

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Corn Creek Springs

Name of natural water source (use separate proofs for each major source)

The water is diverted from its source: water from three springs flows into a small pond via ditch

Name of ditch, flume or pipe line

at the following point(s) Three springs emanate in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34, T.17S., R.59E., M.D.M.

List all points of diversion from this source, appending a sheet if necessary

Spring No. 1 is located at a point from which the North $\frac{1}{4}$ Corner of said Section 34
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed
bears North 52° 30' West 748 feet.

land, it should be stated

Spring No. 2 is located at a point from which the North $\frac{1}{4}$ Corner of said Section 34
bears North 54° 24' West 712 feet.

Spring No. 3 is located at a point from which the North $\frac{1}{4}$ Corner of said Section 34
bears North 37° 39' West 552 feet.

(1) Name of claimant United States of America, Department of the Interior, Fish and Wildlife
Division of Engineering Service
 Address 911 NE 11th Ave., Portland, County of Multnomah
 State of Oregon

(2) The means of diversion employed Improved spring channel, pond, pipeline, and ditches.
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was February 29, 1996 (most recent survey)

(4) The construction of the ditch or other works was begun June 8, 1896
 and completed 1905 (estimated)

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom unknown
 feet, width on top unknown feet, depth unknown feet, on a grade of unknown feet per thousand feet.

(6) The conduit has (has not) been enlarged. Unknown
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 unknown
 and completed unknown

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom feet, width on
 top two feet, depth one feet, on a grade of 50 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 fee simple

Fee simple, public domain, etc.

(11) Crops of hay, pasture, orchard, lawn grass
 have been grown upon the land irrigated. (e.g. alfalfa, native hay, grain, orchard, meadow or
 diversified pasture)

(12) The water has been used for irrigation from January 1 to December 31
 of each year. Day of month Day of month

(13) List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with corresponding subdivisions, appending extra sheets if necessary.

1896	11.8	acres in the	NE $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 34	T. 17. S., R. 59	E.
Year						
1896	2.5	acres in the	NW $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 34	T. 17. S., R. 59	E.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.

(14) The maximum acreage irrigated in any year was 60 acres (circa 1919) acres.
 (15) The water claimed has ~~(has not)~~ been used for irrigation, each and every year since the right was initiated. Strike out one not wanted

(16) The years during which no water was used for irrigation or during which the full water right was not used were Water has most likely been used for irrigation, domestic, and stock purposes since the late 1800's. (See the attached document titled "(20) Remarks to Amended Proof No. 02806"
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.

(17) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of _____ County, said record being at page _____ of Book _____ of _____, and being a claim for _____

_____ of water for the irrigation of _____
 acres of land in the following legal subdivisions:

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 (17)

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation: wildlife purposes and uses incidental to the operation and maintenance of the Desert National Wildlife Range.....

(19) The character of the soil is coarse sandy loam. A continuous flow of 0.5.....cubic feet of water per second has been used to irrigate 14.3.....acres of land and 5.....acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks: This Proof of Appropriation is filed in addition to the Notification of Federal Reserved Water Right.

Please see the attached document titled "(20) Remarks to Amended Proof No. 02806"

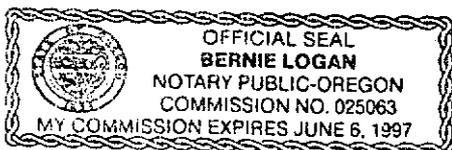
The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by...Fish and Wildlife Service.....are full and correct to the best of his knowledge and belief. Michael J. Spear is the Regional Director of Region 1, U.S. Fish and Wildlife Service. If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

ACTING *Thomas Dwyer*
Thomas Dwyer
Regional Director, U.S. Fish and Wildlife Service
Division of Engineering
911 NE 11th Ave., Portland, OR. 97232-4181

Subscribed and sworn to before me this 22 day of April, 1996

Bernie Logan
Notary Public in and for the County of Multnomah
My commission expires 6/16/97

NO FILING FEE REQUIRED
~~NO FILING FEE MUST ACCOMPANY PROOF~~



(20) REMARKS TO AMENDED PROOF 02806

The U.S. Fish and Wildlife Service (Service) seeks a vested water right to three springs, known as "Corn Creek Springs," located in the NW¼NE¼, Section 34, T.17S., R.59E., M.D.B.&M., in the amount of 0.5 cfs, with a priority date of June 8, 1896, for irrigation, wildlife, and uses incidental to the operation and maintenance of the Desert National Wildlife Range (Range) headquarters in the NW¼NE¼ and the NE¼NW¼ of Section 34, T.17S., R.59E., M.D.B.&M. The following discussion presents evidence that water from the springs has been beneficially used for domestic, irrigation, livestock, commercial, railroad, and/or wildlife purposes since the late 1800's.

On June 8, 1896, Mary C. Godfrey of Chicago, Illinois, applied to purchase the N½ of Section 34, T.17S., R.59E. from the Nevada State Land Office. (See attached material for Nevada State Land Office Application No. 12681, Contract No. 9016.) Mary C. Godfrey was the first person to apply to purchase the land, although the springs had been used, presumably for domestic and stock purposes, by Indians and white settlers during the 1800's. A native Paiute Indian, Mr. Herbert Myers, who lived in a cave in the Spring Mountains during the late 1800's, stated that every fall his tribe moved to the Corn Creek Spring area, where they hunted rabbits and collected pine nuts from the Sheep Mountains. Also in the late 1800's, the Corn Creek Springs area is believed to have been a stopping place for commercial freight wagons bound for the Tonopah and Pioche Mining Districts. Because of the site's archeological significance, Corn Creek Springs is listed on the National Register of Historic Places. (See the attached document titled "National Register of Historic Places Inventory" and February 6, 1979 Federal Register Notice. See also the statement of Henry Hudson Lee, an article from the June 20, 1948 Las Vegas Review-Journal, and a document titled "Tenure of Corn Creek Springs," the originals of which are on file with Proof 02806.)

An early Las Vegas Valley resident and former Lincoln County auditor, Henry Hudson Lee, remembers that sometime between 1898 and 1903, "the springs were being used for cattle and domestic uses" and "farming land was irrigated from the springs." (See the attached statement of Henry Hudson Lee, original on file with Proof 02806.)

According to another early Las Vegas Valley resident, F.B. Warman, and Lincoln County records, a person by the name of Clarence C. Rand lived at the springs in 1906 and possibly before. (See the attached statement of F.B. Warman and the document titled "Tenure of Corn Creek Station," originals on file with Proof 02806.) It is not known if Mr. Rand was squatting on the land or was working it for Mary Godfrey, although Ms. Godfrey was continuing to make annual interest payments on the land to the State of Nevada. (See the attached material on Nevada State Land Office Application No. 12681, Contract No. 9016.) Since Mr. Rand was living on the property, he most likely used the water for domestic and stock purposes.

Several articles from the *Las Vegas Age* newspaper indicate that Corn Creek Springs water was used for irrigation, domestic, livestock, and commercial purposes in 1905. In the April 21, 1905 edition, an article titled "Corn Creek to be Sold" states:

Corn Creek, the beautiful, fertile, and restful base camp for the first night out from Vegas toward the Bullfrog is on the line of the development which will connect directly to the richest mining district in the state with Las Vegas and the outside world. Just now, (*) surveying party for the Tonopah-Tidewater Railroad is encamped at Corn Creek and the preliminary line which they are running through the district direct from Tonopah will touch upon the lands which belong to Corn Creek, now owned by Wilhelm Warner. The property consists of forty acres of land of which at least thirty-five acres are fertile and twenty-five of those sub-irrigated by springs on the property at the end of this (*) touching the (*) little (*)

It is not known if Wilhelm Warner was renting a portion of the Godfrey property in the N½ of Section 34, or if the land referred to in the article was adjacent to the Godfrey property. A search at the Clark County Recorder's Office revealed nothing on a Wilhelm Warner or Wilhelm Werner. However, the article does indicate that the springs were being used for irrigation at least by 1905.

A July 1, 1905 article indicates that water from Corn Creek Springs was used for domestic and livestock purposes. The article, titled "Watering Places," states:

The Beatty Bullfrog Miner says it may interest travelers on the road from Beatty to Las Vegas to know water can be had at the following places:

- Rose's wells 18 miles from Beatty,
- Miller's first well, 20 miles from Beatty,
- Miller's second well 30 miles from Beatty,
- Ash Meadows 38 miles from Beatty,
- Mesquite Springs 60 miles from Beatty,
- Indian Springs 69 miles from Beatty,
- Corn Creek 96 miles from Beatty,
- Tule Springs 105 miles from Beatty,
- Las Vegas 134 miles from Beatty.

Eating and sleeping accommodations can be had at Miller's first well, Ash Meadows, Indian Springs, and Tule Springs.

Three articles printed in the *Las Vegas Age* in July and August 1905, indicate that Corn Creek Springs water was used for commercial freighting purposes. In the July 1, 1905 edition, an article titled "Convention of Our Friends at Corn Creek" states that commercial freighting horses water at Corn Creek, although most of the article is unreadable due to the condition of the microfiche.

An article from the August 5, 1905 edition titled "Beatty Toll Road," states:

A hard mountain road between Beatty and Las Vegas, shortening the distance 20 miles, is now thrown open as a (*) the toll road. This is this important (*) E. Miller, now general manager of the Utah and Nevada Express for which has just completed this splendid road under a twenty year franchise. The entire distance is 100 miles. The company has provided first class accommodations all over the route, Cane Springs is the major layover point, and is the headquarters of the general manager and his family. A three-hundred gallon tank has been built here. Other stations in the route are Forty Mile, Indian Springs, Corn Creek, and Tule Springs.

An article from the August 12, 1905 edition titled "Dry Freighting" states that the average 16-animal freight train traveling the road between Corn Creek and Ash Meadows needs 400 gallons of water or 25 gallons for each animal. (See the attached *Las Vegas Age* articles.)

Shortly after the passage of the 1905 Nevada Water Law, the Las Vegas and Tonopah Railroad, on July 15, 1907, submitted an application to appropriate a portion of the springs' discharge, 0.06 cfs, for "railroad purposes." Application no. 570, approved by the State Engineer's Office on December 30, 1907, stated that construction of the diversion works (a pipeline from the springs

to a tank) would begin by May 1, 1908, one-fifth of the work would be completed by Nov. 1, 1908, and the entire diversion would be completed by May 1, 1909. This permit was canceled in 1910. (See the attached Application No. 570.)

Another applicant, Samuel Ward Greene, filed for a water right on Corn Creek Springs in 1908 to 10 cfs for "mining and domestic use at townsite on railroad." This application was denied in 1909 because the waters had already been appropriated by the Las Vegas and Tonopah Railroad. (See the attached Application No. 1234.)

The June 25, 1910 edition of the *Las Vegas Age* indicates that a railroad station worker, Tom Williams, used water from Corn Creek Springs to irrigate a garden. The article, titled "Difficult Gardening," states:

At Corn Creek station, 24 miles northwest of Vegas on the L.V. & T. line, lives Pumper Tom Williams, alone except for two or three section men who sleep in the nearby house every night. Tom has found time between the duties of the numerous offices he fills to do some fancy gardening. The waste which sometimes overflows from the tank is carefully stored in a small reservoir and used for irrigation. Lettuce, radishes, beans, peas, onion, potatoes, and several other products are raised in his garden to supply Tom's family table. It is a surprise to find such a garden in a place so remote from the touch of civilization, and the success of this small matter indicated that the soil in that locality has good possibilities if brought under cultivation.

(See the attached *Las Vegas Age* article.)

The first water right filing for irrigation and domestic uses was in 1914 by Sylvester B. Nay. Mr. Nay sought to appropriate 2 cfs and use the water on 20 acres of land located about 1 mile southeast of the current place of use. This application was approved in 1914 and the beneficial use form was filed in 1916. However, a cultural map was never filed and the permit was canceled in 1971. (See the attached Application No. 2877.)

In October 1916, George C. and Clara B. Richardson purchased the N $\frac{1}{2}$ of Section 34, T.17S., R.59E. from Mary C. Godfrey. (See the attached quit-claim deed, no. 14806, executed November 14, 1916.) A daughter of the Richardsons, Ada C. Young, remembers that when she moved to the Corn Creek Springs, there was "a garden and some natural grasses fed by the springs that the cattle grazed on." The Richardsons continued to use the springs to water livestock, as her family "always had about 75 head of cattle and 20 horses." The Richardsons constructed a small reservoir and conveyance system. By 1919, they had enlarged the garden area and were "irrigating approximately 60 acres." Ada Young also notes that the spring water was "dipped for domestic uses." (See the attached statement of Ada C. Young, original on file with Proof 02806.)

George and Clara Richardson made annual interest and principal payments on Mary Godfrey's patent application from 1917 to 1924. On November 26, 1923, Mary C. Godfrey, and her assigns, were issued, by the State of Nevada, the patent to the land. (See attached Nevada State Land Office Application No. 12681 and related materials.)

The Richardson family operated the ranch and presumably used water from Corn Creek Springs for domestic, irrigation, and stock use until August 27, 1936, when Clara Richardson sold the

property to George F. and Janet W. Worts. [See the attached statement of Ada C. Young, document titled "Tenure of Corn Creek Station," (originals on file with Proof 02806), the attached material on Nevada State Land Office Application No. 12681, Contract No. 9016, and the attached Agreement No. 63456 and Instrument No. 75613.]

The first water right filing to appropriate water from Corn Creek Springs in a manner similar to its present-day use occurred in 1938. George F. Wort filed Application No. 10198 for 0.5 cfs for domestic use and irrigation of 50 acres of land around the present-day headquarters. This application was approved on May 3, 1938. (See the attached Application No. 10198.)

George and Janet Worts sold the ranch to the United States of America on October 12, 1939. A 1939 United States Department of Agriculture, Bureau of Biological Survey Acquisition Examination Report notes that water from the springs, along with water from a well, are used for domestic purposes and the irrigation of approximately 10 acres. Water from the springs was collected in a small reservoir and conveyed through a series of ditches and pipes to the irrigated acreage. (See the attached Certificate of Title, Warranty Deed, and Acquisition Examination Report.)

Although Permit 10198 was in effect when the United States of America purchased the ranch, the United States failed to file the necessary paperwork to perfect the water right and the State Engineer canceled the permit in 1942. (See the attached Application No. 10198.)

Since the 1939 purchase, the two federal agencies which have administered the site, the Bureau of Biological Survey and its successor, the U.S. Fish and Wildlife Service, have continued to irrigate approximately 14.3 acres of pasture and orchard lands with water from Corn Creek Springs. The pasture is used by four Service horses and the orchard, consisting of pecan, pomegranate, apple, plum, almond, and apricot trees, supplies food for migratory and resident birds, Service personnel, and visitors to the Desert National Wildlife Range. The irrigation pond also supplies habitat for wildlife.

* Cannot read words due to condition of microfiche.

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Corn Creek Springs
Name of natural water source

The water is diverted from its source natural spring stream runs to a small pond
Name of ditch, flume or pipe line

at the following point(s) (1) 6" weir - South 18°34'E. 461.25 feet, (2) 6" inlet pipe and valve South 25°27' East 687.85 feet, and (3) South 19°59' East 586.72 feet, all from the N1/4 Corner Section 34, T17S., R.59E., being within the NW1/4NE1/4 Section 34.
List all points of diversion from this source, appending a sheet if necessary
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated

The three Corn Creek Springs are located at the following points: Spring No. 1 -
South 53°35'E 739.20 feet, No. 2 - South 52°50' East 721.53 feet and Spring No. 3 -
South 37°46'E. 553.40 feet, all from the N1/4 corner, Section 34, T.17S., R.59E.

(1) Name of claimant U. S. Department of the Interior, Fish and Wildlife Service,
Bureau of Sport Fisheries and Wildlife
Address P. O. Box 3737, County of Multnomah
State of Portland, Oregon 97208

(2) The means of diversion employed improved spring channel, pond, pipeline and ditches
Dam and ditch, pipe line, flume, etc.

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

(4) The construction of the ditch or other works was begun 1885
and completed 1903

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom.....
feet, width on top two feet, depth one feet, on a grade of 50 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.

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 fee title

Fee simple, public domain, etc.

(11) Crops of hay, pasture, orchard, lawn grass
have been grown upon the land irrigated.

(12) The water has been used for irrigation from January 1 to December 31
of each year. Day of month Day of month



(13) List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with corresponding subdivisions, appending extra sheets if necessary.

1885, 11.5 acres in the NE1/4NW1/4 of Sec. 34, T. 17S., R. 59 E.
 Year
 1885, 2.8 acres in the NW1/4NE1/4 of Sec. 34, T. 17S., 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.
 _____, _____ 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.

(14) The maximum acreage irrigated in any year was 14.3 acres.

(15) The water claimed has ~~been~~ used for irrigation each and every year since the right was initiated. Strike out one not wanted

(16) 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

(17) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of _____ County, said record being at page _____ of Book _____ of _____, and being a claim for _____ of water for the irrigation of _____

acres of land in the following legal subdivisions: _____

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 (17)

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation: Wildlife, domestic and stock purposes and all uses incidental to the operation and maintenance of the Desert National Wildlife Range.

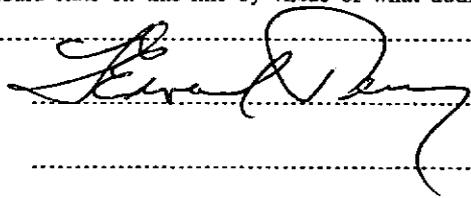
(19) The character of the soil is coarse sandy loam 5 acre-feet per acre per annum have been used to irrigate the crops. A continuous flow of 5 cubic feet of water per second has been used to irrigate 14.3 acres of land.
(Sandy, gravelly, loam)

(20) Remarks: This claim is submitted by the U. S. Fish and Wildlife Service as "Prima Facie" evidence of a water right on the Corn Creek Springs. As part of the supporting evidence and data for this claim are the statements of F. B. Warman, Henry Hudson Lee, and Ada C. Young. Also, the June 20, 1948 edition of the Las Vegas Sunday Review-Journal with an article entitled "Corn Creek Ranch Headquarters for Big Game Refuge" giving a brief history of the use of the Corn Creek Springs together with a tenure of the N1/2 Section 34, T. 17 S., R. 59 E.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by U. S. Fish & Wildlife Service 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



Subscribed and sworn to before me this 14th day of November, 19 72

Helen D. Hunter

Notary Public in and for the County of Multnomah
State of Oregon
My commission expires March 31, 1974

\$10 FILING FEE MUST ACCOMPANY PROOF

FILED
SEPT 13 1972
STATE ENGINEER'S OFFICE

Filing Serial No. 02806

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source. Corn Creek Springs
Name of natural water source

The water is diverted from its source. natural spring stream runs to a small pond
Name of ditch, flume or pipe line

at the following point(s) South 19°2' East 580 feet from the N1/4 Corner Section 34.
List all points of diversion from this source, appending a sheet if necessary

T.17S., R.59E., being within the
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed
NW1/4NE1/4 Section 34. Two other unsurveyed points of release

land, it should be stated
from the pond are (1) 6" weir - South 18°E. 462 feet, (2) 6" inlet pipe and valve
South 25° East 696 feet - both from the N1/4 Corner, Section 34.

The two Corn Creek Springs are located (not surveyed) at the following points - north
spring-South 55° E. 720 feet., South spring-south 52°50' East 752 feet, both from the
N1/4 corner, Section 34, T.17S., R.59E..

(1) Name of claimant U. S. Department of the Interior, Fish and Wildlife Service,
Bureau of Sport Fisheries and Wildlife
Address P. O. Box 3737, County of Multnomah
State of Portland, Oregon 97208

(2) The means of diversion employed improved spring channel, pond, pipeline and ditches
Dam and ditch, pipe line, flume, etc.

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

(4) The construction of the ditch or other works was begun 1885
and completed 1903

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom one
feet, width on top two feet, depth one feet, on a grade of 50 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)

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and completed

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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.

~~100%(All)~~
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 free title
ownership
Fee simple, public domain, etc.

(11) Crops of hay, pasture, orchard, lawn grass
have been grown upon the land irrigated.

(12) The water has been used for irrigation from January 1 to December 31
of each year. Day of month Day of month

(13) List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with corresponding subdivisions, appending extra sheets if necessary.

1885....., 11.5 acres in the NE1/4NW1/4..... of Sec. 34, T. 17S, R. 59 E.
Year
 1885....., 2.8 acres in the NW1/4NE1/4..... of Sec. 34, T. 17S, R. 59 E.
 acres in the..... of Sec....., T....., R..... E.
 acres in the..... of Sec....., T....., R..... E.
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(14) The maximum acreage irrigated in any year was 14.3 acres.

(15) The water claimed has ~~(has not)~~ been used for irrigation each and every year since the right was initiated. Strike out one not wanted

(16) 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

(17) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of..... County, said record being at page..... of Book..... of....., and being a claim for..... of water for the irrigation of..... acres of land in the following legal subdivisions:

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 (17)

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation: Wildlife, domestic and stock purposes and all uses incidental to the operation and maintenance of the Desert National Wildlife Range.

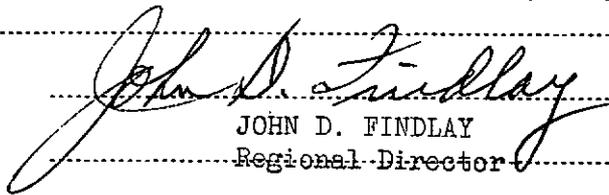
(19) The character of the soil is coarse sandy loam 5 acre-feet per acre per annum have been used to irrigate the crops. A continuous flow of .5 cubic feet of water per second has been used to irrigate 14.3 acres of land.
(Sandy, gravelly, loam)

(20) Remarks: This claim is submitted by the U. S. Fish and Wildlife Service as "Prima Facie" evidence of a water right on the Corn Creek Springs. As part of the supporting evidence and data for this claim are the statements of F. B. Warman, Henry Hudson Lee, and Ada C. Young. Also the June 20, 1948 edition of the Las Vegas Sunday Review-Journal with an article entitled "Corn Creek Ranch Headquarters for Big Game Refuge" giving a brief history of the use of the Corn Creek Springs together with a tenure of the N1/2 Section 34, T. 17 S., R. 59 E.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by U. S. Fish & Wildlife Service 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


JOHN D. FINDLAY
Regional Director

Subscribed and sworn to before me this 18th day of July, 1972

Notary Public in and for the County of Multnomah
My commission expires March 31, 1974

\$10 FILING FEE MUST ACCOMPANY PROOF