\_\_\_\_ acres in the \_\_\_\_\_ of Sec.\_\_\_\_, T. \_\_\_\_ , R\_\_\_\_ E.
- Year, \_\_\_\_\_ acres in the \_\_\_\_\_ of Sec.\_\_\_\_, T. \_\_\_\_ , R\_\_\_\_ E.
- Year, \_\_\_\_\_ acres in the \_\_\_\_\_ of Sec.\_\_\_\_, T. \_\_\_\_ R\_\_\_\_ E.
- Year, \_\_\_\_\_ acres in the \_\_\_\_\_ of Sec.\_\_\_\_, T.\_\_\_\_ R\_\_\_\_ E.
- Year, \_\_\_\_\_ acres in the \_\_\_\_\_ of Sec.\_\_\_\_, T.\_\_\_\_, R\_\_\_\_ E.
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- Year, \_\_\_\_\_ acres in the \_\_\_\_\_ of Sec.\_\_\_\_, T.\_\_\_\_, R\_\_\_\_ E.
- Year, \_\_\_\_\_ acres in the \_\_\_\_\_ of Sec.\_\_\_\_, T.\_\_\_\_, R\_\_\_\_ E.

(14) The maximum acreage irrigated in any year was 108.53 acres.

(15) The water claimed has been used for irrigation each and every year since the right was initiated.

16) The years during which no water was used for irrigation or during which the full water right was not used were To the best information and belief water has been used to the full extent  
If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use available each year should be given, appending a sheet if necessary

(17) The claimant's water right was recorded in the office of the County Recorder of Lander County, said record being at page 137 of Book A of Water Rights, and being a claim for 20 cubic inches of water under pressure of 6 cubic inches of water for the irrigation of 40 acres of land in the following legal subdivisions: Not described.

Phillip Duffy owned the following at time of claims:

T 21N, R 43E, MDB&M

Section 21: S $\frac{1}{2}$  SW $\frac{1}{4}$  and N $\frac{1}{2}$  NE $\frac{1}{4}$

It is assumed it was intended to irrigate within those 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:

Livestock water January 1 through December 31

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

(20) Remarks:

A portion of the culture irrigated from the source is upon public lands which the claimant and its predecessors have historically used. Said use is authorized by the Bureau of Land management by a grazing permit issued by that agency.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Silver Creek Ranch, Inc. are full and correct to the best of his knowledge and belief.

Deponent is representing claimant as its attorney

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

**GOICOECHEA, DI GRAZIA, COYLE & STANTON, LTD.**

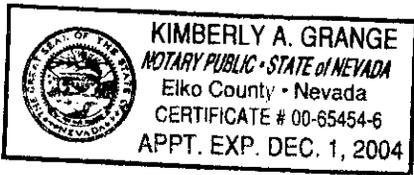
By: Robert B. Goicoechea

**ROBERT B. GOICOECHEA**

Telephone No. (775) 738-8091

STATE OF NEVADA )  
 )ss.  
COUNTY OF ELKO )

Subscribed and sworn to before me this 9th day of August, 2002, by ROBERT B. GOICOECHEA



Kimberly A. Grange  
NOTARY PUBLIC

**\$100.00 FILING FEE MUST ACCOMPANY PROOF**

**ATTACHMENT TO  
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION  
CLAIMANT: SILVER SPRINGS RANCH, INC.  
ORIGINAL CLAIMANT: PHILLIP DUFFY  
SOURCE: BRADLEY SPRINGS**

Item 13:

The year of priority is 1889 based upon ditch claim filed in Book A of Water Rights at page 137, Lander County, Nevada

The culture is as follows:

Fee simple title lands:

<u>Section</u>	<u>Subdivision</u>	<u>Township</u>	<u>Range</u>	<u>Cultivated Acreage</u>	<u>Description of Culture</u>
21	SW $\frac{1}{4}$ SW $\frac{1}{4}$	22N	43E	21.36 AC	Pasture
21	SE $\frac{1}{4}$ SW $\frac{1}{4}$	22N	43E	17.06 AC	Pasture
21	NW $\frac{1}{4}$ NE $\frac{1}{4}$	22N	43E	1.29 AC	Pasture
28	NW $\frac{1}{4}$ NW $\frac{1}{4}$	22N	43E	<u>17.82 AC</u>	Pasture
Total:				57.53 - Pasture	

Public lands:

<u>Section</u>	<u>Subdivision</u>	<u>Township</u>	<u>Range</u>	<u>Cultivated Acreage</u>	<u>Description of Culture</u>
21	NE $\frac{1}{4}$ NW $\frac{1}{4}$	22N	43E	2.13 AC	Pasture
21	SE $\frac{1}{4}$ NW $\frac{1}{4}$	22N	43E	12.29 AC	Pasture
21	SW $\frac{1}{4}$ NE $\frac{1}{4}$	22N	43E	9.86 AC	Pasture
21	NE $\frac{1}{4}$ SW $\frac{1}{4}$	22N	43E	22.15 AC	Pasture
21	NW $\frac{1}{4}$ SE $\frac{1}{4}$	22N	43E	2.02 AC	Pasture
28	NE $\frac{1}{4}$ NW $\frac{1}{4}$	22N	43E	<u>2.55 AC</u>	Pasture
Total:				51.00 AC - Pasture	

Item 19:

The lands being irrigated are composed of a layer of topsoil of a clay or sandy loam lying over sands or gravels.

The continuous water flow requirements have not been determined as the normal stream flow is characterized by high water flows in the Spring season followed by severely reduced flows for the balance of the growing season. there has been no monitoring program which would give an indication as to the acre-feet of water required per acre of land to produce the existing culture. The best indication available is that shown in the recorded ditch claim which computes to be a continuous flow of 0.025 cfs per acre of land.