

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source: Jacob's Spring
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Jackson #1 and 2 Ditches
Name of ditch, flume or pipe line

at the following point(s): A point in the NW 1/4 NE 1/4 of Section 19, T 19N, R 43E., MDM from which the
List all points of diversion from this source, appending a sheet if necessary

Northwest corner of Section 19 bears N 59° 39' 49" East a distance of 2348.85 feet.
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

(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 dams & ditches

Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was: Not known

(4) The construction of the ditch or other works was begun: See attachment

and completed: Not known

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom: see attachment

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: --- 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

Handwritten initials 'LA' and '56' 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

(11) Crops of Meadow  
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.

- 1888 , 18 acres in the NW¼ NE¼ of Sec. 19 , T. 19N , R. 43 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.  
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.  
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.  
Year
- ,            acres in the            of Sec.            , T.            , R.            E.  
Year

(14) The maximum acreage irrigated in any year was 18 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 of claimant, the water has been used  
If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use  
to the full extent available each year

should be given, appending a sheet if necessary

(17) The claimant's water right was not recorded in the office of the County Recorder of Lander  
County, said record being at page 267 of Book A of  
Water Rights, and being a claim for 12 cubic inches of water under pressure of 6 cubic  
inches of water for the irrigation of 12 acres  
acres of land in the following legal subdivisions: \_\_\_\_\_

T 19N., R 43E., MDB&M

Section 19: SE $\frac{1}{4}$  NW $\frac{1}{4}$  based upon description contained in ditch claim

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:

See attachment

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

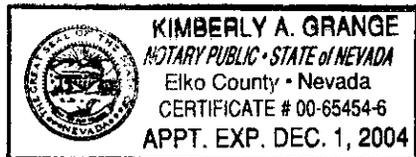
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

**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**

RECORDED  
21 AUG 11 2002

**ATTACHMENT TO  
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION  
CLAIMANT: SILVER CREEK RANCH, INC.  
ORIGINAL CLAIMANT: J.A. MILLER  
SOURCE: JACOBS SPRING**

Item 4:

There are two ditches associated with this claim with construction beginning on the following dates:

Jackson Ditch No. 1 - February 1, 1888  
Jackson Ditch No. 2 - February 1, 1888

Item 5:

Dimensions as originally constructed:

<u>Name of Ditch</u>	<u>Width on Bottom</u>	<u>Width on Top</u>	<u>Depth</u>	<u>Grade</u>
Jackson #1	1.5'	---	0.5	1/4" per rod
Jackson #2	1.0'	---	0.5	1/8" per rod

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.

Item 20 - Remarks:

The filed ditch claims indicate that Jacob Springs is located in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  or NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 19, T 19N., R 43E., MDM.

A spring is found in the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 19, and is considered the source of this claim. It is apparent that this water was comingled with the water of Reese River for the 18 acres claimed.