

THE STATE OF NEVADA.

0487

PROOF OF THE APPROPRIATION OF WATER.

State your name *John O'Banion.*

1. Q. Postoffice.

A. *Wellington Nevada*

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

A. *Irrigation, stock, domestic & power purposes.*

3. Q. State the means of diversion employed.

A. *Dam and ditch*

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

A. ⁽¹⁾ *Mitchell & Fuller (Simpson & Rivers)*
⁽²⁾ *Burbank*

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) ⁽¹⁾ *November 1862* ⁽²⁾ *Winter 1866-1867*

(b) ⁽¹⁾ *1867 Completed in 1864* *1866-1867*

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

A. ⁽¹⁾ *1864-1868*

⁽²⁾ *Enlarged only by cleaning*

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

A.

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. *Mitchell & Fuller, Simpson Rivers. Present owners*

Mrs. E. A. Simpson & J. O'Banion. Burbank ditch built by Burbank now owned by J. O'Banion.

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. *Government and State patents*

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. *1863, Mitchell and Fuller, 40 acres SW 1/2 SE 1/4 Sec 25.*

Pat Kelley 20 acres E portion E 1/2 SW 1/4 Sec 25.

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. 710⁺ acres in 1864 as follows. 50 acres SW portion SE $\frac{1}{4}$ sec 25;
15 acres W part W $\frac{1}{2}$ SE $\frac{1}{4}$ sec 24; 160^{acres} NE $\frac{1}{4}$ sec 24;
40 " W " N.W. $\frac{1}{4}$ sec 19; 115 acres S part SE $\frac{1}{4}$ sec 13;
160 " NE $\frac{1}{4}$ sec 18; 100 acres N.W. $\frac{1}{4}$ sec 18;
70 " S part SE $\frac{1}{4}$ sec 7.
250 acres in 1865, 50 acres S. portion SE $\frac{1}{4}$ sec 25;
10 acres N part N $\frac{1}{2}$ NE $\frac{1}{4}$ sec 36; 150 acres SW $\frac{1}{2}$ sec 25;
25 " N part N $\frac{1}{2}$ NW $\frac{1}{4}$ sec 36; 15 acres N part SE $\frac{1}{4}$ " 24;
1866 - 80 acres S part SE $\frac{1}{4}$ sec 24;
1878⁸ - 160 " SW $\frac{1}{4}$ sec 19;
1879 - 30 " SE $\frac{1}{4}$ NW $\frac{1}{4}$ sec 25; 65 acres S $\frac{1}{2}$ NE $\frac{1}{4}$ sec 25.

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.

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.

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

A. Adobe, sandy & gravelly loam.

Alfalfa grain & garden orchard

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

A. I own $\frac{1}{2}$ Mitchell & Fuller ditch and all of Burbank ditch

16. Q. The plat prepared by the State Engineer is hereby accepted as showing correctly the location of the Mitchell, Fuller & Burbank Ditch and the land which can be irrigated therefrom.

A.

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

A. March - October

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.

19. Q. During what months is the water used?

A. *Water used all the year for stock.*

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 of such scarcity.

A. *Water usually scarce in July Aug. & Sept.*

Signed:

Smith, Nevada, *J. W. O'Banion*, DEC 5 1905, 190...

Sworn to and subscribed before me at *My Office*, this *5-15* day of *December*, 190...

L. R. Ames, Notary Public.

Remarks:

0487 ✓

PROOF OF APPROPRIATION

Date of Appropriation

PRIORITIES.
(GENERAL) STREAM.

NAME OF STREAM.

TRIBUTARY OF

NAME OF CLAIMANT.

J. W. O'Brien

Filed in this office this

day of, 190.....

State Engineer.

