

THE STATE OF NEVADA.

0756

PROOF OF THE APPROPRIATION OF WATER.

Onesime L. Lay and Anatole T. Lay, partners under the firm

State your name name of Lay Brothers

1. Q. Postoffice.

A. Amos, Humboldt County, Nevada.

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

A. Irrigation of hay and garden lands.

3. Q. State the means of diversion employed.

A. Small dams and ditches from Jackson Creek.

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

A. Ditches have no names. Jackson creek runs through ranch.

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) First ditches were constructed about 1885 by one

(b) Jerry Ham.

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

A. The first ditches have been enlarged at various times since 1885.

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

A. The largest ditch is 3 ft. on bottom, 6 ft. on top and 2 ft. 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. Present owners, Lay Brothers. No one else interested.

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. Absolute title.

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. 1885 by Jerry Ham. 120 acres in SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 24, T $\frac{1}{2}$ p. 40 N., R. 30 E. Difficult to give exact number of acres in each forty any nearer than this, but this is very close to the acreage irrigated by Jerry Ham in 1885.

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 same 120 acres was irrigated each year following 1885, to 1904 when 80 acres in the same subdivisions were brought under cultivation and irrigation, that is the SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 24, Tp. 40. N., R. 30 E. and since 1904 200 acres has been irrigated each year in these same legal subdivisions.

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. An appropriation of five second-feet of water is claimed by us out of Jackson creek for the irrigation of the SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 24, Tp. 40N.R. 30 E. We own 160 acres more of land adjoining the above tract, viz. N $\frac{1}{2}$ of S $\frac{1}{2}$ Section 19, Tp. 40 N., R. 31 E., but we do not claim a water right for this 160 acres as the land has never been cultivated and only occasionally irrigated for pasture when the water is plentiful.

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. Above answers cover this .

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

A. Soil is a sandy loam. Alfalfa, native grass meadow and large garden.

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

A. We own all the ditches on this ranch or adjoining 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. March 15 to July 15.

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. No water used for any other purpose except domestic uses and watering stock.

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

A.

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. There have been several years when the water was considerably less than others, caused by lack of snow in the Jackson creek mountains, notably 1889 and 1907, but even these years there was sufficient water for some irrigation of the land in question

Signed:

Anatole J. Lay

Amos, Humboldt County, Nevada, November 27, 1909.

Sworn to and subscribed before me at Winnemucca, Nevada, this twenty-seventh day of November, 1909.

P. E. Jusdals, Notary Public. County Clerk and ex-officio Clerk of the Second Judicial District Court of the State of Nevada, in and for the County of Humboldt.

Remarks:

0756

Hand Filed

PROOF OF APPROPRIATION

Date of Appropriation

PRIORITIES

GENERAL. STREAM.

NAME OF STREAM.

Sackson Creek

TRIBUTARY OF

NAME OF CLAIMANT.

Lay Brothers

FILED NOV 29 1909

Filed in this office this

day of, 190.....

State Engineer

