

01125

THE STATE OF NEVADA

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

.....DOMESTIC PURPOSES.....

.....

This part of form to be left blank by claimant.

Filing Serial No. 01125

STATE OF NEVADA

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

Water source Violet Spring

Through Tunnel

Claimant T. B. Telford.

Filed in the State Engineer's office on

August 6th. 1912. 191

W. M. Kearney

State Engineer

Certificate No. issued hereunder

, 191

From Violet spring

(Name of natural water source.)

placer mine

Through Violet flume into Violet ditch past dwelling house to mine

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

T. B. Tilford

the undersigned,

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

himself

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 T. B. Tilford

Address Osceola County of White Pine

State of Nevada

(2) The means of diversion employed dam, flume and open ditch

(Dam and ditch, pipe line, flume, etc.)

(3) The date of the survey of ditch, canal or pipe line was 1895

(4) The construction of the ditch or other works was begun 1895

and completed Spring of 1895

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 4 inches

width on top ----- feet; depth 6 inches feet; on a grade of 150 feet per

thousand feet. (The flume made of 6 X 6 boards covered by 6in. board)

(6) The amount of water claimed is all of spring. Flume runs full in Spring. Very little water rest of year

(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 (The ditch into which flume

and completed flows is one ft. wide and one ft. deep. Ditch extended from time to time to new placer diggings)

(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 ~~owner~~ an owner in the above-described conduit Is the owner now and

has been continuously since construction in 1895

(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 Spring, flume and

ditch on unsurveyed government land held intermittingly as mining claims. Land now above dwelling house and mines of claimant now claimed by Pony Express Co. as unpatented lode locations.

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

put in iron pipe in place of flume and ditch

(13) The water has been used for household and placer mining purposes since 1895

to present time; when too low to run, water was hauled to house

to ----- of each year.

(Day of month)

(14) The water was first used for domestic and placer mining

1895, when ----- horse power was generated.

(15) The maximum power generated in any year was (no power) horse-power.

(16) The years during which no water was used for power (mining) (milling) or during which the fully water

(Strike out any not wanted)

right was not used were Used it every year since 1895 for household use,

(If water was not used, or used in reduced quantity at any time,

and every year to wash placer ground when there was sufficient flow.

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) ~~Used only for household purposes and~~
(Strike out any not wanted)

~~for washing placer ground when sufficient flow.~~

(20) Remarks: Prior to 1895, where Violet Spring now is, there was only a patch of rye grass. Claimant then owned the ground as a placer ~~in~~ location. There being no water in the vicinity, claimant run a tunnel into the hill side, starting it in the rye patch, for the express purpose of finding water. He ran 125 ft. of open cut and tunnel, 6 ~~XX~~ 4½ ft. Incidentally, he thought the tunnel might run into pay gravel. In this manner, he developed the flow. ~~in 1895~~ Before expiration of 1895, he bulk-headed the tunnel a short distance under cover, and used the tunnel for reservoir. Claimant does now, has continuously, since 1895, lived 4,000 ft. below the tunnel (spring), and ever since that year has placered in the neighborhood of his dwelling house. What is known as the West ditch of what used to be known as the Osceola Placer Min. Co. (now owned by the Amalgamated Nevada Mines Co) run past claimant's house. In September ~~189~~ 1908, water ceased completely to run in this ditch. Up to that time, claimant could and did purchase water from the owner of the ditch for sluicing purposes when he could not get sufficient flow from the spring. ~~xxxxxxx~~ Since Sept. 1908, claimant ~~is~~ must depend wholly on the spring for water for his home and for sluicing. Prior to running the tunnel in 1895, all the water he used for mining was purchased from the ditch owner. Claimant held the ground the spring is on in 1895, and for several year later, then letting it lapse. In Sept. 1910, claimant, thinking some person might locate the ground and interfere with the water, he took up (or attempted to) take up the ground by a mill site location. A ~~xxxxxxxx~~ certified copy of the notice is here-with enclosed. He believed the land unlocated in Sept. 1910, and still so believes ~~it~~ was. ~~xxxxxx xxxx~~ He has recently learned that the Pony Express mining Company claims the land in which the spring rises, and have made application to patent the same, and that company is now using the water and interfering with its use by claimant.

Charles A. Dunham, of New York, the Secretary of the Pony Express, has made application for the Violet Spring under the name of the Gracie No. 3 Spring (No. 2198).

Claimant did not protest Dunham's application for the reason that he did not see the notice being published, nor know of the publication. Claimant named the spring "Violet" as soon as a flow was obtained. It has never been known as the Gracie.

(Note by typist- On reading the above to claimant and asking if all facts are stated, he added, and maked as part of his affidavit as follows.)

The rye patch was discovered by claimant in 1891, the year he built and moved into his present dwelling house 4,000 ft. below. In 1891, he ran an incline in the patch, and obtained a small flow-sufficient for household purposes, but not enough to sluice with. This was the condition of the spring till in 1895, when he went into the lower part of the rye patch (which is in a ravine) and ran the tunnel referred to above. The tunnel being about 300 ft. down the ravine from the incline run in 1891. Since the incline was abandoned in 1895, there has been no water there except a very little flow in May and June of wet years. When it does run, ~~xxxx~~ it flows in a ditch built in 1895 by claimant into the ditch leading from the

4,000 ft. below. in 1891, he ran an incline in the patch, and obtained a small flow-sufficient for household purposes, but not enough to sluice with. This was the condition of the spring till in 1895, when he went into the lower part of the rye patch (which is in a ravine) and ran the tunnel referred to above. The tunnel being about 300 ft. down the ravine from the incline run in 1891. Since the incline was abandoned in 1895, there has been no water there except a very little flow in May and June of wet years. When it does run, ~~it~~ it flows in a ditch built in 1895 by claimant into the ditch leading from the tunnel, and becomes a part of the flow that runs to claimant's house and placers.

J B Gilford

Notary Public in and for the County of White Pine

My commission expires June 16, 1914

Claimant says he will have the proper map made just as soon as he can get a surveyor on the ground-being over 40 miles from Ely.