

AMENDED

Filing Serial No. 0838

Amended

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

From Carson River Name of natural water source

Through Sommer ditch Name of ditch, flume, or pipe line

S. B. Smart, the undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by S. B. Smart 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 S. B. Smart Address Fallon, County of Churchill State of Nevada

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

(3) The date of the survey of ditch, canal, or pipe line was 1878

(4) The construction of the ditch or other works was begun Aug 1878 and completed Dec 1878

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 5 ft feet, width on top 8 feet, depth 20 in feet, on a grade of 19 in 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. Yes at present time 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 an fee simple

(11) Crops of alfalfa + grain etc have been grown upon the land irrigated.

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

(13) The water was first used for irrigation by claimant or grantors in the year 1878 when 260 acres were irrigated in the of Sec. 7 T. 18, R. 29, E.

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

.....	acres in the	.....	of Sec.....	T.....	R.....	E.....
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.....
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.....	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: .....  
Append a sheet if necessary

(15) The maximum acreage irrigated in any year was 200 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 Government refused to deliver water  
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 Church County, said record being at page 50 of Book 1 of Water Claims, and being a claim for 8.00 inches of water for the irrigation of 260

acres of land in the following legal subdivisions: —

Sec 7- 18-7 R 29 E. 1/4 S. 13 & 20

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) 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 & domestic purposes

(21) The character of the soil is Sandy Loam The soil needs 3 acre-feet  
(Sandy, gravelly, loam)  
per annum to properly irrigate the crops. A continuous flow of 1.5 cubic feet of water per second, during the irrigation season of 5 months, is needed to irrigate each 100 acres of land.

(22) Remarks: \_\_\_\_\_  
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J. B. Smart

Subscribed and sworn to before me this 8th day of June, 1970

L. J. Ramsey  
Notary Public in and for the County of Churchill  
My commission expires May 8 - 1973.

This part of form to be left blank by claimant

Filing Serial No. 0838.

STATE OF NEVADA  
AMENDED  
PROOF OF APPROPRIATION OF  
WATER FOR IRRIGATION

Water Source: *Cantors River*

Through: *Stammes & Smith*

Claimant: *D. B. Stamm*

*Hallen, Nev*

Filed in the office of the State Engineer on

*July 10* 19*20*

*J. S. Cunningham*  
State Engineer

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

\_\_\_\_\_, 19*1*

THE STATE OF NEVADA.

PROOF OF THE APPROPRIATION OF WATER.

State your name Sylvester B. Smart

1. Q. Postoffice.  
A. Shallon, Churchill County, Nevada

2. Q. State the use to which the water has been applied.  
A. For irrigation, for stock and domestic purposes

3. Q. State the means of diversion employed.  
A. By dam in Carson river,

4. Q. If through a ditch state its name.  
A. Somers 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) \_\_\_\_\_  
(b) Construction begun Aug. 1878, Completed Dec. 1878.

6. Q. If any enlargements were made state the date when begun and the date when completed.  
A. In 1879 and completed in the same year.

7. Q. State dimensions of the ditch as originally constructed, and as enlarged.  
A. Width at top eight feet, width at bottom five feet. Length  $5\frac{1}{2}$  miles

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. Ed. Allen, J. Barrow, Wm. Hasmore and Chas. Somers.

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. State Patents

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 in 1879, and 260 acres irrigated in 1879. Unable to give the legal subdivisions.

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. I am unable to give a comprehensive answer.

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. East  $\frac{1}{2}$  of S. E.  $\frac{1}{4}$ , Section Twelve (12) Township 18, N., Range 28, E. West half S. E.  $\frac{1}{4}$ , and S. W.  $\frac{1}{4}$ , Section (7) Town 22, Township 18, N., Range 29, East, all of G. P. D. B. & C.

50  
80  
160  
300

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. Ditch is capable of irrigating 800 acres. I am unable to give subdivisions of other owners. My lands are situated as described above. I can't give lists of other owners as sales are being continually made.

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

A. Soil is sedimentary deposit. Crops are hay, grain, fruits, grasses and vegetables.

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

A. I own one half of said ditch.

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. No plat has been furnished.

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

A. February to November.

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. The amount for ordinary use of stock on farm and for domestic purposes. First used about 1888

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

A. Should be used every month in the 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. Not every year. The reason of scarcity was light snowfall at source of Carson river. Supply usually short in July, August, Sept. and October. I am unable to recall every dry year.

Signed:

J  
Fallon

Signorato B. Swartz

, Nevada,

June 9, 1908

Sworn to and subscribed before me at

Fallon Nev, this 9th

day of

June 1908

J. M. Likens

, Notary Public.

Remarks:

[Empty lined area for remarks]

0836

**PROOF OF APPROPRIATION**

Date of Appropriation .....

PRIORITIES

GENERAL

STREAM

NAME OF STREAM

*Carson River*

TRIBUTARY OF

NAME OF CLAIMANT

*L. B. Smart*

Filed in this office this

day of

*January* 19*19*

190*8*

State Engineer

