

No. 1549

Indexed under

Name of applicant  Report No.

Map 10-153

Stream  DIAMOND VALLEY

Field Book

Township 22, N.R. 54E  → See "Affidavit," Filed 11-17-27

SE 1/4 SW 1/4 Sec. 12 "Explanation of Error in Print of Diversion"

Application filed Oct. 19, 1925 ASSIGNED

Applicant Marcos Legarra

Source of Water Maggini Spring No. 2 ASSIGNED

Returned for correction

Corrected application received

Sent for publication Oct. 23, 1925 to Eureka Sentinel

Proof of publication filed Feb. 27, 1926.

Investigated on ground by

Protested

Ready for action December 28, 1925.

Approved June 16, 1926 for 0.025 c.f.s. - strong

Denied

Withdrawn by applicant

Canceled

Proof of labor filed July 16, 1926 <sup>Dup.</sup> Sept. 16, 1926

Map filed October 15, 1927 Sept. 16, 1927

Proof of completion of work filed July 16, 1926 Sept. 16, 1927

Proof of beneficial use filed July 16, 1926 Sept. 16, 1928

Certificate No. 1472 issued December 21, 1928 - 0.025 - Per.

Recorded - 1-4-29 - Book B. Page 5 - Eureka Co. Clerk. (See # 7210 for title)

REMARKS

See "Affidavit in Explanation of Error in Print of Diversion" Filed November 17, 1927

ASSIGNED = To = Clement Maggini = Eureka County = Nevada  
Filed 7-7-29 = By = Marcos Legarra = Eureka = Nevada = 7-5-29.

Send copy of all correspondence & notices to: Roy E. Hubbard P.O. Box 241 Eureka, Nevada 89316 Letter filed in # 7549 6/17/68

THE STATE OF NEVADA  
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS Marcos Legarra has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Maggini Spring No. 2 through reservoir, pipeline and troughs for Stockwatering purposes. The point of diversion of water from the source is as follows: NW 1/4 Sec. 12, T. 22 N., R. 54 E., M.D.B. & M., at S. 39° 15' E., 10265 feet from the SE corner Sec. 34, T. 23 N., R. 54 E., M.D.B. & M. situated in Eureka County, State of Nevada.

Now Know Ye, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Marcos Legarra  
Post-office address Eureka, Eureka County, Nevada  
Amount of appropriation 0.025 C.F.S. or sufficient to water 4000 head of sheep.  
Period of use, from April 1 to November 30 of each year  
Date of priority of appropriation October 12, 1925.

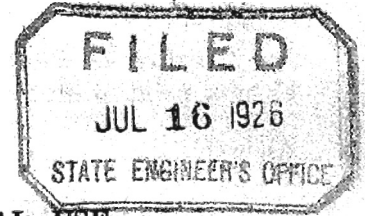
Description of works of diversion, manner and place of use:  
An earthen reservoir 15 feet square, and 3 feet deep was constructed at the spring located in the NW 1/4 Sec. 12, T. 22 N., R. 54 E., M.D.B. & M., from where water is conveyed by 20 feet of 2 inch pipe to 40 feet of 12 inch iron troughs where it is used for the watering of 4000 head of sheep.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, Geo. W. Malone, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 21st day of December, A. D. 1928

Recorded in 4-24 Bl. B Page 5  
County Records

By Geo. W. Malone State Engineer  
Assistant State Engineer



Under Permit No. 7549

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF PERMITTEE

NOTE—Questions 1 to 12 inclusive must be answered regardless of the purpose for which your permit for water has been granted. If this proof is made for irrigation purposes, a cultural map showing actual boundaries of land irrigated, together with classes of culture, etc., must accompany same, unless such map has already been filed. (See Sec. 69, Chapter 140, Statutes 1913.)

Question 1. What is your name, occupation, and postoffice address?

Answer: Marcos Legarra, Eureka, Nevada.

Question 2. Are you acting in behalf of a corporation? If so, state its name, place of business, and your authority for acting in its behalf.

Answer: No.

Question 3. What is the number of the permit under which this proof is made? Answer: 7549

Question 4. From what source do you obtain your water supply?

Answer: Maggini Spring No. 2

Question 5. What is the name of the canal, conduit, or other works by which water is conducted to its place of use?

Answer: Maggini Spring No. 2

Question 6. Are you the person to whom the permit was issued? If not, state how you obtained it, giving the succession of title.

Answer: Yes.

(If assignments of title are not on file in the office of the State Engineer, the certificate will issue to the original applicant.)

Question 7. For what purpose are you using the water for which you are now making proof?

Answer: Stockwatering

Question 8. How many cubic feet per second of water, or fraction thereof, have you actually diverted and beneficially used for the purpose for which this proof is made?

(Actual measurement of water shall be given. 40 miners' inches equals 1 cubic foot per second. 1 miners' inch equals 11.21 gallons per minute. 448.83 gallons per minute equals 1 cubic foot per second.)

Answer: One-tenth second feet.

Question 9. State the period during the year when water has been beneficially used.

Answer: April 1st to November 30th of each year.

Question 10. Do you divert and use more water at periods than granted in the permit for which proof is made? If so, make proper explanation.

Answer: No.

Question 11. Give date when water measurements were taken, the point at which such measurements were taken and the name and address of person who made the measurements.

Answer: No measurement taken.

Question 12. State, if you know, the normal number of cubic feet per second flowing in the source at your point of diversion.

Answer: .....

IF WATER IS USED FOR IRRIGATION ANSWER THE FOLLOWING:

Question 13. Upon how many acres have you beneficially used water?

Answer: .....

Question 14. Give the number of acres in each legal subdivision.

Answer: ..... 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.  
(Enumerate only the land upon which water has been actually used.)

Question 15. Have you installed a headgate and weir at your point of diversion, as required by the terms of your permit? Give approximate dimensions of headgate.

Answer: .....

Question 16. Do you use the rotation system for irrigating?

Answer: .....

Question 17. What is the character of the soil irrigated?

Answer: .....

IF WATER IS USED FOR STOCK-WATERING OR DOMESTIC PURPOSES ANSWER THE FOLLOWING

Question 18. Give detailed description of works of diversion and manner by which water is stored for beneficial use, embracing approximate dimensions of dam at source, size and length of pipe, and size and number of tanks or troughs. If troughs are not used state exactly how water is stored for beneficial use.

Answer: Twenty feet of two inch pipe 20 feet in length; Two Iron troughs 40 feet long and One reservoir 15 feet square.

*See map for this description*

Question 19. Give approximate number and kind of animals watered.

Answer: 400<sup>0</sup> head of Sheep and Lambs.

IF WATER IS USED FOR POWER OR MINING AND MILLING PURPOSES ANSWER THE FOLLOWING:

Question 20. What are the dimensions of the diversion headgate and carrying capacity of the conduit in cubic feet per second? Is water diverted by ditch, pipe or flume?

Answer: .....



Question 21. What are the dimensions of the cross-section of the pipe, flume, ditch or other conduit at each change in cross-section, and the length of each portion of the same size?

Answer: .....

Question 22. What is the average grade or difference in elevation between the termini of the conduit? Give the grades of the different sections of conduit as shown above.

Answer: .....

Question 23. Give any information concerning diversion and use of water for power or mining not covered above.

Answer: .....

IF WATER IS USED FOR ANY PURPOSE NOT HERETOFORE NAMED  
DESCRIBE FULLY UNDER REMARKS:

Remarks: .....

(Give all information relative to the method of use of water and any other matters you deem important.)

The map made in substantiation of the claims herein, prepared under my instructions and authority, shows the actual conditions on the premises.

Signed: *Marco Legarra*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, and I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me at my office in Eureka, County of Eureka, State of Nevada, on this 14 day of July, A. D. 1926.

*Edward Eastman*  
Notary Public

APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Serial No. 7549

Date of first receipt and filing in State Engineer's office OCT 19 1925  
Returned to applicant for correction \_\_\_\_\_  
Corrected application filed \_\_\_\_\_

The undersigned Marcos Legarra  
Name of applicant  
of Eureka, County of Eureka,  
State of Nevada, hereby makes application for  
permission to appropriate the public waters of the State of Nevada,  
as hereinafter stated. (If applicant is a corporation give date and  
place of incorporation.)

1. The source of the proposed appropriation is Maggini Spring No. 2  
Name of stream, lake, or other source.
2. The amount of water applied for is One-tenth second-feet.  
One second-foot equals 40 miners' inches.
3. The water to be used for Stockwatering  
Irrigation, power, mining, manufacturing, domestic, or other use.
4. The water is to be diverted from its source at the following  
point: SE 1/4 of the SW 1/4 of Section 12, TWP. 22 N. R. 54 E. M. D. B. & M.  
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unurveyed land it should be so stated.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is \_\_\_\_\_
- (b) Description of land to be irrigated \_\_\_\_\_  
Describe by legal subdivision, or if on unurveyed land it  
should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

Use of Water

- (c) ~~Irrigation~~ will begin about April 1st and end about  
Month  
November 30th, of each year.  
Month

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE  
FOLLOWING INFORMATION:

- (d) Power to be developed is \_\_\_\_\_ horsepower.
- (e) Works to be located SE 1/4 of the SW 1/4 of Sec. 12 Twp. 22 N. R. 54 E.  
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.
- (f) Point of return of water to stream Not to be returned.  
Describe in same manner as point of diversion.
- (g) Remarks Map will be filed later on.  
Approximately 4000 head of sheep will be watered.