

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Kitchen Spring and Pond Spring

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

The water is diverted from its source via unnamed ditches

Name of ditch, flume or pipe line

at the following point(s) _____

List all point of diversion from this source, appending a sheet if necessary

(Pond Spring) within Lot 7 (SW1/4SW1/4) Section 6, T.23N., R.63E., M. D. M., from which the SW corner of said

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

section bears S.42°47'W, 1,272 ft. dist.

itchen Spring) within Lot 7 (SW1/4SW1/4) Section 6, T.23N., R.63E., M. D. M., from which the SW corner of said
section bears S.59°32'W, 1,085 ft. dist.

(1) Name of claimant Egan Mines, LLC

Address 2310 D Street, Eureka County of Humboldt

State of California 95501-4157 Telephone No. (707) 444-8331

(2) The means of diversion employed ditches, pipe

(3) The date of the survey of ditch, canal, or pipe line was estimated 1872
Dam and ditch, pipe line, flume, etc.

(4) The construction of the ditch or other works was begun estimated 1872

and completed _____

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom one feet, width on top 3 feet, depth 0.5 feet, on a grade of 1.5 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 owner in the above-described conduit.

claimant is owner of land and diversion works by fee title

If claimant is an owner in the conduit, state interest held on this line

179-447

(10) The nature of the title to the land for which the water right is claimed is patented mineral surveys
- patents issued in 1880 to predecessor in interest

(11) Crops of meadow pasture hay
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 March 15 to October 30
of each year. Day of month Day of month

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

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.....1872....., ^{0,356}~~0,282~~ acres in the ...Lot 7 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Sec6....., T.....23N....., R...63.....E.
Year.

.....1872....., ...2.014..... acres in the ...SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec6....., T.....23N....., R...63.....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.

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(14) The maximum acreage irrigated in any year was ^{2.37}~~2.298~~ 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 of during which the full water right was not used were

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 not recorded in the office of the County Recorder ofWhite Pine..... County, said record being at pageof Bookof and being a claim for of water for the irrigation of ~~2.296~~ 2.37 acres of land in the following legal subdivisions:

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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:
mining and milling, stock watering and domestic

(19) The character of the soil isloam..... A continuous flow ofcubic
(Sandy, gravely, loam)
feet of water per second has been used to irrigateacres of land and
acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks patents to lands contained in the place of use were delivered in January, 1880 to San Jose Mining Company a direct predecessor of claimant who now possesses said land. Irrigated land was used to pasture animals used in connection with early mill site activities, and to feed domestic livestock for consumption by occupants and workers.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Clifford H. Herman are full and correct to the best of his knowledge and belief.

The undersigned deponent is acting as Agent for the claimant - Clifford H. Herman (Egan Mines, LLC)
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, NV 89801
Telephone Number (775) 738-2121

Subscribed and sworn to before me this 7th day of July , 2009
by William A. Nisbet
Coralee Griswold

Notary Public in and for the County of Elko ,

My commission expires May 29 , 2010

\$100 FILING FEE MUST ACCOMPANY PROOF

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