



02495

Filing Serial No. 02495

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

From Battle Creek
Through Gedney Ranch Ditch
Roger Smith, the undersigned, being first
duly sworn, deposes and says that the facts relative to the appropriation of water by
Roger Smith 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 Roger Smith
Address Arthur Route, Wells, County of Elko
State of Nevada
(2) The means of diversion employed dams, ditches & natural channel
(3) The date of the survey of ditch, canal, or pipe line was Sept. 2, 3, & 4, 1961
(4) The construction of the ditch or other works was begun prior to 1869
and completed 1898
(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom Varies
feet, width on top Varies feet, depth Varies feet, on a grade of Varies feet per thousand feet.
(6) The conduit has (has not) been enlarged.
(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.

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
Potented land
(11) Crops of grass hay, grain, alfalfa & pasture
have been grown upon the land irrigated.
(12) The water has been used for irrigation from Jan 1 to Dec 31
of each year.
(13) The water was first used for irrigation by claimant or his grantors in the year prior to 1869
when 40.00 acres were irrigated in the SE 4 SE 4 of Sec. 5
T. 30 N. R. 59 E., 40.00 acres in the
SW 4 SW 4 sec. 4, T. 30 N., R. 59 E., M.D.B. & M.

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

1889 40 acres in the SE<sup>4</sup> SW<sup>4</sup> of Sec. 4, T. 30N, R. 59 E.  
 Year

1898 80 acres in the S<sup>2</sup> SE<sup>4</sup> of Sec. 4, T. 30N, R. 59 E.

1898 320 acres in the W<sup>2</sup> of Sec. 10, T. 30N, R. 59 E.

1898 40 acres in the SE<sup>4</sup> SE<sup>4</sup> of Sec. 9, T. 30N, R. 59 E.

1898 160 acres in the W<sup>2</sup> W<sup>2</sup> of Sec. 15, T. 30N, R. 59 E.

1898 160 acres in the E<sup>2</sup> E<sup>2</sup> of Sec. 16, T. 30N, R. 59 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: .....  
 Append a sheet if necessary

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.....

(15) The maximum acreage irrigated in any year was 880.00 acres.

(16) The water claimed has (~~has not~~) been used for irrigation each and every year since the right was initiated.  
 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: .....  
 If water was not used, or used in reduced quantity at any time, full information as to causes and duration 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 ELKO County, said record being at page 213 of Book # 3 of Water rights, and being a claim for .....  
 of water for the irrigation of .....  
 acres of land in the following legal subdivisions: S<sup>2</sup> SW<sup>4</sup> & SW<sup>4</sup> SE<sup>4</sup>  
 of Sec. 5 T. 30N., R. 59E., M.D.B. & M.

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: Stockwatering

(21) The character of the soil is Gravelly The soil needs 5.0 acre-feet  
(Sandy, gravelly, loam)  
per annum to properly irrigate the crops. A continuous flow of 3.0 cubic feet of water per second, during the irrigation season of 9 months, is needed to irrigate each 100 acres of land.

(22) Remarks:  
An agreement exists between Bert and Paul Smith, the owners and operators of the Smith Home Ranch, and Roger Smith for a split of the waters of Bottle Creek. 1/3 of the water is to be used on the Gedney Ranch, owned and operated by the claimant, and 2/3 of the water to be used on the Smith Home Ranch.

Roger Smith

Subscribed and sworn to before me this 27th day of December, 1961

Mrs. Hilda Sherman

Notary Public in and for the County of Ormsby

My commission expires July 1, 1965

This part of form to be left blank by claimant

Filing Serial No. ....

STATE OF NEVADA 02495

PROOF OF APPROPRIATION OF  
WATER FOR IRRIGATION

Water Source.....

Through.....

Claimant.....

.....

Filed in the office of the State Engineer on

....., 19.....

.....  
State Engineer.

Certificate No. .... issued hereunder

....., 19.....

Form B 3-15-49-1M



STATE ENGINEER  
1964 DEC 27 PM 1 56

