

THE STATE OF NEVADA  
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

From Staviland or Indian Creek  
Name of natural water source

Through Adams ditch Indian Creek ditch  
Name of ditch, flume, or pipe line

J. R. Harvey and Sons, the undersigned, being first  
duly sworn, deposes and says that the facts relative to the appropriation of water by them  
are full and correct to the best of his  
knowledge and belief.

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

(1) Name of claimant J. R. Harvey and Sons  
Address Paradise Valley County of Humboldt  
State of Nevada

(2) The means of diversion employed Dam and ditch  
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was Spring 1866

(4) The construction of the ditch or other works was begun Spring 1866  
and completed Spring 1866

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 3.5  
feet, width on top 5 feet, depth 2 feet, on a grade of 2 feet per thousand feet.

(6) The conduit ~~has~~ (has not) been enlarged.  
NOTE—If enlargement or extension of ditch was made, supply information 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.

If claimant is an owner in the conduit, state interest held on this line

(10) The nature of the title to the land for which the water right is claimed is Patented

(11) Crops of Hay and grain  
have been grown upon the land irrigated.

(12) The water has been used for irrigation from 1st of April to 1st of Sept  
of each year. Day of month Day of month

(13) The water was first used for irrigation by claimant or his grantors in the year 1866  
when 96 acres were irrigated in the \_\_\_\_\_ of Sec. 30

T. 42 N. R. 40 E. MDM

(14) The additional number of acres first irrigated in subsequent years was as follows:

Year	..... acres in the .....	of Sec.....	T.....	R.....	E.....
	..... acres in the .....	of Sec.....	T.....	R.....	E.....
	..... acres in the .....	of Sec.....	T.....	R.....	E.....
	..... acres in the .....	of Sec.....	T.....	R.....	E.....
	..... acres in the .....	of Sec.....	T.....	R.....	E.....
	..... acres in the .....	of Sec.....	T.....	R.....	E.....
	..... acres in the .....	of Sec.....	T.....	R.....	E.....
	..... acres in the .....	of Sec.....	T.....	R.....	E.....
	..... acres in the .....	of Sec.....	T.....	R.....	E.....
	..... acres in the .....	of Sec.....	T.....	R.....	E.....
	..... acres in the .....	of Sec.....	T.....	R.....	E.....
	..... acres in the .....	of Sec.....	T.....	R.....	E.....
	..... acres in the .....	of Sec.....	T.....	R.....	E.....
	..... acres in the .....	of Sec.....	T.....	R.....	E.....
	..... acres in the .....	of Sec.....	T.....	R.....	E.....

Remarks: *Used to irrigate land in sections 30*  
Append a sheet if necessary

*and 31 in conjunction with other ditches.*

(15) The maximum acreage irrigated in any year was 90-6000 acres.

(16) The water claimed has (~~has not~~) been used for irrigation each and every year since the right was initiated.  
Strike out one not wanted

(17) The years during which no water was used for irrigation or during which the full water right was not used were.....

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, appending a sheet if necessary

(18) The claimant's water right was (~~was not~~) recorded in the office of the County Recorder of Summit County, said record being at page..... of Book..... of

....., and being a claim for.....  
..... of water for the irrigation of.....

acres of land in the following legal subdivisions:.....

NOTE—Failure to record in the county in no way invalidates a water right, but if ditch or right was so recorded, supply full information under (18)

(19) The map provided by the State Engineer and attached hereto as a part of this proof is hereby accepted as correctly showing the ditch lines or irrigation works diverting or conveying the water claimed and the lands irrigated.

(20) Water from the source given and through the works described is also used for the following purposes other than irrigation: Stock and Domestic

(21) Remarks: The water from Indian Creek has been used in conjunction with the water from the Price and Adams ditches so it is not possible to segregate the land irrigated by each ditch.

R. Hawley & Sons  
By R. Hawley

Subscribed and sworn to before me this 25<sup>th</sup> day of February, 1913

Notary Public in and for the County of \_\_\_\_\_

My commission expires \_\_\_\_\_

AMENDED

This part of form to be left blank by claimant

Filing Serial No. 00000

STATE OF NEVADA

Proof of Appropriation of  
Water for Irrigation

Water Source HAVILLAND or INDIAN  
Through Indian Creek Ditch  
Claimant J. R. Harvey & Sons.

Filed in the Office of the State Engineer on  
March 15th, 1913., 191

W. M. Kearney

F. B. State Engineer

Certificate No. \_\_\_\_\_ issued hereunder  
\_\_\_\_\_ 191

# THE STATE OF NEVADA.

## PROOF OF THE APPROPRIATION OF WATER.

State your name J. R. Harvey & Sons,

1. Q. Postoffice.

A. Paradise, Humboldt County, Nevada.

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

A. Irrigation;

3. Q. State the means of diversion employed.

A. By Dam and through ditch or canal;

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

A. The Adams 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) No record of survey;

(b) Construction begun and completed in spring of 1866;

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

A. No enlargements, extended in 18<sup>96</sup>, by moving head <sup>about three</sup> from two to <sup>miles</sup> three hundred yards further up stream;

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

A. Originally constructed of size to carry a capacity of Five Hundred inches of water, miners measurement;

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. Built by Charles Adams;

Present owners, J. R. Harvey & Sons;

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. Fee Simple;

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. First used for irrigation in 1866 by Charles Adams;  
Exact location and number of acres unknown, used upon possessory claim  
(in E $\frac{1}{2}$  of Sec 30 and NE $\frac{1}{4}$  of Sec 31, T $\frac{1}{2}$  42 N.R. 40 E., as shown by survey  
of later date,) about 250 acres irrigated in 1867, and the greater portion  
of same lands irrigated in 1866;

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. In 1867, 1868, 1869, 1870, and 1871, from two to three hundred acres were irrigated, from 1871 to 1888 the amount was increased each year until between five and six hundred acres were irrigated in the year 1888, the E $\frac{1}{2}$  of Sec 30, the NE $\frac{1}{4}$  of Sec 31, and possessory land in W $\frac{1}{2}$  of Sec 30, Tp 42 N. R. 40 E., or portions of same being the lands irrigated; 1889 & 1890 were dry years and but little water for irrigation; From 1891 to 1904, such portions of the above described lands were irrigated, as water could be obtained to cover; in 1904, by an Order of the District Court, claimant was prohibited from using the water formerly conveyed by the Adams ditch and has used none since that date;

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. Claim the right to water of Haviland Creek through the Adams ditch for the irrigation of the E $\frac{1}{2}$  of Sec 30 and NE $\frac{1}{4}$  of Sec 31 Tp 42 N. R. 40 E., lands owned by J. R. Harvey & Sons; also SE $\frac{1}{4}$  of Sec 19 E $\frac{1}{2}$  of the NW $\frac{1}{4}$  Sec 30

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. Capable of watering 480 acres in Sections 30 & 31, Tp 42 N.R. 40 E., owned by J. R. Harvey & Sons;

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

A. Bottom lands;  
Hay, (Grass and Alfalfa,) and grain;

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

A. Owner - ~~none~~ One Third

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. \_\_\_\_\_

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

A. Begins fore part of April, ends in July or August according to the season and the amount of water supplied from the mountains;

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. Watering Stock;

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

A. During the entire year;

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. A general shortage since 1890, and none since 1904 through this ditch, water used by parties up stream;

Signed:

J. R. Harvey and Sons  
Paradisi Valley, Nevada, January 13<sup>th</sup>, 1910

Sworn to and subscribed before me at Paradise Nevada, this thirteenth  
day of January, 1910

J. Bradshaw, Notary Public.  
Justice of the Peace

Remarks: Charles Adams located upon unsurveyed lands in the year 1866, and later, when surveys were made, applied for patents to E $\frac{1}{2}$  of Sec 30, and NE $\frac{1}{4}$  of Sec 31, Tp 42 N. R. 40 E., used the water from Haviland Creek through the Adams ditch to irrigate said lands, gradually increasing the number of acres irrigated each year, until he and his grantee, S.B.P. Pierce, had between five and six hundred acres under irrigation in 1888; In December 1888, I purchased the above described lands, and for the two years following there was but little water for irrigation for anyone, the year 1890 being dry and crops almost a total failure; in the following years up to and including 1904, more lands were cultivated and irrigated by parties living above upon the stream and adjoining, thus using more water and causing a shortage below, which shortage during the dryer years would entirely stop irrigation from this stream upon the lands described; Since the Order of the District Court, made in 1904, no attempt to use water by the said ditch has been made, although we claim the prior right to use of water from Haviland Creek and through the said Adams Ditch, for the irrigation of the above described lands.

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PROOF OF APPROPRIATION

Date of Appropriation *Spring 1866*

PRIORITIES.  
GENERAL.  STREAM.

NAME OF STREAM.  
*The Adams ditch.*  
"HAYLAND" or "INDIAN" CREEK.

TRIBUTARY OF

HUBBOLDT RIVER.

NAME OF CLAIMANT.

*J. P. HARVEY & Sons*

Filed in this office this  
**FILED** JAN 29 1910  
day of ..... 19.....

State Engineer.

