

Copy

Filing Serial No. 01093

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

From Stillwater Slough
Name of natural water source.

Through Holly Ditch, Freeman Ditch, Kaiser Ditch and Overland Ditch and parts of the
Name of ditch, flume, or pipe line.

Holly & McClure Ditch and Upper Island Ditch. E. J. Freeman, the undersigned, being first
duly sworn, deposes and says that the facts relative to the appropriation of water by

The J. W. Freeman Company 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 The J. W. Freeman Company
Address Stillwater, County of Churchill
State of Nevada.

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

(3) The date of the survey of ditch, canal, or pipe line was (see appended statements in answer
to questions 3, 4, 5, 6, 7, 8, 9, 13, 18 and

(4) The construction of the ditch or other works was begun 21.
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 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.

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 Fee Simple

(11) Crops of Grain, alfalfa, grass, hay, pasture & vegetables.
have been grown upon the land irrigated.

(12) The water has been used for irrigation from March 15th to November 1st
Day of month. Day of month.
of each year.

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

(See appended statements for individual ditches of above group.)

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

The J. W. Freeman Company claim water through the Holly Ditch, Freeman Ditch and Kaiser Ditch, and those parts of the Holly and McClure Ditches and Upper Island Ditch not abandoned in consequence of change in point of diversion of the Holly and McClure Ditch and Upper Island Ditch to points of intersection with the Holly Ditch, Freeman Ditch and Kaiser Ditch to irrigate lands as follows:

In 1864,	9	acres in NW Cor. of SW $\frac{1}{4}$ Sec. 5
	8	" " NE " " SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 6
	10	" " East part NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 6
	3	" " West and Central Part NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 6
1865	54	" " Central part SW $\frac{1}{4}$ Sec. 5
	5	" " SW Cor. SW $\frac{1}{4}$ Sec. 5.
1866	54	" " E $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. 6.
	34	" " SE part of NE $\frac{1}{4}$ Sec. 6.
	53	" " W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 5; All in T. 19 N. R. 31 E.

From
1866
to
1870 areas were gradually increased to irrigate

	88	acres west part NW $\frac{1}{4}$ Sec. 5, T. 19 N. R. 31 E.
	63	" E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 31
	44	" E $\frac{1}{2}$ & SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 31
	131	" in SW $\frac{1}{4}$ Sec. 32.
	6	" in NW Cor. of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 32. NE
	8	" in SW Cor. of $\frac{1}{4}$ Sec. 32
	35	" " W $\frac{1}{2}$ of NE $\frac{1}{4}$ Sec. 32
	142	" " NW $\frac{1}{4}$ Sec. 32
	8	" " SW Cor. SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 29. All in T. 20 N. R. 31 E.

NOTE—Failure to record in the county in no way invalidates a water right, but if ditch or right was so recorded, full information under (19).

submitted to

(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:

HOLLY DITCH.

From Stillwater Slough

Through Holly Ditch

4. The construction of the ditch was begun in 1863 and completed in 1864.
5. The dimensions of the ditch as originally constructed were:
Width on bottom 4 feet, width on top, 8 feet; depth 2 feet;
grade 4 feet to 1 mile.
6. The conduit has not been enlarged.
9. The claimant is an owner in the above-described conduit.
- 10.
13. The water was first used for irrigation by claimant or their grantors in the year 1864 when 30 acres were irrigated as follows: 9 acres in NW Cor. of SW $\frac{1}{4}$ Sec. 5; 8 acres in NE Cor. of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 6; 10 acres in East part NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 6; and 3 in west and central part NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 6;
T. 19 N. R. 31 E.
(Note: Above included in statement under Question 14.)
16. The claimant's water right was recorded in the office of the County Recorder of Churchill County, said record being at Page 74, Book A of Water Claims, and being a claim for "300 inches of water." for the irrigation of 300 acres.
21. REMARKS: Due to changes in course of Stillwater Slough and filling by debris at the diversion of the Holly & McClure Ditch, the Holly Ditch, the Freeman Ditch and Kaiser Ditch were used to supplement in the supply of water to lands originally irrigated by the Holly & McClure Ditch.

submitted to

(19) The map ~~propriet~~ 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:

HOLLY & McCLURE DITCH.

From Stillwater Slough

Through Holly and McClure Ditch.

4. The construction of the ditch was begun _____ and completed in 1865.
5. The dimensions of the ditch as originally constructed were:
Width on bottom, 3 feet; width on top, 4 feet; depth, 3 feet;
grade, $\frac{1}{2}$ inch to 1 rod.
6. The conduit has been enlarged.
7. The work of enlargement of the ditch was begun _____ and completed in _____.
8. The dimensions of the ditch as enlarged are: Width on bottom, 4 feet; width on top, 6 feet; depth $2\frac{1}{2}$ feet; grade, $\frac{1}{2}$ inch to 1 rod.
9. The claimant is an owner of the above described conduit; full interest.
13. The water was first used for irrigation by claimant or their grantors in the year 1865, when 59 acres were irrigated as follows:
54 acres in central part and SW $\frac{1}{4}$ Sec. 5;
5 acres in SW Cor. of SW $\frac{1}{4}$ Sec. 5, T. 19 N. R. 31 E.
Note: The above 59 acres are included in statement under Question 14 for the Holly Ditch, Freeman Ditch and Kaiser Ditch.)
18. The Claimant's right was recorded at Page 5, Book A of Water Claims, and being a claim for "full capacity of ditch" for the irrigation of 400 acres.
21. REMARKS: Due to changes in course of Stillwater Slough and gradual filling in by debris, the diversion of water at head of Holly & McClure Ditch was obstructed and made impractical and water taken from the Holly Ditch, Freeman Ditch and Kaiser Ditch, under which group the rights of the Holly & McClure Ditch are now listed.

submitted to

(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:

UPPER ISLAND DITCH.

From Stillwater Slough

Through Upper Island Ditch.

4. The construction of the ditch was begun _____ and completed in 1866.
5. The dimensions of the ditch as originally constructed were:
Width at bottom "about 3 feet." Width at top about 3 feet;
Depth 2- $\frac{1}{2}$ feet, grade about $\frac{1}{2}$ inch to 1 rod.
6. The conduit has not been enlarged.
9. The claimant is an owner in the above-described conduit: complete interest.
13. The water was first used by claimant in 1866 when 141 acres were irrigated as follows:
54 acres E $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. 6; 34 acres SE part of NE $\frac{1}{4}$ Sec. 6, and
53 acres in W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 5.
Note: The above 141 acres are included in statement under Question 14 for the Holly Ditch, Freeman Ditch and Kaiser Ditch.
18. The claimant's right was recorded in the office of the County Recorder of Churchill County, said record being at Page 7, Book A of Water Claims and being a claim for "full capacity of ditch." "The amount of land lying under and being irrigated from the ditch is about 200 acres."
21. REMARKS: Due to changes in course of Stillwater Slough and gradual filling in by debris, the diversion of water at head of Upper Island Ditch was obstructed and made impractical and water taken from the Holly Ditch, Freeman Ditch and Kaiser Ditch under which group the rights of the Upper Island Ditch are now listed.

submitted to

(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: _____

(21) Remarks: _____

John N. Freeman Co
by Ernest J. Freeman.

Subscribed and sworn to before me this 28th day of February, 1911

W. H. Churchill
Notary Public in and for the County of Churchill

My commission expires Jan'y 12, 1915

Appropriation of Use of Water from Stillwater
Slough by The J. W. Freeman Company, Stillwater,
Nevada.

Priorities of Water Rights, Years	Areas of land irrigated and means of diversion					Totals
	Kaiser Ditch	Holly, Freeman & Kaiser Ditches	Doolittle, Springer New York and Overland Ditches	Desert	Rock Dam	
1864		40				40
1865		59				59
1866		141	235			376
1866-1870		525				525
1880			59	260		319
1881			221			221
1884	487					487
1885			651			651
1885-1888	171					171
1889	936				422	1358
1897					1308	1308
	1594	765	1166	260	1730	5515

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Filing Serial No. _____

STATE OF NEVADA

Proof of Appropriation of

Water for Irrigation

Water Source _____

Through _____

Claimant _____

Filed in State Engineer's Office on

_____, 19____

State Engineer,

Certificate No. _____ issued hereunder

_____, 19____

Filing Serial No. 01083

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

From Stillwater Slough
Name of natural water source.

Through Kaiser Ditch
Name of ditch, flume, or pipe line.

E. J. Freeman, the undersigned, being first

duly sworn, deposes and says that the facts relative to the appropriation of water by The J. W. Freeman Company 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 The J. W. Freeman CO.
Address Stillwater, County of Churchill-
State of Nevada

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

(3) The date of the survey of ditch, canal, or pipe line was 1882

(4) The construction of the ditch or other works was begun
and completed in 1883

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 5-1/2 feet, width on top 8 feet, depth 2 1/2 feet, on a grade of 4 feet per thousand feet. mile.

(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 in 1888

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom 10 feet, width on top feet, depth 4 1/2 feet, on a grade of 4 feet per thousand feet. mile

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

(11) Crops of Alfalfa, Grass, Hay, Grain and pasture
have been grown upon the land irrigated.

(12) The water has been used for irrigation from March 15 to Nov. 1st
Day of month. Day of month.
of each year.

(13) The water was first used for irrigation by claimant in 1884 when 487 acres were irrigated as follows:
70 acres in E 1/2 NW 1/4 Sec. 5; 53 acres in W 1/2 NE 1/4 Sec. 5;
35 " " NW part of SW 1/4 Sec. 5 north of slough;
50 acres " W 1/2 SE 1/4 Sec. 5.; T. 19 N. R. 31 E.

29	"	"	SE Cor. SW 1/4 Sec. 32;	78 acres in SE 1/4 Sec. 32
47	"	"	E. part NE 1/4 Sec. 32;	17 " " NW 1/4 NW 1/4 Sec. 33;
8	"	"	NE Cor. SE 1/4 Sec. 29;	
67	"	"	W 1/2 SW 1/4 Sec. 28;	33 " " in central part NW 1/4 Sec. 28; T. 20 N. R. 31 E.

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

During years 1885 to 1888:

19 acres in SE Cor. of SE 1/4 Sec. 5; 9 acres in North part N.E. 1/4 SE 1/4 Sec. 5; 8 acres in central and north part of SE 1/4 Sec. 5; 57 acres in SW part of NE 1/4 Sec. 5; 18 acres about the center NE 1/4 Sec. 5; 10 acres in NW 1/4 SW 1/4 Sec. 4; 50 acres in W 1/2 of NW 1/4 Sec. 4; T. 19 N. R. 31 E.

In year 1889, Kaiser, Freeman and Pike irrigated 56 acres in N 1/2 NE 1/4 Sec. 28; 35 acres in S 1/2 NE 1/4 Sec. 28; 8 acres in central part W 1/2 of SE 1/4 Sec. 28; 38 acres in NW 1/4 of NW 1/4 Sec. 27; 125 acres in SE 1/4 Sec. 21; 262 acres in W 1/2 Sec. 22; 95 acres in south and east part of SW 1/4 Sec. 15; 27 acres in E 1/2 NW 1/4 Sec. 15; 290 acres in E 1/2 Sec. 15; T. 20 N. R. 31 E.

In addition to foregoing, the Kaiser Ditch is used in conjunction with the Holly Ditch and Freeman Ditch to irrigate lands listed under the group designated Holly ditch, Freeman Ditch, Kaiser ditch, etc.

_____, _____ 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 1594 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 Full water right was not used during dry years as 1902 and other years when stream flow failed.
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 Churchill County, said record being at page 11 of Book A of Water Claims, and being a claim for "full capacity of ditch" of water for the irrigation of "about 2000 acres" 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) 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 purposes

(21) Remarks:

John W. Freeman Co.

by Ernest J. Freeman

Subscribed and sworn to before me this 28th day of February, 1911

Thomas E. Young
Notary Public in and for the County of Churchill

My commission expires January 15th 1915.

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 State Engineer's Office on

_____, 19____

State Engineer.

Certificate No. _____ issued hereunder

_____, 19____

THE STATE OF NEVADA
 PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

01093

From STILLWATER SLOUGH
Name of natural water source.

Through ROCK DAM by means of dam, sloughs and ditches
Name of ditch, flume, or pipe line.

E. J. Freeman, the undersigned, being first

duly sworn, deposes and says that the facts relative to the appropriation of water by _____

The J. W. Freeman Company 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 The J. W. Freeman Company,
 Address Stillwater, County of Churchill,
 State of Nevada.

(2) The means of diversion employed Dam, ditches and sloughs.
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 in 1889 (See statement under remarks.)

(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 conduit has (has not) been enlarged. The rock dam was constructed in 1897.
NOTE—If enlargement or extension of ditch was made, supply information under (7) and (8). (See remarks)

(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. 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 Fee simple

(11) Crops of Grass, hay and pasture
 have been grown upon the land irrigated.

(12) The water has been used for irrigation from March 15th to November 1st
Day of month. Day of month.
 of each year.

(13) The water was first used for irrigation by claimant or their grantors in the year 1889
 when 422 acres were irrigated as follows:

- 80 acres in NE 1/4 Sec. 29; 63 acres north part NW 1/4 Sec. 28.
- 4 " in West part NW 1/4 of NE 1/4 Sec. 28;
- 8 " " SE Cor. SE 1/4 Sec. 20; 91 acres SE part SW 1/4 Sec. 21;
- 34 " NW Cor. and west edge of SE 1/4 Sec. 21;
- 30 " East part of E 1/2 NW 1/4 Sec. 21;
- 108 acres SW part NE 1/4 Sec. 21; 4 acres SW Cor. SE 1/4 Sec. 16,
- all in T. 20 N., R. 31 E.

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

1897 137 Acres in the SE 1/4 Sec. 20;
52 " " " SW 1/4 Sec. 20, north of Stillwater Slough;
60 acres " " NW Cor. SW 1/4 Sec. 21;
123 " " " NE 1/4 Sec. 21, west of slough;
106 " " " NE 1/4 Sec. 20;
35 " (irregular strip) in E 1/2 NW 1/4 Sec. 20;
18 " in the SE Cor. SE 1/4 Sec. 17;
16 " in the NE Cor. SE 1/4 Sec. 17;
50 " in the E 1/2 of NE 1/4 Sec. 17
141 " in the SW 1/4 Sec. 16;
113 acres in the NW 1/4 Sec. 16;
52 " " " NE Cor NE 1/4 Sec. 21;
130 " " " SE 1/4 Sec. 16;
107 " " " NE 1/4 Sec. 16;
65 " " " NW part SW 1/4 Sec. 15;
103 " " " NW 1/4 Sec. 15: T. 20 N. R. 31 E.

(15) The maximum acreage irrigated in any year was 1730 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 dry years as 1902, 1903, 1905 and other years
If water was not used, or used in reduced quantity at any time, full information as to causes and duration of when stream flow failed on account of drought.
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 _____ 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) 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:

(21) Remarks: W.H.A. Pike constructed a wooden headgate in slough in 1889 and by means of earth dams in branch slough and by ditches irrigated lands by flooding. In 1897 a rock dam was placed at site of wooden headgate and by means of sloughs, earth dams and ditches area of land irrigated was increased.

John W. Freeman Co.
by Ernest J. Freeman.

Subscribed and sworn to before me this 28th day of February, 1911

E. J. Massing
Notary Public in and for the County of Churchill.

My commission expires July 12th 1915.

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 State Engineer's Office on _____, 19____

State Engineer.

Certificate No. _____ issued hereunder _____, 19____