01816

THE STATE OF NEVADA

Proof of Appropriation of Water for Power (Mining) (Milling)

EUREKA-NEVADA RAILROAD COMPANY,

PALISADE, NEVADA.

01816

From Consolidated Spring on Lot 12, Block 17 of Town of Eureka.
(Name of natural water source.)

Through pipe line
(Name of ditch, flume, or pipe line.)

....., the undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Eureka-Nevada Railroad Co.

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

Attorney for Eureka-Nevada Railroad Co.
(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 Eureka-Nevada Railroad Co.

Address Palisade, County of Eureka,

State of Nevada

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

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

(4) The construction of the ditch or other works was begun .....,

and completed.....

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom.....feet; width on top.....feet; depth.....feet; on a grade of.....feet per thousand feet.

(6) The amount of water claimed is Ten (10) Gallons per minute

(7) The conduit has (has not) been enlarged.
(NOTE: If enlargement or extension of ditch was made, supply information under (7) and (8.)

(8) The work of enlargement of the ditch or canal was begun .....,

and completed.....

(9) 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.

(10) The claimant is ~~(is not)~~ an owner in the above-described conduit.....

Eureka-Nevada Railroad Co. is owner of conduit
(If claimant is an owner in the conduit, state interest held on this line.)

(11) The nature of the title to the land upon which the works are located is.....

fee simple

(12) If works are not completed give description of work already done.....

.....

(13) The water has been used for power (mining) (milling) ~~for~~ (generation of steam in r. r. locomotives and r. r. station purpose) at all times of the year.
(Strike out any not wanted) (Day of month)

(14) The water was first used for power (mining) (milling) (and generating steam in r. r. engines and station purposes) by claimant or its grantors in the year
(Strike out any not wanted)

1876, when..... horse-power was generated.

(15) The maximum power generated in any year was.....horse-power.

(16) The years during which no water was used for power (mining) (milling) or during which the fully water right was not used were.....
(Strike out any not wanted) (If water was not used, or used in reduced quantity at any time, full information as to the cause and duration of non-use should be given, appending a sheet if necessary.)

(17) 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 generating power (mining)
(Strike out any not wanted)

(milling) .....

(NOTE: Failure to record in the county in no way invalidates a water right, but if a ditch or right was so recorded, supply full information.

(18) 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 other works diverting or conveying the water claimed, to the point of use.

(19) Water from the source given and through the works described is also used for the following purposes other than power (mining) (milling) for r. r. yard, fire protection and for r.r.
(Strike out any not wanted)

locomotives in the generating of steam for motive power

(20) Remarks: The water from this spring was originally used by the predecessor of the Richmond-Eureka Mining Company, later by the Richmond-Eureka Mining Company, in its various mining operations.

The portion of the water of this spring, to-wit, approximately one-fourth of the normal flow, has been continuously used by the Eureka-Nevada R. R. Co. in its railroad operations, in its yards, for fire protection, in its station house and for the generation of steam and motive power in its locomotives.

The use of this water by the Eureka-Nevada R. R. Co. commenced prior to 1884, and in all probability as early as 1878.

For railroad purposes the water was originally taken from the flume or box by which it was diverted by the mining company to and from its tanks. Later it was diverted by the railroad company by an individual pipe line.

The use by the railroad company of the water from the Consolidated Spring has been continuous, with the exception of approximately two years, the exact dates of which are not within the knowledge of affiant, when the company, due to washouts, etc., was unable to operate its road.

The use of the water and the right to use the same has been acquired by the Eureka-Nevada Railroad Company through continuous usage, as aforesaid, and by grant and conveyance made to the railroad company from the Richmond-Eureka Mining Company.

P. M. McCarran
Attorney & Agent for Eureka-Nevada Railroad Company.

Subscribed and sworn to before me, this 25th day of April, 19X23.

F. Raffetto
Notary Public in and for the County of Washoe, State of Nevada.

My commission expires Dec 24, 1923.

Filing Serial No. 01816

STATE OF NEVADA

Proof of Appropriation of Water for
Power (Mining) (Milling)

Water source Consolidated Spring

Through

Claimant Eureka-Nevada Railroad Co.

Filed in the State Engineer's office on

Apr. 26-1923, 191

Robert A. Allen
State Engineer

Certificate No. issued hereunder

, 191

Form 210H—500—6 1 11

OFFICE
STATE ENGINEER
APR 26 23
RECEIVED