

FILED
July 20, 1909
STATE ENGINEER'S OFFICE

THE STATE OF NEVADA.

PROOF OF THE APPROPRIATION OF WATER. 0735

State your name *Mrs Ella Thornton*

1. Q. Postoffice.
A. *Unionville Humboldt County, Nev*

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

3. Q. State the means of diversion employed.
A. *ditches & dams in Nueva Vista creek*

4. Q. If through a ditch state its name.
A. *Zimmershead 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 survey done & completed in 1864*
(b)

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

A. *No enlargements*

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

A. *Head box 46 in wide 14 inches deep*

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. *Chas Zimmershead original owner
Mrs Ella Thornton present owner*

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. *Deed from C. P. By CO & State of Nev to Chas Zimmershead and deed from him to Mrs Ella Thornton*

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.

1863 or 1864 by Chas Zimmershead, and used by him ever since till 1909 when used by Ella and James S Thornton her husband

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. Cannot answer these question There are 140 acres in cultivation 220 acres in pasture now and have been continuously for more than 25 years

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. NE¹ of SE⁴ & 2nd of SW⁴ of Sec 21, Also NW⁴ of SW⁴ Sec 22, also E² of SW Sec 21, also SE⁴ of NE⁴ Sec 21, also SW⁴ of NW⁴ & SW of SW⁴ of Sec 22, all in T30 N R 35 E M 8 B 1 M.

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 the above land Mrs Ella Thornton owner

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

A. Sandy loam Alfalfa grain fruit and vegetables

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

A. Yes. all of it

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. Last February, Last June

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. *domestic*

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

A. *Last Feb till last June annually*

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. *Have plenty about 1 year in 3 yrs.*

Usually water scarce in May

Signed:

Mrs Olla Thornton

, Nevada, 19

Sworn to and subscribed before me at *Winnemucca*, this *14*

day of *July*, 1909

M J Bonnielield, Notary Public.

Remarks:

Mr Zimmerkedl is very feeble, not able to give all the data asked for, as to quantity of water used on particular subdivisions of the land or how much cultivated

0735

PROOF OF APPROPRIATION

Date of Appropriation 10 / 1863

PRIORITIES

GENERAL

STREAM

Buena Vista Creek
Shawlocch County

NAME OF STREAM.

TRIBUTARY OF

NAME OF CLAIMANT

Mrs Ella Thomson as
Grantee of
Edna Zimmermann

Filed in this office this

FILED JUL 20 1909
day of _____ 19__

State Engineer



THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

FILED
Mar. 30, 1912
STATE ENGINEER'S OFFICE

From Buena Vista or Unionville Creek

Through Gimmershead Ditches

James S. Thornton, the undersigned, being first

duly sworn, deposes and says that the facts relative to the appropriation of water by

Mrs. Ella Thornton are full and correct to the best of his knowledge and belief.

James S. Thornton husband of Mrs. Ella Thornton. 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 Mrs. Ella Thornton

Address Unionville, County of Humboldt

State of Nevada

(2) The means of diversion employed Dams and Ditches

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

(4) The construction of the ditch or other works was begun Ditch was begun and

and completed completed March 1, 1863

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom

feet, width on top four feet, depth two feet, on a grade of 2.8 feet per thousand feet.

(6) The conduit 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.

Claimant is sole owner of said ditches.

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 Deed from Central Pacific R.R. Co. + State to Gimmershead. Deed from Gimmershead to Mrs. Ella Thornton.

(11) Crops of Grass, alfalfa, Grain fruits & Vegetables have been grown upon the land irrigated.

(12) The water has been used for irrigation from Last of February about Last of June of each year.

Chas. Gimmershead

(13) The water was first used for irrigation by claimant or predecessors in the year 1863

present cultivation 44.9 acres (under 1/4 Sec. 21) when acres were irrigated in the S.W. 7 of Sec. 21

T. 30 N., R. 35 E.

Most of the land now under Cultivation in this sub-division was originally irrigated meadow land, which was gradually sowed to timothy + Sod top and was finally put under the present cultivation.

FILED
Mar. 30, 1912
STATE ENGINEER'S OFFICE

Chas. Gimmershead acquired this mentioned & described land in SW $\frac{1}{4}$ of Sec 21 T 30N. R 35E from a settler whose name is unknown, who had it under squatters right

On March 1, 1863 he completed his first irrigation ditch which is shown on the accompanying plat as Ditch A Colored ~~red~~

This ditch has remained unchanged as far as I can find out.

Later on he made another ditch Ditch B Colored ~~red~~ on the plat.

When water comes in the spring in the greatest quantity it is brought through Ditch A.

Later on when the quantity becomes less it is taken out at Ditch B in order to get it out of the gravel beds which are in the creek between the heads of Ditches A and B

Ditch B has been enlarged slightly since its first construction whose date I can not find out.

There is also an other ditch Ditch C Colored ~~red~~ on the plat, which is sometimes used towards the last when water becomes very scarce

I acquired this property from Chas. Gimmershead, my father in the fall of 1908. at this time his mind was

failing him very fast and he has since died and therefore it is impossible to answer all the questions fully as there is no one from whom I can find out about the property. The land was gradually broken up from year to year and put under cultivation.

I am at present clearing land and intend to put as much of my land under cultivation as can be irrigated.

Considerable of my land is gravelly and would be unfit for cultivation.

I have been putting in new and additional irrigation and cross ditches since I came here in order to get at the most economical means of irrigation.

About one year out of every three and sometimes oftener there is not any water near water enough to irrigate my land, owing to the dry winters.

During the best seasons there is probably only a very few days when there is ever water enough in the creek to fill the box at the head of Ditch A. This overly amount being caused by the heavy melting of snow in the mountains on account of heavy rains.

Then the water keeps decreasing until about the first of July and sometimes earlier when it finally dries up and then I have

to pump water from wells for watering gardens + trees and for stock

If it were not for the people in Unionville who have little places in the canyon, interfering at this time the water would last longer in the summer for gardens orchards etc.

Sometimes the water may come down from the mountains early in the winter but of course at this time it can not be used for irrigation owing to the frozen conditions of the ground etc.

but as soon as the ground gets in shape to receive water I commence irrigating and continue as long as water comes.

I never have water to put on the land after the first crop of alfalfa is cut and therefore have to try and do my best to get it all wet before the water dries up before cutting first crop.

Some years there is only water enough comes down to irrigate a very few acres and the best of seasons there is none too much except as I stated for a possible few days when the snow is heavily melted by heavy rains

This year I dont think there will be water enough to irrigate more than 20 acres as there is hardly any snow in the mountains up to this time Feb 1, 1912

(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: Watering stock

1) Remarks:

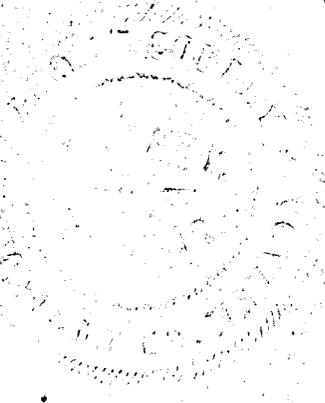
James S. Thornton

Subscribed and sworn to before me this 2nd day of February, 1912

Geo. H. Cooper

Notary Public in and for the County of Humboldt

My commission expires Feb 15 - 1913



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

| Year | Acres | Subdivisions | Section | Township | Range |
|--------|--------|-----------------|---------|----------|----------|
| 33.84 | 36.39 | NE 1/4 SE 1/4 | 21 | T. 30N | R. 35 E. |
| 9.78 | 5.96 | SE 1/4 NE 1/4 | 21 | T. 30N | R. 35 E. |
| 6.85 | 6.02 | SW 1/4 NW 1/4 | 22 | T. 30N | R. 35 E. |
| 11.00 | 11.60 | NW 1/4 SW 1/4 | 22 | T. 30N | R. 35 E. |
| 10.90 | 10.20 | SW 1/4 - SW 1/4 | 21 | T. 30N | R. 35 E. |
| 8.71 | 9.00 | NE 1/4 - SW 1/4 | " | T. " | R. " E. |
| 18.84 | 19.10 | NW 1/4 - SW 1/4 | " | T. " | R. " E. |
| 6.60 | 6.60 | SE 1/4 - SW 1/4 | " | T. " | R. " E. |
| 106.22 | 104.87 | | | | |

*Not above 40 sections
 should be furnished
 every month - H.H.H.
 6-23-13*

Remarks: It is impossible to give dates of first irrigation for reasons mentioned on appended sheet.
 Append a sheet if necessary

(15) The maximum acreage irrigated in any year was 104.87 A. cultivated land ^{+ proba} acres. 15A

(16) The water claimed has ~~been~~ 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 1913
 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 appended sheet if necessary

(18) The claimant's water right was ~~was~~ not recorded in the office of the County Recorder of Humboldt County, said record being at page 152 of Book A of Water Claims, and being a claim for 11.52 miners inches of water for the irrigation of 160 acres 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 (19)

AMENDED

This part of form to be left blank by claimant

Filing Serial No. 0735

STATE OF NEVADA

Proof of Appropriation of
Water for Irrigation

Water Source BURR VISTA CREEK

Through ZIMMERSHEAD DITCHES

Claimant Mrs. Ella Thornton,

Unionville, Nevada.

Filed in the Office of the State Engineer on

MAR 30 1912, 191

W. M. KEARNEY



State Engineer

Certificate No. issued hereunder

..... 191

