AGREEMENT

This agreement entered into this 2nd day of December, 1987, by and between Francis A. and Linda A. Lytle of St. George, Utah, hereafter referred to as Lytles, and Hafen Brothers, a Utah General Partnership, Herschel Hafen, Ramona Hafen, Eldon Hafen, Maxine Hafen, L. Kelton Hafen, and Peggy Hafen, being the general partners, hereafter referred to collectively as Hafen Brothers.

RECITALS

- 1. WHEREAS, the parties are the owners of certain real property located in Lincoln County, Nevada, more specifically described in Exhibits "A" and "B" attached hereto; and
- WHEREAS, the parties and their predecessors in interest have filed on certain water rights appurtenant to the real property described in Exhibits "A" and "B"; and
- WHEREAS, the parties have during the past many years established a
 pattern of use of said water; and
- WHEREAS, various filings and protests have been made by both parties pertaining to the water rights which are the subject of this agreement; and
- 5. WHEREAS, the parties are now desirous of entering into an agreement to settle any and all disputes which have arisen in the past concerning the use of the water rights which are the subject of this agreement.

NOW THEREFORE, the parties agree as follows:

The parties agree that the primary proof of application pertaining to this
agreement is Proof No. 01352 filed March 1, 1915, by Lamond Woods and Lyman
Woods, with a priority date of 1869 from the North and East Fork of Clover Valley
Creek. The real property presently owned by both parties was then under ownership

of Lamond Woods and Lyman Woods, the applicants under Proof No. 01352. The parties further agree that since that time secondary filings have been made by their predecessors in interest which are as follows:

A. Hafen Brothers:

Proof No. 01474, Proof No. 01803

B. Lytles:

Proof No. 01472, Proof No. 01473

These water rights are more particularly described in Exhibit "C" attached hereto.

- 2. The parties agree that as per their past course of conduct for many years, Lytles shall be entitled to divert their water rights from one-half of the water from the East Fork of Clover Creek and Hafen Brothers shall be entitled to divert their water rights from one-half of the water of East Fork of Clover Creek and from all of the water of the North Fork of Clover Creek.
- 3. The parties agree further that they shall have rotation rights of water as between the primary and secondary water rights described above. This rotation of water rights shall be limited to the rotation of primary and secondary water rights owned by the parties which are described above and in Exhibit "C". The parties agree this arrangement shall provide for the most beneficial use of the water.
- 4. The terms and conditions of this agreement resolve all conflicts between the parties pertaining to the above described water rights located on the East and North Forks of Clover Valley Creek. The parties agree to bound by the terms and conditions of this agreement and desire that these terms and conditions be adopted by the Nevada State Water Engineers Office in their final order of determination.
- 5. Should any party default in any of the covenants or agreements herein contained, that defaulting party shall pay all costs and expenses, including a reasonable attorney's fee, which may arise or accrue from enforcing this agreement or

n pursuing any remedy provided hereunder or by applicable law, whether such remedy is pursued by filing suit or otherwise.

- 6. All negotiations, understandings, representations and preliminary agreements are merged herein. The parties intend this document to be the final and exclusive expression of their agreement.
- This agreement may not be modified, amended or revoked unless by a writing signed by all the parties hereto.
- This agreement shall apply to, inure to the benefit of and bind all parties hereto, their heirs, personal representatives and other successors.

Executed at St. George, Utah, on the date first above written.

FRANCIS A. LYTLE

LINDA A. LYTLE

HERSCHEL HAFEN

RAMONA HAFEN

Eldow Hafen ELDON HAFEN

MAXINE HAFEN

L. KELTON HAFEN

PEGGY HAFEN Hafen

STATE OF UTAH	
COUNTY OF WASHINGTON) ss.	
On the Znday of D	ecember, 1987, personally appeared before me
Francis A. Lytle, the symmetry of the above	e instrument, who duly acknowledged to me that
he executed in Samuel	e instrument, who duly acknowledged to me that
My Commission Expires:	Glogetle Fent NOTARY PUBLIC Residence St. GRORE, Col
ATE OF US	
STATE OF UTAH	
COUNTY OF WASHINGTON) ss.	
Linda A. Lytle, the signeral the above	ecember, 1987, personally appeared before me instrument, who duly acknowledged to me that
he executed the	actions age to me that
My Commission Expires:	Startta, Bent NOTARY PUBLICY GLORGE, Ut
4.2888	Life Sportye, Car
STATE OF UTAH	
COUNTY OF WASHINGTON SS.	
On the day of De	cember, 1987, personally appeared before me
	e instrument, who duly acknowledged to me
that he executed the same.	•
My Commission From	Stagette Fent NOTARY PUBLIS Residing at: St. George, Ut.
MOTARY PURLEC	4

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COUNTY OF WASHINGTON	
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	above instrument, who duly acknowledged to me that
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STATE OF UTAH	
COUNTY OF WASHINGTON	33.
On the 2 nd day	y of December, 1987, personally appeared before me
Maxine Hafen, the signer of the a	above instrument, who duly acknowledged to me that
he executed the same.	
	Georgette Sent
My Commission Expires:	Residing at: 15 (1890)

My Commission Expires:

STATE OF UTAH

COUNTY OF WASHINGTON

On the 2nd day of December, 1987, personally appeared before me

L. Kelton Hafen the signer of the above instrument, who duly acknowledged to me that he executed the serri

COUNTY OF WASHINGTON

On the 2nd day of December, 1987, personally appeared before me

Peggy Hafen, the signer of the above instrument, who duly acknowledged to me that he executed the same.

My Commis

gbk13

NOTARY PUBLICY - GREGE, LUT

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EXHIBIT "A"

Lytle's Real Property (located in Lincoln County, State of Nevada):

Primary (01352):

All of the NE1/4SW1/4 of Section 14, T. 5 S., R. 69 E., MDB&M, and Also all of that tract of land described in Deed of June 21, 1912, recorded April 29, 1913, in Book "B-1" of Real Estate Deeds at page 35, Lincoln County, Nevada, Records, Lyman Lafayette Woods, grantor to Obe Hamblin, grantee, and in part more particularly described by metes and bounds survey by W. F. Thorne, September 18, 1922, and recorded October 12, 1922, in Book "B-1" at page 486, Lincoln County, Nevada, Records field notes of metes and bounds survey as follows: Beginning at the Northeast corner of the Southwest quarter, this being the center of Section 14, T. 5 S., R. 69 E., MDB&M, thence N. 43'30' East, 98 feet, thence N. 34'30' East 247 feet, thence N. 44'30' East 99 feet, thence N. 14'30' East 306.6 feet, thence N. 70'30' West 300 feet, thence S. 59'30' West 593.3 feet, thence N. 73' West 542 feet, thence N. 24' West 197 feet, thence N. 74' West 283 feet, thence S. 31' West 88 feet, thence S. 61' West 131 feet, thence S. 7' West 410 feet, thence N. 80' West 21 feet, thence S. 7' West 187 feet, thence N. 82' West 46 feet, thence S. 10' West 102 feet, thence S. 17' East 156 feet, to Desert Entry of Ed Hamblin, thence East 1235 feet to the point of beginning, making a total of approximately 25 acres and being in the SW1/4NE1/4 and the SE1/4NW1/4 of Section 14, T. 5 S., R. 69 E., MDB&M.

Also, Lot No. 1 and 2, situate in Clover Valley, and further described as follows:

Lot No. 1 - The point of beginning bears E. 269 feet from the W1/4 corner, of Section 14, T. 5 S., R. 69 E., MD8&M, thence from this point, N. 22'48' West 129.3 feet, thence N. 46"02' W. 157 feet, thence S. 88"16' East 416 feet, thence 1"05' East 35 feet, thence S. 61"55' West 203.3 feet, thence S. 77"54' West 139 feet, thence S. 2"26' East 202 feet, thence S. 89"36' West 120.6 feet, thence N. 22"48' West 132.7 feet, and being all in Sec. 14, T. 5 S., R. 69 E., MD8&M, and containing 2.13 acres, more or less.

Lot No. 2 - The point of beginning bears E. 656 feet, thence S. 2*40' East 164 feet, from the W1/4 corner of Section 14, T. 5 S., R. 69 E., MDB&M, thence from this point of beginning S. 2*40'E., 400 feet, thence N. 89*50' East 300 feet, thence N. 17*05' West 420 feet, thence S. 89*07' West 196 feet to the point of beginning, and being all situate in Sec. 14, T. 5 S, R. 69 E., MDB&M, and containing 2.23 acres, more or less.

Secondary (Nos. 01472, 01473):

Parcel 1:

The North Half (N1/2) of the Northeast Quarter (NE1/4) of Section 16, Township 5 South, Range 69 East MDB&M, lying North of the Union Pacific Railroad Company Right of Way.

Excepting therefrom that portion thereof described as follows:

Beginning at the point of intersection of the North-South Section Line common to Sections 15 and 16 and the North line of the Union Pacific Railroad Right of Way: thence Westerly along said Union Pacific Railroad Company Right of Way line a distance of 1320 feet to a point: thence Easterly and parallel with the last mentioned Right of Way line a distance of 1320 feet to a point on said North-South Section Line; thence South along said Section Line a Distance of 594 feet to the point of beginning.

Parcel 2:

The South Half (S1/2) of the Southeast Quarter (SE1/4) of Section 8; the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 16; and the East half (E1/2) of the Northeast Quarter (NE1/4) of Section 17, all in Township 5 South, Range 69 East, MDB&M.

Excepting therefrom any portion thereof lying within the Union Pacific Railroad Company Right of Way.

Parcel 3:

That portion of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section 16, Township 5 South, Range 69 East, MDB&M lying North of the Union Pacific Railroad Company Right of Way.

Containing 268 acres, more or less.

EXHIBIT "B"

Hafen Brothers Real Property (located in Lincoln County, State of Nevada):

Primary (01352):

That portion of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section 14. Township 5 South, Range 69 East, MDM; more particularly described as follows: BEGINNING at the Southeast corner of Section 14. Township 5 South, Range 69 East M.D.M.; thence North 50°31' West, for a distance of 5,997.64 feet to the true point of beginning, which is on the West Right of Way Line of Union Pacific Railroad, and on or near the North line of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section 14; thence South 11°36' West, for a distance of 608.70 feet along the West Right of Way line of Union Pacific Railroad for a distance of 541.30 feet to a point; (the elements of the curve being, R-960 feet, Chord 524 feet, Central Angle - 31°40'); thence due North 500.00 feet to a point; thence North 20°51' East for a distance of 600.68 feet to a point; thence due East for a distance of 600.68 feet to the true point of beginning.

Primary and Secondary (01352, 01474, 01803):

Parcel 1:

The N1/2 Sec. 22; SW1/4, S1/2SE1/4, NW1/4SE1/4, S1/2NW1/4, SW1/4NE1/4 Sec. 15; N1/2SE1/4 Sec. 16; Also a parcel of land 1.73 acres in the SE1/4NE1/4 Sec. 15, all in T. 5 S., R. 69 E., MDB&M, Lincoln County, Nevada. Containing 801.73 acres more or less.

Parcel 2:

77.6h acres of land, Patent No. 24905, being the NWq of the SW2 of Sec. 1h and NE2 SE2 of Sec. 15, T. 5 S., R. 69 K., M.D.M., together with any and all improvements thereon.

202.21 acres of land. Patent Nos. 24902 and 24905, being S_{2}^{1} NW₂ NN₂ Section 1h, and S_{2}^{1} NE₄ Section 15, T. 5 S., R. 69 E., M.D.M., together with any and all improvements thereon.

PROOF NO.:

01352

CLAIMANT:

Lamond Woods and Lyman Woods

SOURCE:

Clover Valley Creek

USE:

Irrigation and domestic

MEANS OF DIVERSION:

Dams and ditches

POINT OF DIVERSION:

NW1/4 SW1/4 Section 13, t.5S., R.69E., M.D.B.&M.

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PRIORITY	ACREAGE	SUBDIVISION	SECTION	TOWNSHIP	BANGE	<u>CFS</u>	AC.PT.
1869	2.4	SE1/4 NE1/4	14	58	69E	.060	12.0
1869	20.6	SE1/4 NE1/4	14	55	69E	.515	103.0
1869	20,0	SW1/4 NE1/4	14	55	69E	.500	100.0
1869	20.4	SE1/4 NW1/4	14	\ss	69E	.500	102.0
1869	11.5	NE1/4 SW1/4	14	58	69E	.288	57.5
1869	15.0	N W1/4 SW1/4	14	5 S	69E	.375	75.0
1869	32.4	SW1/4 NW1/4	14	53	69E	.810	162.0
1869	9.0	SE1/4 NE1/4	15	58	69E	.225	45.0
1869	2.5	SW1/4 NE1/4	15	58	69E	.063	12.5
1869	1.5	SW1/4 NW1/4	15	\$8	69E	.038	7.5
	135.3					3.370	676.5

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EXHIBIT C

PROOF NO.:

91472

CLAIMANT:

Prescis A. and Linda A. Lytle

SOURCE:

Lytle Spring #1

Irrigation

MEANS OF DIVERSION:

Ditch

PORT OF DIVERSION:

NEI/4 NEI/4 Section 16, T.SS., R.89E., M.D.B.&M., or at a point from which the ME corner of Section 13, T.SS., R.89E., M.D.B.&M., bears N. 87 degrees 29' 43" E., a distance of 6,184 feet.

PRIORITY	CULTURAL ACREAGE	SUBDIVISION	SECTION 7	CWNSHIP	RANGE	CTS	ACJT.
1990	12.9	NW1/4 NE1/4	11/	55 /	49E	.322	64.5
1990	3.1	NW1/4 WE1/4	W	13	69 E	.078	15.5
1490	26.4	N21/4 HE1/4	16	55	492	.540	132.0
1890	6.5	SWI/4 WEI/4	\ u \	55	492	.163	32.5
1000	5,3	SW1/4 NE1/4	10	35	69E	.029	4.0
1890	11.4	SE1/4 NE1/4	16	53	69E	_290	57.9
	1	1	\ \	. "	W.,	1.533	305.5

PROOF NO.:

01473

CLAIMANTS

Andrew R. Lytle

SOURCE:

Lytle Springs Nov. 3 and 4

Irrigation

MEANS OF DIVERSION:

Ditches

PORTS OF DIVERSION:

1) SW1/4 NW1/s Section 16, T.SS., R.69E., M.D.B.&M., or at a point from which the NE corner of Section 15, T.SS., R.69E., M.D.B.&M., beers N. 30 degrees 40° 46° E., a distance of 9,484 feet.

2) NE1/4 NE1/4 Section 17, T.SS., R.69E., M.D.B.&M., or at a point from which the NE corner of Section 15, T.58., R.69E., M.D.B.&M., bears N. 83 degrees 40' 45" E., a distance of 11,482 feet.

PRIORITY	ACREAGE	SUBDIVISION	SECTION	TOWNSHIP	RANGE	CP3	AC.PT.
1875	10.0	SE1/4 NE1/4	17	58	69E	.25	50.0
1875	18.0	NE1/4 NE1/4	17	58	69E	.45	90.0
1875	0.01	SE1/4 SE1/4	16	55	69E	.25	50.0
1075	2.0	5W1/4 SE1/4		33	69E	.05	10.0
/						1.00	200.4

78 PAGE 22 **EXHIBIT** 01_(0 Page ___

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Source LITTLE SERINGS	No. 3 & 4			
The water is diverted from its source	South Ditch and Springs			
at the following point(s)18564561, Sec.	Name of dich. See to 16 (No. 3) or at a po	me or pipe him nint, from which the		
ME Corner of Section 15 bears H. RO	List of diversion from this source, app List 160 3. a distance of	reding a sheet if necessary 9LCL feet; and in I	nsi _a msi _e	
Describe as theing makes a 40-acre medivision of published. Sect. 17 (Fe. b) or at 4 point from	or surrous and he course and distance	to a personal courses. If on a	minimum (
a distance of 11,082 feet, All in	The The Control of th			
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Address	N. N.		7/4	
State of	76.	601 , 574 2769	>	
(2) The means of diversion employed	Date and disch, par	Line, Rume, orc.	and the second s	
(3) The date of the survey of ditch, came	al, or pipe line was France	1070	************	
(4) The construction of the ditch or other	r works was begun	or to 1890		
and completed PF10T to 1690	***********			
(5) The dimensions of the ditch or canal	as originally constructed w	ere: Width on bottom.	.2	
feet, width on top!feet, depth		2feet per thousa	nd feet.	
(6) The conduit has (has not) been enlar	/ /	•		
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and completed	- APP			
(8) The dimensions of the ditch or canal	as enlarged are: Width on I	oottomfeet, w	idth on	
topfeet, depthfeet, t	on a grade offeet pe	r thousand feet.		
(9) The claimant is (is-not) an owner in	the above-described condu	it.		
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(10) The nature of the title to the land fo				
fee simple	***************************************			
(11) Crops of weadow pasture	'ee pimple, public domain, stc.			
have been grown upon the land irrig	ated. (e ç. alfalfa, native ha	y, grain, orchard, mea	dow or	
diversified pasture)		D 2	•	
(12) The water has been used for irrigation of each year.	Day of month	Day of mon	ė ė	
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WB 113190	in Certificate 01473		of Sec	T	, R
Year or to 1890 i	.6 acres in the 5	of City	of Sec.	T. 58.	R 69
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76.					
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acres of land in	the following legal sub	divisions:		· · · · · • • • • • • • • • • • • • • •	
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BCOK 78 PAGE 24

EXHIBIT C

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(18) Water from the source given and through the works described is also used for the following purposes other than irrigation: stockwater (19) The character of the soil is loss A continuous flow of land, greetly, lossel acre-feet per acre per annum have been used to irrigate the crops. (20) Remarks: Vaters of these strings are comingled with waters flowing in ... Clover Greek from all sources upstream and especially East Spring in the MAJSMy Section 13, the MY Corner of Sect. 11 bears M.62012'36"W. a distance of6557 ft. The supporting Certificate Oll?) indicates that 2 acres in the Sangely Section 8, T.S., R.60E, had been eliminated from use. This was possibly so for a short reriod after the reilroad was relocated. Shortly thereafter, however this field was gut back into use with mesdow pesture. The new map supporting this filing indicates b.6 scres in this field. The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Francis A. and Linda A. Lytle are full and correct to the best of his knowledge Telephone No. (..801..)...574. 2769 Subscribed and sworn to before me this 10+4 day of 20 ay lotary Public in and for the County of Hy commission expires 30, 1918

550 FILING FEE MUST ACCOMPANY PROOF

BOOK 78 PAGE 25

EXHIBIT C
Page 5 Of 10

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THE STATE OF NEVADA PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

The water is diverted from its pource	Source	utle SR	THG #2				
and. Sents. 15., T.55., M.69E. Internal M. Sents of distributions from this source, appending a short of microsoft. Describe as hone within a silvers indebtases of police wirely, and by clearer and distance in a serious center. If on month public wirely, and by clearer and distance in a serious center. If on month public wirely, and by clearer and distance in a serious center. If on month public wirely, and by clearer and distance in a serious center. If on month public wirely and the stated (1) Name of claimant	The	water is diverted i				ack majer source:	
of. Serks. 15. T.55., R.698. hears, N.6729-la129., a distance of 5.518, feets. Describe to hose of claimant. (1) Name of claimant. Prancts. A, and Linde. A, Lytia Address. County of. State of. Telephone No. (.801.). 57k. 2759. (2) The means of diversion employed. (3) The date of the survey of ditch, canal, or pipe line was. Frior. to. 1870. (4) The construction of the ditch or other works was begun. Erior. to. 1870. (5) The dimensions of the ditch or canal as originally constructed were: Width on bottom. Free, depth. 1	at the	following point(s) in XE'NE	Sect. 16 T	Name of disch. 55., R.69£.,	Marie de pipe fine M.D.B.AF., Shi	NE Corner
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(1) Name of claimant					by course and day	LACE IN A MICHIGA CONTROL	. N on more species
(1) Name of claimant				<u> </u>	1	/	
(1) Name of claimant	*******	***************************************					
(1) Name of claimant	******	***************************************			V	\ /	/
(1) Name of claimant. Francis Ax and Linda Ax Lytia. Address. County of Telephone No. (.801). 57k. 2769 (2) The means of diversion employed. ditch Done and dick you loss, from, em. (3) The date of the survey of ditch, canal, or pipe line was. Frior. to. 1890. (4) The construction of the ditch or other works was begun. Exict. to. 1890. and completed. Frior. to. 1870. (5) The dimensions of the ditch or canal as originally constructed were: Width on bottom. 7. feet, width on top. feet, depth. 1. feet, on a grade of. 1. feet per thousand feet. (6) The conduit has thas thas not) been enlarged. NOTE—M relargement or sussaion of ditch was made, topply elementors 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. full M claimes is as owner in the conduix was interest held on the line (10) The nature of the title to the land for which the water right is claimed is fee simple. For emple, public domain, etc. Parameter and diversified pasture. have been grown upon the land irrigated. (e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture) have been grown upon the land irrigated. (e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)					7%	- No.	2
(1) Name of claimant			The second second		1		
(1) Name of claimant	1			The same of the sa	76.	76.	
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State of	45			The same of the sa	76.	76.	76.
(2) The means of diversion employed. (3) The date of the survey of ditch, canal, or pipe line was. (4) The construction of the ditch or other works was begun					7.	7%	. 74
(4) The construction of the ditch or other works was begun	(2).1	Dec makes of disc		diteh			
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(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom?	3.				is begunzzle	or to 1890	
feet, width on top feet, depth. 1	- %	-					
(6) The conduit has (has not) been enlarged. NOTE—M religement or standard of dich was made, supply efformation under (7) and (8) (7) The work of enlargement of the dich or canal was begun. and completed. (8) The dimensions of the dich 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. full findiment is an owner in the conduit, was interest held on the like (10) The nature of the title to the land for which the water right is claimed is. feet simplo For simple, public domain, etc. (11) Crops of. per right is claimed in the land irrigated. (e.g. alfalfa, native hay, grain, orchard, meadow or 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. January 1. January 1. January 13.		No.		_			
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and completed	L .	OTE-M suitrement	or extension of disch	was made, supply	efformation under	7) and (f))	
(8) The dimensions of the ditch or conal as enlarged are: Width on bottom	(1)	the work of enlar	gement of the di	ich or canal	ras begun		
(9) The claimant is (in-not) an owner in the above-described conduit. full full		nd completed					
(9) The claimant is (is-not) an owner in the above-described conduit. full full full full the same is an owner in the conduit, was interest held on the line (10) The nature of the title to the land for which the water right is claimed is. fee simple for simple, public domain, etc. (11) Crops of meanow 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 January 1. 10 December 33.	(8) 1	he dimensions of	the ditch or car	1Al as enlargo	d are: Width or	bottom	leet, width on
full If claiment is an owner in the conduct, was interest held on the line (10) The nature of the title to the land for which the water right is claimed is. fee simple Fee simple, public domain, etc. (11) Crops of	10	pfeci, d	epthfee	t, on a grade	offeet	per thousand feet.	
If claimant is an owner in the conduct, was interest held on the line (10) The nature of the title to the land for which the water right is claimed is	(9) T	he claimant is (i	-not) an owner	in the above	described cond	luit.	
(10) The nature of the title to the land for which the water right is claimed is		*******************************					
(11) Crops of menow 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 January 1 to Because 32.	(10) T	he nature of the					
(11) Crops ofmisrion 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			fee simple				*******
diversified pasture) (12) The water has been used for irrigation from January 1 to December 12.	(11) C	rops of	low pasture an				
(12) The water has been used for irrigation from January 1 to Dacumbar 33. Day of ments Day of ments	h	ave been grown u	ipon the land is				i. meadow or
	(12) T	be water has been feach year.	n used for irrigi	ition from	Enuary 1 Day of menth	to Decumbe Day	r. 33.

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ia 1890	6.5	acres in the.			T.53. R 69
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The max	mum acı	reage irrigated	in any year was	Dial	
The wate	r claimed	has therefore	i) been used for i	rrigation each and	every year since th
was initia	rea.	A 160 mm			- 1
The year	s during	which no wat	ter was used for i	rrigation or during	which the full water
was not s	sed were			and the last	-
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The clair	mant's W	ater right wa	2 faces-man acco.		of Book
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acres of	land in t	DE TOTOMUS	leffet amountmen		

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EXHIBIT C Page 7 Of 10

	. \
	(12) Water from the source given and through the works described is also used for the following
	purposes other than irrigation: stockwater
	(19) The character of the soil is 1.0am A continuous flow of
	feet of water per second has been used to irrigate. 61.1
	acre-feet per acre per annum have been used to irrigate the crops.
	(20) Remarks: Haters of this string are comingled with water from Slower Greek as
	indicated on Certificate 01472 and from underground (being applied for)
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	All the second s
76.	The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation
The second secon	of water by Francishs, and Lines. As Lytle are full and correct to the best of his knowledge and belief
	ING DOLISE! If proof is not made by claimant, deparent should state on this lies by virtue of what audioraly he represents the
d	Francis a = the
	Finda G. F. Z.
*	Telephone No. (821) 5 4- 2769
	Subscribed and sworn to before me this. 19th day of 70000 1934
	margaret of Conin
	MARGARET H. JONES NOTICE PLANE OF MARGAN NOTICE Public in and for the County of
	AND DATE OF THE PROPERTY AND THE PROPERTY COMMISSION EXPIRES.
<u></u>	\$50 FILING FEE MUST ACCOMPANY PROOF
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	EXHIBIT Of O
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PROOF NO.:

01474

CLAIMANT:

J. W. Simpkins, H. C. Tebbs

SOURCE:

Clover Creek

USE:

trigation

MEANS OF DIVERSION:

Ditch

POINT OF DIVERSION:

NW1/4 SW1/4 Section 14, T.5S., R.69E., M.D.B.&M.

			7%	74.	/ /	F	
PRIORITY	CULTURAL ACREAGE	SUBDIVISION	SECTION	TOWNSHIP	RANGE	CFS	AC.PT.
1875	2.5	SW1/4 NE1/4	15	5S	69E	.063	12.5
1875	8.0	SW1/4 NE1/4	15	55	69E	.200	40.0
1875	15.0	NW1/4 SE1/4	15	55	69E	375	75.0
1875	20.0	SE1/4 NW1/4	15	55	69E	.500	100.0
1875	25.0	SW1/4 NW1/4	15	53	69E	.625	125.0
1875	9.0	NE1/4 SW1/4	15	55	69E	.225	45.0
1875	7.0	NW1/4 SW1/4	15	58	69E	.175	35.0
	46.5			/ /		2.163	432.5

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EXHIBIT C
Page 9 01 (0)

1

PROOF NO.:

01803

CLAIMANT:

Fred Woods

SOURCE:

Clover Creek

USE:

Irrigation

MEANS OF DIVERSION:

Ditch

POINTS OF DIVERSION:

1) NW1/4 SW1/4 Section 13, T.5S., R.69E., M.D.B.&M.

2) SW1/4 NW1/4 Section 14, T.5S., R.69E., M.D.B.&M.

PRIORITY	CULTURAL ACREAGE	SUBDIVISION	SECTION	TOWNSHIP	RANGE	CPS	AC.FT.
1900	15.0	NE1/4 SE1/4	15	55	69E	.375	75.0
1900	3.1	NE1/4 NE1/4	15	5 S	69E	.077	15.5
1880	0.8	NW1/4 SW1/4	14	58	69E	.020	4.0
	/ /		/	/		.472	94.5

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EXHIBIT C
Page 70 Of 70

HAFEN BROTHERS 465 East 600 South St. George, Utah 84770

December 1, 1987

Mr. Peter C. Morros State Engineer Division of Water Resources 201 S. Fall Street Carson City, NV 89710

Dear Mr. Morros:

We are writing in regards to three letters which we wrote to you in early 1987.

The first letter was written on February 27. 1987, protesting a water filing by Francis A. Lytle and Linda A. Lytle, No. 01472, as amended May of 1985. It appeared to me that in your certification, filed in your office NOvember 3, 1986, that you had granted water rights to Lytles from the source of the North Fork of Clover Creek, part of claim No. 01352 which has an 1869 priority, with a diversion point in the North Ditch to be used on land described in No. 01472 which has an 1875 priority date. We now find that you had not done this but that the amended filing simply granted water from Lytle Spring #2 which is on this land. We are therefore asking that this protest be withdrawn. We would also like to ask that the protest of Amended 01477, including Lytle Spring #1, be withdrawn. Mr. Lytle has explained that his primary reason for filing was for stock water. We understand that any water not used for stock water will automatically be part of the East Fork irrigation tributary. We have no objection to this filing.

On January 7, 1987, we wrote to you objecting to the time of use, state that we would like to have year around use. We have been informed that water rights with a priority date prior to 1905 automatically have year around use. All of the filings mentioned in our letter have a priority date before 1985. If we have been informed correctly, there would be no need for a change.

Mr. Peter C. Morros December 1, 1987 Page 2

On January 7, 1987, we wrote asking about No. 01595 which shows I. Huntsman claiming water rights from Clover Creek. We assume that this should not be of any concern to us as it claims rights to use water in Sec. 11, T. 4 S., R. 67 E., MDB&M, which is some distance below us.

Thank you for your consideration in these matters.

Sincerely.

Herschel Heighn
Herschel Hasen
Eldon E-Hasen
Eldon Hasen

Z. Keltn Hafen

gbk13

88115
FILED AND RECORDED AT REQUEST OF
Eldon Hafen
Dec. 3. 1987
AT 15 MINUTES PAST 10 O'CLOCK
A.M. INSCOR
FLUCTOR, FACE 12 LINCOLN
CLUTTY, NEVADA.
FRANK C. HULSE COUNTY SECONDER
By WAla Condie. Deput
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