

THE STATE OF NEVADA
 PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

From Big Creek
Name of natural water source

Through Small ditches at different points along the creek.
Name of ditch, flume, or pipe line

John M. Walsh , the undersigned, being first
 duly sworn, deposes and says that the facts relative to the appropriation of water by
 him are full and correct to the best of his
 knowledge and belief.

Proof is made by claimant.
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 John M. Walsh
 Address Austin County of Lander
 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 the ditches were never
surveyed before constructed.

(4) The construction of the ditch or other works was begun in the year 1864, 1866, 1868, 1871
and completed in the year 1864, 1866, 1868, and 1871

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 2
feet, width on top 2 feet, depth 1 feet, on a grade of 10 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.
 Claimant is full owner of all ditches.
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
Possessory originally, and now a desert entry
is pending for a portion of the land upon which water has been

(11) Crops ^{used} of Hay and occassionally vegetables.
 have been grown upon the land irrigated.

(12) The water has been used for irrigation from April 15th to September 15th
Day of month Day of month
 of each year.

(13) The water was first used for irrigation by claimant or his grantors in the year 1864
 when 11.37 acres were irrigated in the NW¹ of the SE¹ of Sec. 9
T. 17 N. R. 43 E. and 12.36 acres in the SE¹SE¹ sec. 9, 3.03
acres in the SW¹SW¹ sec. 10, and 2.84 acres in the SW¹NE¹ sec. 9
T. 17 N. R. 43 E. M.D.B. & M.

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

1866	1.4	acres in the SE 1/4 NW 1/4	of Sec. 9	T. 17	R. 43	E.
Year						
1866	2.51	acres in the NE 1/4 NW 1/4	of Sec. 9	T. 17	R. 43	E.
		acres in the	of Sec.	T.	R.	E.
1871	5	acres in the SE 1/4 NE 1/4	of Sec. 22	T. 17	R. 43	E.
1871	3	acres in the SW 1/4 NW 1/4	of Sec. 22	T. 17	R. 43	E.
1871	5	acres in the NE 1/4 NE 1/4	of Sec. 14	T. 17	R. 43	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.
		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: The water right in secs. 14 and 22 listed above was initiated on possessory land. ^{Append a sheet if necessary.} The U.S. Government withdrew the land and made a Forest reserve thereon, and there is no way by which I could take the land, after taking the lands in section 9. The water must necessarily be transferred to other lands as the land is permanently in the reserve.

(15) The maximum acreage irrigated in any year was 52.30 acres.

(16) The water claimed has ~~has not~~ been used for irrigation each and every year since the right was initiated, on all of the land except that taken up by the reserve, ^{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 the years during which negotiations were pending to ^{If water was not used, or used in reduced quantity at any time, full information as to causes and duration} have the lands restored to entry to permit me to obtain title. _{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 Lander County, said record being at page 110 of Book "A" of Water Claims, and being a claim for 460 inches of water for the irrigation of 460

acres of land in the following legal subdivisions held by possessory title and shown on plats filed with the county recorder. Each of the plats (3 in number) shows the land by metes and bounds having been actually surveyed and mapped.

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: Domestic and stockwatering purposes.

(21) Remarks: The water for the above land was appropriated in accordance with the existing law at that time. It was diverted and used upon the lands above enumerated. The land was unsurveyed at the time therefore it became necessary to file a title possessory plat in the office of the County Recorder which was done. About the year 1902 the land was turned into a forest reserve called the Toiyabe Forest Reserve, and practically all of the lands irrigated by me were withdrawn from entry.

Negotiations were commenced for the restoration to entry of the lands and while pending the right for the use of water was not perfected. That is the extension of the right to the full use originally contemplated was allowed remain in status quo pending the outcome of the Forest Service decision.

The original appropriation was for 6400 acres of land, but it was found that all of that amount could not be obtained for irrigation on account of the topography of the country.

The lands in sections 14-22 and 10 had to be abandoned, hence the water right was transferred to the portion of the land for which I could obtain title. The right is now being completed on the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, -NE $\frac{1}{4}$ NW $\frac{1}{4}$ section 9 T. 17 N. R. 43 E M.D.B. & M., which right is more than ample to thoroughly irrigate the remaining unirrigated irrigable portion my land. The same ditch is being used for the water heretofore used on section 10-T.17N.R.43.E.

There is only approximately 50 acres of tillable land in my desert entry, hence there is ample water for it.

I claim the right to complete the original appropriation, which was delayed pending the decision of the Forestry department, up to a minimum of fifty acres.

John M. Walsh

Subscribed and sworn to before me this 17 day of February, 1913

J. W. Whitburn
County Clerk
Notary Public in and for the County of

My commission expires

This part of form to be left blank by claimant

Filing Serial No. **01228**

STATE OF NEVADA

Proof of Appropriation of
Water for Irrigation

Water Source Big Creek,

Through Dams & Ditches.

Claimant John W. Walsh,

Austin, Lander County, Nevada.

Filed in the Office of the State Engineer on

FEB 25 1912, 191

State Engineer

Certificate No. _____ issued hereunder
_____, 191