

THE STATE OF NEVADA.Proof of the Appropriation of Water.

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Lane and Johnson Ditch.

State your name: Pacific Live Stock Company, a corporation.

1. Q. Post Office.

A. San Francisco, California. (Present address 862 Howard Street; after July 1st, 1907, Merchants Exchange Building.)

2. Q. State the use to which the water has been applied.

A. Water used for irrigation, watering stock and domestic purposes.

3. Q. State the means of diversion employed.

A. Ditch.

4. Q. If through a ditch state its name.

A. Lane and Johnson Ditch.

5. Q. (a) State date of survey of the ditch or other distributing works through which the water claimed is diverted.

(b) The date when the construction of such ditch was begun and when completed.

A. (a) Do not know date of survey, if any survey was made.

(b) The construction of this ditch was commenced in February, 1864, and completed in April or May, 1864.

B. Q. If any enlargements were made state the date when begun and the date when completed.

A. This ditch was deepened and widened in 1865, and thereafter its width was further increased - do not know when. Prior to 1878 (year not known), it was lengthened about 1 or 1<sup>1</sup>/<sub>2</sub> miles. Subsequent to 1899 (year not known), the last mile of this ditch was widened to the same width as the remainder of the ditch. In 1904 the head of this ditch was carried higher up on the river to the point opposite the present head of the

Joggles Ditch. There was utilized in this extension of the head of the ditch a branch ditch which theretofore ran from the Spragg, Alcorn & Bewley Ditch, and connected with the Lane and Johnson Ditch at a point near the old head of the latter ditch in the N.W.1/4 of the S.E.1/4 of Sec. 25, Tp. 14 N., R. 25 E., M.D.B.M. In 1904 a branch ditch was constructed from a point in the N.W.1/4 of the N.E.1/4 of Sec. 25, Tp. 14 N., R. 25 E.

7. Q. State dimensions of the ditch as originally constructed, and as enlarged.

A. The Lane and Johnson Ditch was originally about 1 or 1<sup>1</sup>/<sub>2</sub> miles long, running from a point in the N.W.1/4 of the S.E. 1/4 of Sec. 25, Tp. 14 N., R. 25 E., on the west side of Walker River, and about 5 feet wide on the bottom. This ditch is now about 3<sup>1</sup>/<sub>2</sub> miles long and about 10 feet wide on the bottom.

8. Q. State the name of person, association of persons or corporation who built the ditch or canal, and the name or names of its present owners.

A. This ditch was built by Charles D. Lane, Andrew Lane and William Johnson. Present owner, Pacific Live Stock Company.

9. Q. State the nature of your title to the land for which an appropriation is claimed, and if not owned by you give the name of the owner and the nature of the possessory right which you exercise.

A. Owner of the land.

10. Q. State the year when water was first used for irrigation or other beneficial purposes, and by whom. If for irrigation, give the number of acres watered the first year, with the legal subdivisions on which the water was used, and as near as may be the acres irrigated in each legal subdivision.

A. Water was first used in 1864 by Lane and Johnson on about 250 to 300 acres of land on the west side of Walker River in Secs. 24 and 25, Tp. 14 N., R. 25 E.

Q. Will. State the number of acres watered each subsequent year, and give the legal subdivisions on which the water was used, and as near as may be the acres irrigated in each legal subdivision.

A. In 1865 N. H. A. Mason, a predecessor in interest of the Pacific Live Stock Company, acquired an undivided one-half interest in this ditch, and used his share of the water carried therein on land belonging to him lying north of the Lane and Johnson land. All of the land then irrigated from said ditch comprised a strip about 3 miles long and from 1/4 to 3/4 of a mile wide. N. H. A. Mason subsequently acquired the entire ownership of this ditch and the water rights appurtenant thereto. There has been a gradual increase of the area of the land irrigated from this ditch, the waters thereof having been ultimately applied, and the same are now applied, to the irrigation of the following described lands of the Pacific Live Stock Company:

In Tp. 14 N., R. 25 E.

All of Sec. 36 lying west of Walker River - about 160 acres.

All of Sec. 25 lying west of Walker River - about 400 acres.

All of Sec. 24 lying west of Walker River, excepting about 30 acres in the N.W.1/4 of the N.W.1/4 of said Section - about 350 acres.

All of Sec. 13 lying between Mason Slough and Walker River - about 160 acres.

12. Q. If water is claimed for irrigation, give the legal subdivisions of land owned or controlled by you for which an appropriation is claimed.

A. The Pacific Live Stock Company claims the right to

use the water which it is entitled to appropriate, upon the lands owned by it described as follows:

In Township 13 North, Range 25 East, Mount Diablo Meridian: Of Section 1, the west half of the northwest quarter; of Section 2, the east half of the northwest quarter, and the northeast quarter,

In Township 14 North, Range 25 East, Mount Diablo Meridian: The whole of Sections 1, 12, 13, 24, 25, 26, and 36; of Section 11, the southeast quarter of the southeast quarter, the east half of the east half of the northeast quarter, and the east half of the northeast quarter of the southeast quarter; of Section 14, the east half of the northeast quarter, the southwest quarter of the northeast quarter, and the southeast quarter; of Section 17, the east half of the northwest quarter, the northeast quarter of the southwest quarter, and the east half; of Section 20, the northeast quarter; of Section 23, the southwest quarter of the northwest quarter, the east half of the west half, and the east half; of Section 35, the northwest quarter of the northwest quarter, the east half of the west half, and the east half.

In Township 14 North, Range 26 East, Mount Diablo Meridian: The whole of Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, and 21; of Section 3, the west half of the west half; of Section 10, the west half of the west half; of Section 15, the west half of the west half; of Section 19, the northeast quarter and the west half; of Section 20, the east half of the southwest quarter, the northwest quarter, and the east half; of Section 22, the west half of the west half; of Section 29, the east half of the northwest quarter, and the northeast quarter; of Section 30, the west half of the northwest quarter, and the southwest quarter; of Section 31, the west half of the west half.

In Township 15 North, Range 25 East, Mount Diablo Meridian: Of Section 25, the northeast quarter of the southwest

quarter, the east half of the northeast quarter, and the southeast quarter; of Section 29, the south half of the southwest quarter; of Section 30, the south half of the southeast quarter, the northwest quarter of the southeast quarter, and the southwest quarter; of Section 31, the northeast quarter of the northeast quarter, and the southwest quarter; of Section 32, the north half of the northwest quarter, and the southwest quarter of the northwest quarter; of Section 33, the east half of the west half, and the east half.

In Township 15 North, Range 26 East, Mount Diablo Meridian: The whole of Sections 30, 31, and 32; of Section 19, the south half; of Section 20, the southwest quarter; of Section 28, the southwest quarter of the southwest quarter; of Section 29, the south half of the northwest quarter, the northwest quarter of the northwest quarter, the south half of the southeast quarter, the northwest quarter of the southeast quarter, and the southwest quarter; of Section 33, the southwest quarter of the northeast quarter, the southeast quarter, and the west half; of Section 34, the southwest quarter of the southwest quarter.

13. Q. State the acreage said ditch is capable of watering, give the legal subdivisions of land which it can be made to irrigate, and state who owns said land.

A. All of said water carried in said ditch is now used to irrigate <sup>the</sup> lands described in the answer to interrogatory 11.

14. Q. State the character of the soil and the kind of crops cultivated.

A. Part of the soil is sandy loam, part adobe land and part river bottom land. Sandy loam predominates. Character of crops, alfalfa and feed for pasturage.

15. Q. Are you an owner in said ditch? If so, state your proportionate interest therein.

A. Yes - sole owner of ditch.

16. Q. The plat prepared by the State Engineer is hereby accepted as showing correctly the location of the \_\_\_\_\_ Ditch and the land which can be irrigated therefrom.

A. No plat exhibited.

17. Q. When does your irrigation season begin and when does it end?

A. The active irrigation season begins April 1st, and ends the middle of September, but the Pacific Live Stock Company irrigates its pasture lands throughout the entire year whenever water is available.

18. Q. If water is used for other purposes than irrigation, state the nature of such use, the time when such use began, and how much water is required for such purposes.

A. Water is also used to water live stock, and for domestic purposes at the various ranch houses. The lands of the Pacific Live Stock Company are used as a stock ranch, and large numbers of live stock are pastured thereon. Water has been used

for these purposes ever since the land has been settled. It is impossible to state how much water is required for watering stock, or for domestic purposes.

19. Q. During what months is water used.

A. Whenever water is available.

20. Q. Have you had sufficient water each year since the use for which an appropriation is claimed begun? If not, state the years of scarcity, the months when the supply was insufficient, and the reason of such scarcity.

A. We have no information sufficient to enable us to answer as to the sufficiency of the supply of water prior to 1899. There has been a scarcity of water in 1903 and 1905, the scarcity being most marked in the months of July, August and September. The scarcity was caused by natural deficiency of the water supply and by diversions of water by others from Walker River above the lands of the Pacific Live Stock Company.

Dated, San Francisco, Cal., June 26<sup>th</sup>, 1907.

PACIFIC LIVE STOCK CO.

By

*J. Leroy Nickel*

Its Vice President.

Sworn to before me by J. Leroy Nickel, the Vice President of said Pacific Live Stock Company at the City and County of San Francisco, State of California, this 26 day of June, 1907.

*Hugh T. Sime*

Notary Public in and for the City and County of  
San Francisco, State of California.

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Remarks: The statements made in the foregoing proof are based upon information gathered from various sources, and are made subject to correction in case any errors or omissions are discovered.

PROOF OF APPROPRIATION.

Date of Appropriation \_\_\_\_\_

0466

PRIORITIES.

General. \_\_\_\_\_ Stream. \_\_\_\_\_

NAME OF STREAM.

Lane and Johnson Ditch

TRIBUTARY OF

NAME OF CLAIMANT. and

Pacific Live Stock Company.

Filed in this office this \_\_\_\_\_

day of \_\_\_\_\_, 190 \_\_\_\_\_

State Engineer.