

THE STATE OF NEVADA.

Proof of the Appropriation of Water.

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GOLD HILL DITCH.

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

1. Q. Postoffice.

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. Gold Hill 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 begun and completed in the spring of 1873.

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

A. We are able at the present time to furnish very little information in regard to this ditch. We cannot state what enlargements or extensions thereof were made excepting only that prior to 1889 a branch ditch therefrom was constructed at a point in the N.E.1/4 of the N.E.1/4 of Sec. 14, Tp. 14 N., R. 25 E., M.D.B.M., running in a northeasterly direction to land in the

W.1/2 of Sec. 12, Tp. 14 N., R. 25 E.

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

A. We do not know what were the dimensions of this ditch as originally constructed. It was designed to be 12 feet wide on the bottom. It is now 30 feet wide on the bottom for a distance of about  $2\frac{1}{2}$  miles. Prior to 1873 a ditch then known as the Gold Hill Ditch was constructed connecting with the slough called the Mason Slough, and sometimes called the Spragg, Alcorn & Bewley Slough, in the N.E.1/4 of the N.E.1/4 of Sec. 23, Tp. 14 N., R. 25 E.

In 1873 a cut was made connecting the slough formerly called the Alcorn Slough, now called the Gold Hill Slough, with Walker River near the northeastern corner of the S.E.1/4 of Sec. 35, Tp. 14 N., R. 25 E. At the same time another cut was made in the N.E.1/4 of Sec. 23, Tp. 14 N., R. 25 E., connecting the Gold Hill Slough with the Mason or Spragg, Alcorn & Bewley Slough, thus forming a continuous ditch from the river to the ditch constructed prior to 1873. The Dixon Ditch used by the Pacific Live Stock Company as a branch of the Gold Hill Ditch, is about 2 miles long, about 8 feet wide on the bottom for the first mile and about 6 feet wide on the bottom for the remainder of its length.

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

A. This ditch was built by Sol Noel, H. F. Swasey, Chris Butler and others. Present owners, Pacific Live Stock Company (an undivided one-half), W. R. Penrose (an undivided two-fifths), and E. W. Gregory (an undivided one-tenth).

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. The water was first used in 1873 by Noel, Swasey, Butler and others on land in Secs. 2 and 11, Tp. 14 N., R. 25 E., and Secs. 33 and 34, Tp. 15 N., R. 25 E. We cannot state the number of acres watered in that year.

11. Q. 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. The only information which we can give respecting this interrogatory is that in 1878 N. H. A. Mason, a predecessor in interest of the Pacific Live Stock Company, took water from the Gold Hill Ditch through the Garratt Ditch to irrigate lands susceptible of irrigation from the Garratt Ditch. We cannot state how much land was irrigated thereby. Prior to 1889 water was taken from the Gold Hill Ditch to irrigate lands in the W.1/2 of Sec. 12, Tp. 14 N., R. 25 E., by means of the branch ditch leading from that ditch at a point in the N.E.1/4 of the N.E.1/4 of Sec. 12., Tp. 14 N., R. 25 E. We cannot state how much land was irrigated thereby. Substantially all the land of the Pacific Live Stock Company lying west of Walker River, now irrigated, was irrigated by 1891. The Pacific Live Stock Company

uses water from the Gold Hill Ditch in conjunction with waters from the Spragg, Alcorn & Bewley and Lane & Johnson Ditches to irrigate lands in Tp. 14 N., R. 25 E., and in Tp. 15 N., R. 25 E.

The following lands are substantially the lands now irrigated from the Gold Hill Ditch by the Pacific Live Stock Company:

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

E.1/2 of N.E.1/4 of Section 35.

E.1/2 of E.1/2 of Sec. 26.

About 60 acres in the E.1/2 of the S.E.1/4 of Sec. 23.

About 30 acres in the N.W.1/4 of the N.W.1/4 of Sec. 24.

As previously stated, the Pacific Live Stock Company uses the waters of Gold Hill Ditch in conjunction with the waters of the Spragg, Alcorn & Bewley and Lane & Johnson Ditches to irrigate other lands in Tp. 14 N., R. 25 E., and also lands in Tp. 15 N., R. 25 E., but we are unable to state the quantity of the lands so irrigated.

The waters of the Gold Hill Ditch are also used by the following named persons:

By W. R. Penrose.

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

About 60 acres in the N.1/2 of the S.1/2 of Sec. 11.

About 80 acres in the N.E.1/4 of Sec. 11.

E.1/2 of N.W.1/4 of Sec. 11.

All of Sec. 2 excepting the W.1/2 of the S.W.1/4.

E.1/2 of N.W.1/4 and N.E.1/4 of Sec. 3.

In Tp. 15 N., R. 25 E.

About 520 acres in Sec. 34 (Excepting the N.1/2 of the N.E.1/4.)

All of Sec. 35 excepting the N.E.1/4 of the N.W.1/4.

W.1/2 of W.1/2 of Sec. 38.

S. 1/2 of S.W.1/4 and N.W.1/4 of S.W.1/4 of Sec. 25.

About 140 acres in the N.W.1/4 of Sec. 25.

E. 1/2 of E.1/2 and N.W.1/4 of N.E.1/4 of Sec. 26.

S.E.1/4 of Sec. 23.

S. W. 1/4 of Sec. 24.

By J. G. Young.

About 150 acres in the W. 1/2 of the S.W.1/4 of Sec. 2, and the E.1/2 of the S.E.1/4 of Sec. 3, Tp. 14 N., R. 25 E.

By S. W. Gregory.

About 110 acres in the N.E.1/4 of Sec. 4, Tp. 14 N., R. 25 E., and about 130 acres in the S.E.1/4 of Sec. 33 in Tp. 15 N., R. 25 E.

The water used by W. R. Penrose to irrigate his lands in Sec. 23, 24, 25, 26, 35 and 36, in Tp. 15 N., R. 25 E., lying north of the Penrose and Cleaver Ditch, is partly water from the Spragg, Alcorn & Bewley Ditch, and partly water from the Gold Hill Ditch, mingled together in Mason Slough, and diverted therefrom by means of the Penrose and Cleaver Ditch. The water carried through the Penrose and Cleaver Ditch is also used for the irrigation of lands of the Laws Estate in Secs. 26, 27, 34 and 35, in Tp. 15 N., R. 25 E.

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 its share of the water diverted by means of the Gold Hill Ditch, 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

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 36, 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. In addition to the lands described in the answer to interrogatory 11, all of the lands of S. W. Gregory in Sec. Tp. 15 N., R. 25 E., 33<sup>^</sup> can be irrigated from Gold Hill Ditch. The principal part of the water carried through this ditch is now used by the co-owners of the Pacific Live Stock Company.

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 cultivated by Pacific Live Stock Company, 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, an undivided one-half.

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 purpose.

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 the water is available.

20. Q. Have you had sufficient water each year since the use for which an appropriation is claimed began? If not, state the years of scarcity, the months when the supply was insufficient, and the reason for 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 <sup>the</sup> 26<sup>th</sup> day of June, 1907.

Hugh T. Sims

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I, HUGH T. SIMS, Notary Public in and for the City and County of San Francisco, State of California.

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.

0469

PROOF OF APPROPRIATION.

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

PRIORITIES.

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

NAME OF STREAM.

Gold Hill Ditch.

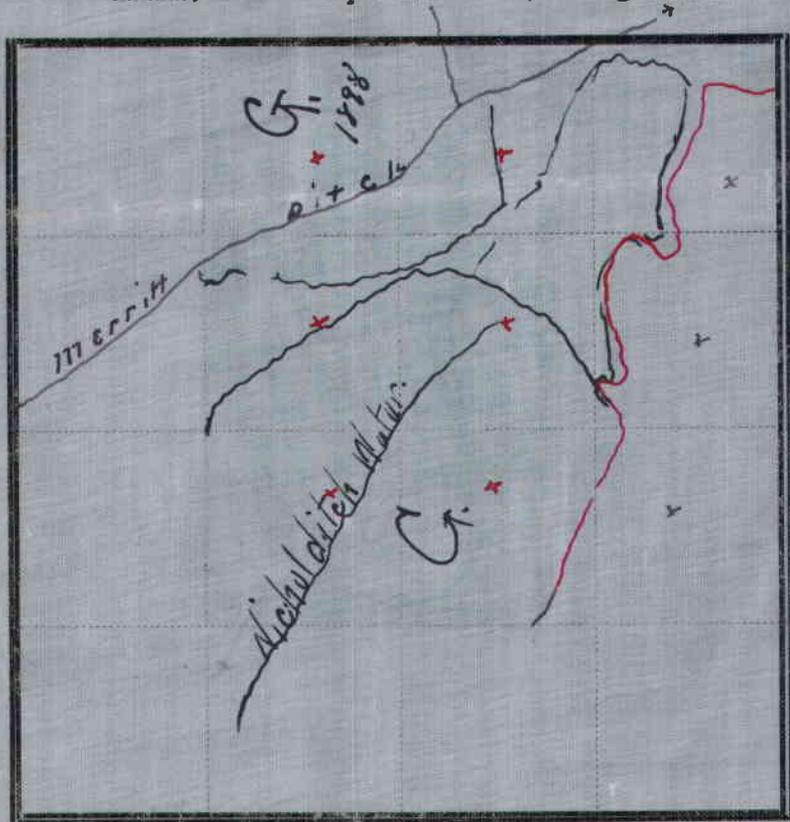
NAME OF CLAIMANT.

Pacific Live Stock Company.

Filed in this office this \_\_\_\_\_  
day of \_\_\_\_\_, 190 \_\_\_\_\_

State Engineer.

Section 1, Township 13 north, Range 25 east.



The above plat correctly shows my irrigated and irrigable  
lands under

Boland Land