

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR
STOCK WATERING PURPOSES

From Cherry Spring
Name of natural water course

Through The flow ~~watered stock~~ of water of this source watered
Name of ditch, pipe line, etc.

stock without artificial means. I Harold J. Powers, the undersigned, being first
duly sworn, deposes and says that the statements herein contained relative to the appropriation of water by
F. J. Powers & Son are full and correct to the
best of his knowledge and belief.

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 Harold J. Powers
Address Eagleville, County of Modoc
State of Calif.

(2) The means of diversion employed is From small dams constructed dry years
Dam and ditch, pipe line, flume, etc.

(3) The water is impounded in small reservoirs constructed on dry years
Troughs, reservoirs, tanks, etc.

(4) The construction of the ditch or other works was begun 1882
and completed 1882

(5) The nature of the claimant's title to the land upon which the works are located is

(6) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of
County, at Page of Book of

(7) The approximate number of animals watered by the claimant during the first year was 200
and said watering was conducted for an approximate period of 300 days during
each of the following months 15th. of February to 15th. of December Incl.

(8) The approximate number of animals watered by claimant in subsequent years was as follows:

From the years 1882 fo 1925 it was the practise of Miller & Lux Inc. to water approximately 200 head of cattle at Cherry Springs every year sometimes more than 200 cattle watered at this spring and on dry years and in late years a few less.

(9) The amount of water which it has been necessary to divert for the said purpose has been.....

0.25 cubic feet per second.

40 miners inches equals 1 cubic foot per second

(10) The water is diverted from its source at Bearing $N. 81^{\circ} 45' 00''$ 1400 feet from the Southwest corner of Section 35, T. 40N., R. 22E.

True bearing to nearest 5 minutes distance

Mount Diablo Base and Meridian.

NOTE—Information under (10) must invariably be given when a public corner is within 6 miles, unless the State Engineer consents to some other form of description.

(11) The works are located at S.W. $\frac{1}{4}$ N.E. $\frac{1}{4}$ Sec. 25 T. 39 $\frac{1}{2}$ N. R 22 E. Unsurveyed

Describe as within a 40-acre subdivision of public sur. or by a tie in same manner as under (10)

Remarks: Cherry spring is on the north side of Mahogany mountain

about 3 or 4 miles from our cow camp in Big High Rock Canyon.

Owing to the topography of the surrounding country it is

a natural drift for cattle to work out of Big High Rock

Canyon up around Cherry Spring. There is an old road from

High Rock to Cherry spring that was used by Miller & Lux

Buckeroo wagon. It is a natural drift for cattle to work up on Mahogany Mountain out of Big High Rock in the spring and then drift back into Big High Rock in the fall & Winter when the storms start. Cherry spring lies right beside Mahogany Creek and when the flow of water is sufficient during the flood season it runs into Mahogany creek which creek runs into Big High Rock, in fact all water and all canyons or gullies from the top of Mahogany north runs into Big High Rock, which accounts for it being a natural drift for High Rock cattle both up and down.

This range was used by Crutchers and Wieners in the seventies and claimed by them as their range up until the time they sold out to Miller & Lux. Miller & Lux wintered a great many cattle in this particular area It was the custom of Mr. Sizer from 1887 until 1906 during the time he was superintendent and also during the time Mr. Demick was superintendent for Miller & Lux which was from 1906 to 1915 to turn a thousand weaners low down in Yellow Rock and High

Rock about the 15th. of February then as the snow gradually went off of the higher hills they gradually worked up higher on Mahogany Mountain for summer; in the fall or winter they drifted or were driven down into Big High Rock where most of them were wintered. During Mr. Wilsons time as superintendent from 1915 to 1925 sheep had begin to trail back and forth from the desert thru this area usually when there was snow for water this interfered with the range to the extent that Mr. Wilson usually run from 500 to 700 head of cattle in this vicinity. In 1925 we purchased the High Rock Range from Hillr & Lux consisting of 5000 a. since which time I have run from 150 to 300 cattle at and around Cherry Spring. Since 1925 sheep have never watered at this spring the flow of water has never been sufficient to water sheep. I have never seen any stock water at cherry spring other than my own since 1925.

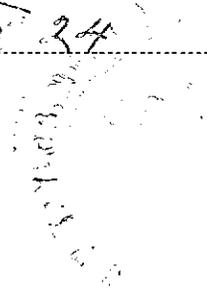
Harold J. Powers

Subscribed and sworn to before me this 31st day of Oct, 1931.

Spec. W. Green for
Not. Pub. J. C. Kelly

Notary Public in and for the County of Mo. Co. Ark.

My commission expires Jan 24, 1932



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Filing Serial No. *02250*

STATE OF NEVADA

Proof of Appropriation of
Water for Stock Purposes

Water Source *Cherry Spring*

Through

Claimant *F. C. Powers & Son*

Filed in the office of the State Engineer on

Dec. 31, 19*31*

Geo. W. Malone
State Engineer

Certificate No. issued hereunder

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