

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

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

The water is diverted from its source BY STREAM BED
Name of ditch, flume or pipe line

at the following point(s) THE S 1/4 OF THE N 1/4 SEC. 16 T22N
List all points of diversion from this source, appending a sheet if necessary

RANGE 63E MD 134M - WHITE PINE COUNTY
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

THE BORCHERT SPRING IS LOCATED JUST A FEW HUNDRED FEET SOUTH OF THE WEST FAMILY PROPERTY. BY NATURAL TERRAIN BORCHERT SPRING WATER FLOWS BY STREAM BED ONTO THE WEST'S PROPERTY. THERE IS NO SURVEY. THIS IS HISTORICALLY CASE PROVEN

(1) Name of claimant JAMES A. AND CARLEEN JEAN WEST

Address HC 33 BOX 33660, County of WHITE PINE

State of NV 89301 Telephone No. (775) 296-3555

(2) The means of diversion employed NATURAL DITCH (STREAM BED)
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was NO SURVEY

(4) The construction of the ditch or other works was begun EVOLUTION OF THE EARTH
and completed

(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...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.

SEE ATTACHED

(16) The years during which no water was used for irrigation or during which the full water right was not used were SINCE THE 1880'S BURCHERT SPRING WATERS HAVE

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 BEEN CONSISTENTLY USED BY CHAIN OF TITLE PROPERTY

OWNERS AND TENANTS TO GROW CROPS AND OF LATE MEADOW PASTURE.

(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:

NONE KNOWN

(19) The character of the soil is SILT + SANDY LOAM (Sandy, gravelly, loam) A continuous flow of 6 cubic

feet of water per second has been used to irrigate 960 acres of land and UK HOWEVER, acre-feet per acre per annum have been used to irrigate the crops.

AT LEAST 3-4 ACRE FEET PER ACRE ANNUALLY FOR POTATOS OR ALFALFA.

(20) Remarks SINCE THE BORCHERT SPRING WATER HAS HISTORICALLY BEEN USED FOR IRRIGATION ON ALL OF THE 960 ACRES KNOWN AS THE BORCHERT RANCH, THE CURRENT OWNERS ARE REQUESTING A PERMIT TO PUT THE BORCHERT SPRING WATER TO BENEFICIAL USE IN A CONTROLLED MANNER.

THE BORCHERT SPRING WATER HAS BEEN A CONSISTANT RESOURCE YEAR AFTER YEAR FROM THE TIMES OF EARLY SETTLEMENTS OF AMERICAN PIONEERS. WHITE PINE COUNTY HAS VERY LITTLE AGRICULTURAL LANDS WHICH ARE BEING CONSUMED BY PUBLIC UTILITY CONGLOMERANT APPROVING THE BORCHERT SPRING WATER FOR AGRICULTURAL USE WOULD BE A BENEFIT FOR WHITE PINE COUNTY AND A HABITAT FOR DEER, ANTELOPE, A LARGE VARIETY OF LARGE AND SMALL FOWL, EQUINES AND A VARIETY OF SMALLER ANIMALS.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by TOM GUNN 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



T M Gunn
Telephone No. (775) 343-0200

Subscribed and sworn to before me this 29th day of May, 2007
Brown

Notary Public in and for the County of Washoe
My commission expires 1-18-09

2007 JUN - 1 PM 2:00

\$100 FILING FEE MUST ACCOMPANY PROOF

SUPPLIMENT TO
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

ITEMS 5-9

The streambed of diversion is a natural water flow of various depths, grades and widths throughout its channel. It is an evolutionary process of natural flow.

ITEM 15

The Borchert Spring water has been used for crops and pasture meadows consistently. Currently used as meadow forage production.

2007 JUN -1 PM 2:00
STATE ENGINEERING OFFICE