

01614

THE STATE OF NEVADA

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

From Jacks Spring augmented by flood and snow waters
(Name of natural water source.)

Through For sluicing in bed of Dry Gulch channel
(Name of ditch, flume, or pipe line.)

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

Osceola Gravel 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, s George Doyle, George Cheney and Russell-Moyle
Address Ely, County of White Pine
State of Nevada

(2) The means of diversion employed sluice boxes for placer mining
(Dam and ditch, pipe line, flume, etc.)

(3) The date of the survey of ditch, canal or pipe line was about 1876

(4) The construction of the ditch or other works was begun about 1876
and completed long prior to 1897

(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. No construction works used for more than 20 years
past-slucice boxes have been used each year since

(6) The amount of water claimed is All. (Some years there could be more, always varies

(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 ~~owner~~ an owner in the above-described 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 U. S. Patent to
placer mine issued in 1882

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

(13) The water has been used for power (mining) (milling) from about 1876 and for every
year since (except ^(Strike out any not wanted) some years no water on account ^(Day of month) of weather,
and excepting about April 26, 1919 water diverted above
to of each year.
applicants by ^(Day of month) rover Tilford and Lane Tilford.

(14) The water was first used for power (mining) (milling) by claimant or 1876 grantors in the year
^(Strike out any not wanted)
when horse-power was generated.

(15) The maximum power generated in any year washorse-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 Always used when sufficient snow melted
(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.)
(Separate papers attached)

(17) The claimant's water right was (was not) recorded in the office of the County Recorder of
Such records as there were were burned in court-house fire in Ham-
County, said record being at page.....of Book.....of
ilton 1825, at time county seat this county was located there,
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) placer mining
(Strike out any not wanted)

(20) Remarks: Applicants acquired title to said mine and appurtenances in 1916 by deed. They claim a vested right. As title to use of water is now being questioned for first time (by Grover Tilford and Lane Tilford, both of Osceola, Nevada, applicants want record title as mine absolutely worthless without the water absolutely no other water to be had.

Or or about May 10, 1919, Mr. Robert Allen, of your office made a personal inspection of the promises. About April 26, 1919, said Tilfords diverted all of the said waters (there being a flow now from melting snows). Applicants have piled on said mine much gold bearing dirt and gravel mined since the flood waters in Spring of 1918, intended to wash the same with first flow. Tilfords are not permitting any water to now reach the ir mine.

Injunction suit has recently been filed against said Tilfords. They state that while they have never made any application to the Engineer, neither have applicants, and they took the water first this year. ~~xxxxx~~ Copies of the files in the injunction suit hereto attached and are made a part of this affidavit.

This day applicants have mailed you application for permit. This application for permit is submitted subject to vested rights now owned by applicants; and same is filed as a precautionary measure, - should the court eventually find that applicants have no vested right, it is desired that the application for permit be alive that title may be gained that way. No rights as to vested right are waived by making application for permit to appropriate in usual way. If applicants fail to prove vested right, they desire to fall back on a permit.

George Doyle

Subscribed and sworn to before me, this 13th day of July 1919.

Chas. A. Walker

Notary Public in and for the County of White Pine

My commission expires June 16, 1922

Kindly mail all correspondence to Chas. A. Walker, Ely, Nevada, our agent and attorney.

This part of form to be left blank by claimant.

Filing Serial No. 01614

STATE OF NEVADA ⁰¹⁶¹⁴

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

Water source JACK'S SPRINGS,

Through SLUCE BOXES,

Claimant GEO. DOYLE, GEO. O'BRIEN,
AND RUSSELL HOTTE.

Filed in the State Engineer's office on

MAY 15, 1919, 191

G. G. Saughaan

State Engineer

Certificate No. issued hereunder

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