

## THE STATE OF NEVADA.

## PROOF OF THE APPROPRIATION OF WATER.

State your name *Palen Halmusley*

1. Q. Postoffice.

A. *Dayton, Nevada*

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

A. *Irrigation*

3. Q. State the means of diversion employed.

A. *Ditch + 3 Reservoirs*

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

A. *Berry 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) *Been in use 25 years*

(b) *25 years ago.*

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

A. *cleaned out last Spring*

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

A. *1 1/2 ft. wide; 1 ft. deep; 85 or 90 rods long.*

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. *A. G. Berry built ditch. P. Halmusley + A. Perkins*

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.

*Bargain + sale deed from A. G. Berry to Palen Halmusley, dated Dec. 31, 1908, Recorded in office County Recorder at Dayton*

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. *Used by A. G. Berry over 25 years ago. 3 acres all situated within town of Dayton, commencing at the S.E. Corner of lot and running thence along the West side of Pike Street North 106 ft. to the N.E. Corner, thence W. 300 ft., thence South 106 ft. thence E. 300 ft. to place of beginning*

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. *Three acres, same location as in <sup>answer to</sup> Question 10.*

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. *Situated in town of Dayton & described in Records of Lyon County in office of County Recorder at Dayton. Same land as described in answer to Question 10 and in addition thereto the following: Commencing at N.E. Cor. of L.O. Guild's Lot and running along the N. side of Pike St. north 50 ft. thence N. 300 ft. thence South 50 ft. thence East 300 ft. to place of beginning, being premises formerly known as Greentree Lot & being further described and recorded in Book P.*

① Also all those certain lots, pieces or parcels of land situate in said town of Dayton, Nevada, described as follows to wit: Six lots on Pike Street adjoining A. G. Berry South formerly H. Fischer, being same lots deeded by County of Lyon as per book P of Deeds, Page 154, Lyon County Records.

Also those certain lots, pieces or parcels of land in said town of Dayton, Nevada, described as follows, to wit: Lot West side Pike Street commencing at a point on West side of said Pike Street 206 feet from S.E. Corner of Block 2, Mineral Rapid Survey running thence Northerly 344 feet, thence westerly 145 feet, thence southerly 50 ft, thence westerly 155 feet, thence southerly 294 feet, thence easterly 294 feet, thence easterly 300 ft. to the place of beginning, as further described in deed from Treasurer of Lyon County, Nevada, to A. G. Berry and recorded in Book P of Deeds, page 152 of said County

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

A. *1/2 of Ditch purchased from A. G. Berry*

16. Q. The plat prepared by the State Engineer is hereby accepted as showing correctly the location of the *Berry* 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 April 1st and ends October 15th*

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. *Only for irrigating*

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

A. *For irrigating from April 1 to Oct. 15th.*

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. *Yes.*

Signed:

*Palen Walmisley*

*Carson City,*

, Nevada,

*September 28*, 190*9.*

Sworn to and subscribed before me at *Carson City*, this *28th* day of *September*, 190*9.*

*James D. Finch*, Notary Public

Remarks:



0744

# PROOF OF APPROPRIATION

Date of Appropriation .....

## PRIORITIES

GENERAL. STREAM.

NAME OF STREAM.

*Gold Canyon.*

Cost. 5244 } *TRIBUTARY OF*  
page 294 } *Gold. 21-10*

NAME OF CLAIMANT.

*John McInnesey.*  
*Dayton.*

Filed in this office this  
**FILED** SEP 29 1909

day of ..... 190.....

State Engineer.



*ant*

