

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

02265

From Mahogany Spring and Creek
Name of natural water course

Through Channel of creek & pot holes in bed of creek
Name of ditch, pipe line, etc.

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.
Member of firm

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 F. J. Powers & Son

Address Eagleville, County of Modoc
California
State of _____

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

(3) The water is impounded in _____
Troughs, reservoirs, tanks, etc.

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

(5) The nature of the claimant's title to the land upon which the works are located is _____
Land owned by this firm and public lands

(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 _____
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 to 1925 it was the practise of Miller & Lux Inc. to water approximately 200 head of cattle at Mahogany Creek Spring every year sometimes more than 200 cattle watered at this creek 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 _____ cubic feet per second.

40 miners inches equals 1 cubic foot per second

(10) The water is diverted from its source at _____ feet from the _____ corner of Section _____, T _____, R _____ E. _____

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

Remarks: Mahogany Creek spring is in the NE 1/2 SE 1/4 Sec 36 T 40 N R 22 E M. D. M. Mahogany Creek as claimed in this proof passes through the following land subdivisions: W 1/2 SE 1/4, NE 1/2 SE 1/4 and SE 1/4 NE 1/4 Sec. 36 T 40 N R 22 E M. D. M. S 1/2 NW 1/4, NE 1/4, NW 1/4 and N 1/2 NE 1/4 Sec. 31, N 1/2 NW 1/4 Sec 32, SE 1/4 SW 1/4 and S 1/2 SE 1/4 Sec 29, S 1/2 SW 1/4, SW 1/4 SE 1/4 and N 1/2 SE 1/4 Sec 28; NW 1/4 SW 1/4 Sec. 27, T 40 N, R 23 E. M. D. M. I

In the summer time this is the closest water to Big High Rock. Mahogany creek runs into Big High Rock but only runs during the spring or flood season. It is a natural drift for cattle as it is a gradual slope from Big High Rock to Mahogany Mountain. From this spring runs the year around and has never gone dry during the dry years. A great number of cattle usually water at this spring as they feed up on Mahogany Mountain from this spring and also feed toward Big High Rock and Yellow Rock Spring. During Mr. Sizars and Mr. Demicks time as superintendents which was from 1887 to 1915 no one ever claimed any right what so ever to this range or spring but was used exclusively for the ranging of cattle in Big High Rock. It is impossible to turn cattle in Big High Rock and keep them from drifting up around this area it is also impossible to turn cattle at this creek or spring and keep them from drifting into Big High Rock.

During Mr. Silsons time as superintendent sheep never attempted to water at this spring but fewer cattle were run on account of dry years. Since 1925 I have never seen any stock at this spring other than my own and possibly a stray horse.

It has always been used as a part of the Big High Rock Range and is very vital and necessary to the ranging of stock in Big High Rock. Our holdings in Big High Rock comprise about 5000 acres.

Mahogany Creek is a part and parcel of the big High Rock

Range.

Remarks:.....
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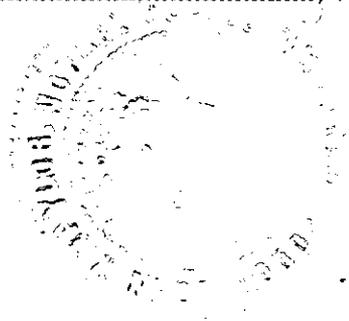
Harold J. Powers

Subscribed and sworn to before me this *4th* day of *June*, 19*33*

John W. Gentry
Notary

Notary Public in and for the County of

My commission expires *Feb 24*, 19*33*



This part of form to be left blank by claimant

Filing Serial No. *02265*

STATE OF NEVADA

Proof of Appropriation of
Water for Stock Purposes

Water Source *Mahogany Springs Creek*

Through..... *see map*

Claimant..... *F. C. Powers & Son*

Filed in the office of the State Engineer on

June 9..... 19*32*

Geo. W. Malone

State Engineer.

Certificate No. issued hereunder

..... 19.....

RECORDED
INDEXED
JUN 10 1932
STATE ENGINEER'S OFFICE
CARSON CITY, NEVADA