

FILED

Dec. 9, 1963

STATE ENGINEER'S OFFICE

AMENDED

Filing Serial No. 0790

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Cleveland Creek and Tributaries et al.

Name of natural water source

The water is diverted from its source Several earth ditches and channels

Name of ditch, flume or pipe line

at the following point NW 1/4 NW 1/4 sec. 25., T. 16 N., R. 66 E. MDB&M or at a point from

which the NE corner of sec. 24, T. 16 N., R. 66 E., bears S 42° 20' W, 7,505.0 ft.

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

it should be stated

(1) Name of claimant Chachas, Inc.

Address Ely, Nevada, County of White Pine

State of Nevada

(2) The means of diversion employed Open ditches and channels

Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was about 1873

(4) The construction of the ditch or other works was begun about 1873

and completed about 1873

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 8

feet, width on top 10 feet, depth 2 feet, on a grade of 1.5 feet per thousand feet.

(6) The conduit has (XXXX) 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 1910

and completed 1912

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom approx. 10 feet, width on

top approx. 10 feet, depth 3 feet, on a grade of 1.5 feet per thousand feet.

(9) The claimant is (XXXX) an owner in the above-described conduit.

Full interest

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

U. S. Patent

(11) Crops of grain, alfalfa, hay, timothy, vegetables and pasturage have been grown upon the land irrigated.

(12) The water has been used for irrigation from April 1 to October 1 of each year.

Day of month

Day of month

(13) The water was first used for irrigation by claimant or grantors in the year 1873

when acres were irrigated in the of Sec.

T., R., E.,

See number 14

Handwritten signature

(14) The date of culture, number of acres and legal description of the land irrigated in subsequent years:

Year	Acres	Legal Description	Section	T	R
1873	7.4	acres in the NE ⁴ SE ⁴ ; SE ⁴ SE ⁴	12	16 N	66 E
"	26.6	acres in the E ¹ / ₂ NE; NW ⁴ SE ⁴	13	"	" E
"	15.0	acres in the SW ⁴ SE ⁴ ; SE ⁴ SW ⁴	13	"	" E
"	440.0	acres in the W ¹ / ₂ ; W ¹ / ₂ E ¹ / ₂	5	16 N	67 E
"	416.2	acres in the E ¹ / ₂ ; E ¹ / ₂ NW ⁴ ; E ¹ / ₂ SW ⁴	6	"	" E
"	480.0	acres in the E ¹ / ₂ ; E ¹ / ₂ W ¹ / ₂	7	"	" E
"	135.7	acres in the W ¹ / ₂ NW ⁴ ; W ¹ / ₂ SW ⁴	7	"	" E
"	480.0	acres in the W ¹ / ₂ E ¹ / ₂ ; W ¹ / ₂	8	"	" E
"	90.0	acres in the W ¹ / ₂ NE ⁴ ; NW ⁴ SE ⁴	17	"	" E
"	320.0	acres in the W ¹ / ₂	17	"	" E
"	240.0	acres in the NE ⁴ ; E ¹ / ₂ NW ⁴	18	"	" E
"	60.0	acres in the W ¹ / ₂ NW ⁴	18	"	" E
"	5.0	acres in the W ¹ / ₂ NW ⁴	18	"	" E
"	246.7	acres in the SE ⁴ ; SW ⁴	18	"	" E
"	96.2	acres in the NE ⁴ SW ⁴ ; N ¹ / ₂ NE ⁴	19	"	" E
"	63.6	acres in the SW ⁴ NE ⁴ ; SE ⁴ NE ⁴	19	"	" E
"	68.5	acres in the SE ⁴ SE ⁴ ; NE ⁴ SE ⁴	19	"	" E
"	260.0	acres in the W ¹ / ₂ W ¹ / ₂ ; E ¹ / ₂ W ¹ / ₂	20	"	" E
"	143.6	acres in the NW ⁴	29	"	" E
"	21.4	acres in the E ¹ / ₂ NE ⁴	30	"	" E

3,615.9 Ac. RAD

(15) The maximum acreage irrigated in any year was approximately -- 3,500 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 None

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 of necessary

(18) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of _____ 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 (19)

(19) Water from the source given and through the works described is also used for the following purposes other than irrigation: domestic use and some stockwatering

(20) The character of the soil is loam (Sandy, gravelly, loam) The soil needs 4 acre-feet per annum to properly irrigate the crops. A continuous flow of 2 1/2 cubic feet of water per second, during the irrigation season of 6 months, is needed to irrigate each 100 acres of land.

(21) Remarks: The above description is the home ranch at Cleveland to which this land is appurtenant. There has never been an adverse claim made on the waters of Cleveland Creek and tributaries other than the prior owners of which these rights and claims have been transferred. The entire flow of Cleveland Creek has always been put to beneficial use on this land.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by CHACHAS INC. 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

by John Chachas - PRESIDENT OF CHACHAS INC., ELY, NEVADA

Subscribed and sworn to before me this 1st day of October, 1963

Gregory J. Chachas Notary Public in and for the County of White Pine My commission expires 2-14-67

This part of form to be left blank by claimant

Filing Serial No.

STATE OF NEVADA

PROOF OF APPROPRIATION OF
WATER FOR IRRIGATION

Water Source.....

Through.....

Claimant.....

Filed in the office of the State Engineer on

....., 19.....

..... State Engineer.

Certificate No. issued hereunder

....., 19.....



1963 DEC 9 PM 1 53

OFFICE
STATE ENGINEER

THE STATE OF NEVADA.

0790

PROOF OF THE APPROPRIATION OF WATER.

State your name W.A. McGill

1. Q. Postoffice.

A. Ely, Nevada.

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

A. Irrigation & domestic use & watering stock

3. Q. State the means of diversion employed.

A. Ditches

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

A. Truhis ditch and various Cleveland 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) 1873

(b) Completed 1873 and

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

A. Ditches enlarged and extended numerous times 1873.

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

A. There are many ditches, varying in size, from 7 feet x 2 feet, to 3 feet x 1 1/2 feet

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 A.C. Cleveland
Present owner, Adam McGill.

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. Title obtained from the State of Nevada.

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. Water was first used by A.C. Cleveland in 1873

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. Land being irrigated from the stream for the past few years at least East Sec 6 East of West Sec 6. West Sec 5, West Sec 8, West Sec 9, West Sec 10, West Sec 11, West Sec 12, West Sec 13, West Sec 14, West Sec 15, West Sec 16, West Sec 17, West Sec 18, West Sec 19, West Sec 20, West Sec 21, West Sec 22, West Sec 23, West Sec 24, West Sec 25, West Sec 26, West Sec 27, West Sec 28, West Sec 29, West Sec 30 North West & Sec 29. T. 16 N. R. 67 E.

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. See answer 11

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. Four thousand acres,
See question 11

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

A. Rich loam, mostly. Some potatoes.

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

A. Yes one half

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. February to April, both

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.

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. *an occasional very dry season water is scarce by economical use sufficient water for land described*

Signed:

W. J. McGee
Ely, Nevada, *June 1st*, 19*10*

Sworn to and subscribed before me at

Ely Nevada, this *FIRST*

day of

June

, 19*10*.

J. M. Lockhart, Notary Public.

Remarks:

The enclosed proof covers all the water flowing from what is known as Cleveland Creek. Situated Spring Valley, White Pine Co., Nevada.

The water from this stream was appropriated by A. C. Cleveland for many years. The entire stream was used for a beneficial purpose. The title has now passed by purchase to Adam McGee.

The water from Truckee Creek, and Steam Creek are also embraced in this proof and are all used upon the land above described.

