Serial No. 06519

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

| ΔY | Name of claimant Laird Whipple |
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| (*) | 6430 S. Procyon of Las Vegas |
| | Street and No. or P.O. Ben No. City or town Nevada 89118 |
| (2) | Source of water Ely Springs |
| (3) | Name of manual water source. The water is diverted by Spring into pipeline and thence to stock water. Dam, ditch, papeline, natural channel, spring area, etc. |
| (4) | The water is diverted at the following point(s). On unsurveyed land at Ely Springs Decribe as being within a 40-acre satelliniation of public survey, and by course and distance to a section corner. If on ansurveyed land it should be stated. |
| | which is in the NWs of the NSs of Section 35. Township 1 North. Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such reach. |
| No. | Range 65 East, MDB&M or at a point from which the found Northwest Corner of Section 3, Township 1 South, Range 65 East, MDB&M bears S57 |
| | 10'W a distance of 10,500 feet. |
| | |
| (5) | The water is impounded in tanks pools, reservoir, natural channel, etc. |
| (6) | The construction of the ditch or other works was begun. September, 1984, a continuation of the ditch or other works was begun. |
| | and completed not yet completed of diversion which was started in 1907. See the Affidavit of Floyd |
| (7) | The nature of the claimant's title to the land upon which the source of water and place of use |
| | are located is BLM land with grazing permit. Ely Spring cattle and Passated, descreet, public domain with grazing permit, etc. |
| The State of the S | |
| Name and Address of the Owner, where the Owner, which is the Owner, where the Owner, which is the | |
| (8) | The claimant's water right was (was not) recorded in the office of the County Recorder of |
| | Lincoln County, at Page 103-114 of Book 63 of Doc. No. 915789 MOTE-Failure to record in the county is no way revalidates a water right, but if water right was as recorded, supply fall information under (8). |
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| (9) | The approximate number of animals watered by the claimant during the first year 1984, |
| | was 550 cattle horses sheep or wildlife (describe) |
| | The watering was conducted during each of the following months. |
| | The watering was conducted duting each of the following mondis- |
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| | |
| O) | The approximate number of animals watered by the claimant in subsequent years was as follows: |
| u, | |
| | 550 beef cattle each year. 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. |
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| 1) | The amount of water which has been necessary to be diverted for this purpose has been |
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| | 0.05cubic feet per second. 448.83 gallous per minute equals 1 cable foot per second. |
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| 12) | O.05 cubic feet per second. 448.83 gallons per munute equals I cable foot per second. The works are located at SWA of the NE 1. Section 8. Range 65 East. Township 15. MOF SECOND SECO |
| 12) Len | O.05 |
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| 12) ten El- | Cubic feet per second. 448.83 galicon per minute equals I cubic foot per second. The works are located at SWA of the NE ! Section 8, Range 65 East, Township 15, MDF Describe to being within 440-acre subdivision, section, township and range of public survey. If on asserveyed SEN of the NEN, Section 10, Range 65 East, Township 1 South, MDBSM land, it should be taked. SWA of the NEN, Section 15, Range 65 East, Township 1 South, MDBSM marks SWA of the SEN, Section 17, Range 65 East, Township 1 South, MDBSM of the SEN, Section 24, Range 64 East, Township 1 South, MDBSM of the SEN, Section 20, Range 65 East, Township 1 South, MDBSM of the SWA, Section 23, Range 65 East, Township 1 South, MDBSM of the SEN, Section 29, Range 65 East, Township 1 South, MDBSM of the SEN, Section 29, Range 65 East, Township 1 South, MDBSM of the SEN, Section 29, Range 65 East, Township 1 South, MDBSM |
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| Remarks. SEk of the NEA, Section 14, Range 64 East, Township 2 South, MOBEM Nek of the NEA, Section 19, Range 65 East, Township 2 South, MOBEM NEA of the NEA, Section 16, Range 65 East, Township 2 South, MOBEM NEA of the NEA, Section 15, Range 65 East, Township 2 South, MOBEM and associated pipeline as shown on Sheets 1 through 4 of the supporting map dated 29, July, 1988. Prepared by C. Steve Deal, Water Right Surveyor, No. 790. The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by State of Nevada, County of Lincoln are full and correct to the best of his knowledge and belief. If proof is not made by claiment, deposest should state on the line by street of what suchority he supments the claiment. |
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| If proof is not made by claiment, deponent should state on this line by virtue of what sushority he represents the claiment. |
| |
| LAIRD WHIPPLE Chairman Chairman |
| Telephone No. (702.). 361-1133 |
| By WHIPPLE 6340 South Procyon |
| Street and No., or P.O. Box No. Las. Vegas, Nevada 89118 |
| City, Stote, Zip Code Me. Telephone No. (702.) 361-1133 |
| Subscribed and sworn to before me this 13 day of 194. |
| Mark Whipple |
| Notary Public in and for the County of Stark County |
| My commission expires My aget. sine. Get. 19, 1005 |

\$50 FILING FEE MUST ACCOMPANY PROOF

BOOK 112 PAGE 459

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CERTIFIED COPY The document to white with continue is attached is a will true and conect copy as it appears in the records and flee of the office of the State Engineer. Division of Water Region of the Turning Seed. P.E., State Engineer of the State of Hovada. 600X 112 MGE 460

AFFIDAVIT OF FLOYD LAND

STATE OF NEVADA)

COUNTY OF CLARK)

Floyd Lamb, being first duly sworn, deposes and says:

- Affiant is competent to testify and has personal knowledge of the matters herein contained.
- Affiant presently resides at Alamo, Nevada in Lincoln County, Nevada.
- Affiant has owned property and has had interests in Lincoln County, Nevada since 1920.
- 4. Affiant is familiar with Ely Springs, which is located in or near Alamo, Nevada.
- 5. Affiant's family lived in Lincoln County since 1907 and affiant knows of his own knowledge that Ely Springs has been used for stock watering purposes continuously from the time before 1907.
- 6. Affiant knows that Ely Springs has been used by the following persons from and after 1905 for stock watering purposes, to wit: Thorley, Hershy, Higbee and Whipple.
- 7. Affiant knows of his own knowledge and has been informed by family members and friends that Ely Springs has been used to water continuously approximately 500 head of cattle from and after 1905 to the present time, and that, on general reputation of those knowledgeable in the area, Ely Springs has always been

. . . .

used in the memory of the residents in Lincoln County, Nevada continuously for stock watering purposes.

Further, affiant sayeth naught.

FLOYD LAMB

Subscribed and sworn to before

me this ____ day of April, 1994.

Notary Public in and for said County and State

Mark Whippe Notary Public - Nevada Clark County Ny appt, esp. Oct. 18, 1996

103147

TILLA AND RECORDED AT PEGIFET OF John Peter Lee March 10. 1995 P. MED'S 112 OF CERT GI 150.0 4 980E 457 LNOUIN ACAVADA A NEVADA

Yuriko Setzer Boucher Deputy

The document to which this certificate is attached is at aut true and correct copy as it appears in the records and fibe of the office of the State Engineer Division of Water Resources.

DATE: 1492

R. MICHAEL TURNIPSEED RE. State Engineer of the State of Nevada.

Charmanning.

800K 112 MACE 463