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STATE DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RIGHTS

APPLICATION No. 5169

APPLICATION FOR A PERMIT

To appropriate Unappropriated Waters of the State of California

FOR AGRICULTURAL PURPOSES

(USE THIS FORM ALSO FOR PURELY DOMESTIC OR INDUSTRIAL PURPOSES)

I, G. S. Wheeler DATE REC'D 7/7/27 ASSIGNMENT TO L. J. Taylor
(Name of Applicant)
of Wheelerville, via Reno County of Washoe
(Post Office) State of Nevada

do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

SOURCE, AMOUNT AND USE APPLIED FOR

1. The source of the proposed appropriation is Little Truckee River
(Name of stream, lake, or other source. If underground water is to be developed, so state)
located in Nevada County, tributary of Truckee River

2. The amount of water which applicant desires to appropriate under this application is as follows:
(a) For diversion to be directly applied to beneficial use without storage
cubic feet per second, to be so diverted from _____ to _____ of each season.
(Date) (Date)
(b) For diversion to be stored temporarily and later applied to beneficial use 49,000
(1 acre-foot=325,851 gallons)
acre-feet per annum; to be collected between October 1 and July 1, following of each season.
(Date) (Date)

NOTE—Answer (a) or (b) or both (a) and (b) as may be necessary. It is important that the answers be complete and accurate. A permit can not be issued for a larger quantity than as described therein.

3. The use to which the water is to be applied is Irrigation and domestic
(Irrigation, domestic, industrial)

4. The point of diversion is to be located Storage dam in NE 1/4 of SE 1/4 of Sec. 4, T 18 N,
R. 17 E., M.D.M. in Nevada County, California. Thence water flows down
(Give distance and bearing or coordinate distance to section or quarter section corner)
Little Truckee and Truckee Rivers to be re-diverted by existing ditches at
various points in T. 18 N. R. 18 E., and T. 19 N, Rs. 18, 19 and 20 E., M.D.M.
being within the _____
(Give 40-acre subdivision of U. S. government survey or projection thereof)
of Sec. _____ Tp. _____ R. _____ M., in the County of Washoe, State of Nevada

5. The diversion ditches to be from 3 to 32 miles in length, terminating in the
(Main ditch, canal or pipe line)
at different points for different ditches
(Smallest legal subdivision) _____ of Sec. _____
Tp. _____ R. _____ M., the proposed location being shown throughout on the accompanying map.

6. The name of the ditch, canal or other works, if named, is to be _____

DESCRIPTION OF PROPOSED WORKS

(NOTE: AN APPLICATION CAN NOT BE APPROVED FOR AN AMOUNT GROSSLY IN EXCESS OF THE ESTIMATED CAPACITY OF THE DIVERSION WORKS)

7. (a) Diversion by gravity:
(1) Height of dams 2 ft. to 6 feet; length on top 125 ft. to 200 feet; length at
bottom 125 to 200 feet; material to be used and character of construction Concrete, Timber and Stone
(Loose rock, concrete, masonry, rock and
Crib, and Loose rock, Wasteways over dams.
brush, timber crib, etc., wasteway over or around dam)

(2) Description of headgate Timber gates with various number and sizes of
openings.
(Timber, concrete, etc.)
number and size of openings _____

(b) Diversion by pumping plant: Type of pumps _____
(Centrifugal, plunger, screw, etc.)
number of pumps _____; size of each _____; capacity of
each _____ cubic feet per second; total capacity of plant _____ cubic feet per second.
total pumping lift _____ feet; source of power _____
(Electric motor, gasoline engine, etc.)
capacity of power installation _____ horsepower.

Note: In case of insufficient space for answers in form above, use separate sheets, and cross reference.

EXHIBIT
tabbies
TC10-4

Conduit System (Main Conduits only)—

8. Give dimensions, length, grade (feet fall per 1000 feet length), and character of construction of diversion conduit.

(a) Canal, ditch, flume: Width on top (at water line) from 5 ft. to 18 feet; width on bottom 2 ft. to 10 feet; depth of water from 1.5 to 4 feet; length 15000 to 168000 feet; grade 0.41 to 1.5 feet per 1000 feet; materials of construction Earth and Rock excavation and Timber Flumes (Earth, rock, timber, etc.)

(b) Pipe line: Diameter inches; length feet; grade feet per 1000 feet; total fall from intake to outlet feet; kind (Riveted steel, cement, wood-stave, etc.)

NOTE—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

Storage Reservoir—

(PARAGRAPHS 9, 10, 11 AND 12 SHOULD NOT BE FILLED IN UNLESS STORAGE IS APPLIED FOR IN PARAGRAPH 2B)

9. The capacity of the storage reservoir will be 49,000 acre-feet; surface area 710 acres

10. The location of the storage reservoir will be in N 2 of SE 4, SW 4 of SE 4, NE 4 of SW 4, SE 4 of SW 4, NW 4 of SW 4, NW 4 of NE 4, SW 4 of NE 4, NE 4 of NW 4, NW 4 of NW 4, SE 4 of NW 4, and SW 4 of NW 4 of Sec. 4, NE 4 of NE 4 and SE 4 of NE 4 of Sec. 5, T. 18 N., R. 17 E., M.D.M.; S 4 of SE 4 of Sec. 20, W 2 of NW 4 and W 2 of SW 4 of Sec. 28, N 2 of NE 4, SE 4 of NE 4 & E 2 of SE 4 of Sec. 29, E 2 of NE 4 and E 2 of SE 4 of Sec. 32, W 2 of NW 4, W 2 of SW 4 & E 2 of SW 4 of Sec. 33, T. 19 N., R. 17 E., M.D.M.

11. The storage dam will be located in NE 4 of SE 4 of Sec. 4 (40-acre subdivisions) Sec. 4 T. 18 N. R. 17 E., M.D. M. It will be 140 feet in height; length on top 680 feet; length on bottom 205 feet; width on top 25 feet; slope of front or water face 5 hor. to 1 vert. (Feet horizontal to 1 vertical); slope on back 2 hor. to 1 vert. (Feet horizontal to 1 vertical); height of dam above water line when full 10 feet.

12. Character of construction of storage dam and the materials of which it is to be built Hydraulic fill of earth with concrete cut-off wall into bed rock.

Cost—

13. Estimated cost of proposed works, \$ 500,000

APPLICATION OF WATER TO USE

14. Construction work will begin on or before two years after granting of permit.

15. Construction work will be completed on or before 5 years after granting of permit.

16. The water will be completely applied to the proposed use on or before 10 years after granting permit.

17. The land to be irrigated has a total area of 25,000 acres, located in each forty-acre tract as follows: (State net acreage to be irrigated; not gross area of property) T. 18 N., Rs. 19 & 20 E.; T. 19 N., Rs. 18, 19 & 20 E., & T. 20 N., Rs. 19 & 20 E., M.D.M.

(Note that acreage given here must check map)

18. The crops to be irrigated are: ~~rice~~ grass pasture acres; alfalfa acres; orchard acres; general crops acres.

19. Irrigation will begin about April 1 (Date) and end about October 1 (Date) of each year.

GENERAL

20. Are the maps as required by the Rules and Regulations filed with application? No If not, state specifically the time required for filing same Three months (Yes or no) Yes at storage

21. Does the applicant own the land at the proposed point of diversion? Damsite If not, state what steps have been taken to secure right of access thereto. No (Yes or no) (See Rules and Regulations for requirements as to right of access)

22. Does the applicant own all the land to be irrigated? If not, submit a copy of agreement with owners or state what arrangements have been made with them. owns about 1500 acres and is negotiating with other owners (Yes or no)

23. Has the land to be irrigated any water right or source of water supply for irrigation other than herein applied for? Yes If so, state the nature and amount of this supply. nearly all of the lands have rights in normal flow of Truckee for from 3.5 to 5 acre feet per year, but the source is frequently from 10% to over 50% short, for all but few of oldest rights. (Yes or no)

24. What is the name of the post office most used by those living near the proposed point of diversion? Reno, Nevada.

25. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? Below Reservoir: Truckee River Power Co., Steamboat Canal & Irrigation Co., South Side Canal Co., Orr Water & Ditch Co., all of Reno, Nevada, and about 800 individual water users in Washoe, Storey, Lyon, and Churchill Counties, Nevada.

26. It is understood and agreed that this application and the permit and license which may be granted hereunder shall be subject to all the conditions set forth in Section 20 of the Water Commission Act (Statutes 1913, Chapter 586), which is as follows:

Sec. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this section and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; provided, that if, at any time after the expiration of twenty years after the granting of a license, the state, or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to purchase the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has ceased to put said water to such useful or beneficial purpose, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license, and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. And the findings and declaration of said commission shall be deemed to be prima facie correct until modified or set aside by a court of competent jurisdiction; provided, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And every licensee or permittee under the provisions of this act if he accepts such permit or license shall accept the same under the conditions precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulations by any competent public authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; provided, however, that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; and providing, further, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality; and providing, further, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation permitted; and provided, further, that when such municipality shall desire to use the additional water granted in its said application it may so do upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.

A. S. Wheeler, (Name of Applicant)

by R. H. Taylor, att.

Signed in the presence of us as witnesses:

1. Arthur Mearns (Name)

Forum Bldg (Address)

2. Esther C. Crockett

Applicant

Application No. 5169

Permit No.

APPLICATION AGRICULTURAL TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF CALIFORNIA

This application was first received in the office

of the DIVISION OF WATER RIGHTS the 25th

day of AUGUST 1926

at 9:30 o'clock A.M.

RETURNED TO APPLICANT FOR CONNECTION

CORRECTED APPLICATION RECEIVED

Approved:

Recorded in Book No.

Permits on Page

PERMIT No.

STATE OF CALIFORNIA

COUNTY OF

This is to certify that we have examined the application of which the foregoing is a true and correct copy and do hereby grant the same, subject to VESTED RIGHTS and the following limitations and conditions, in addition to those enumerated in Section 20 (Statutes 1919, Chapter 586) set forth above.

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed

2. The maximum amount herein stated may be reduced in the license if investigation so warrants.

3. Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.

4. Said construction work shall be completed on or before

5. Complete application of the water to the proposed use shall be made on or before

Witness the signature of the Chief of the Division of Water Rights, Department of Public Works of the State of California, and the seal of said department

this day of 19

Chief of Division of Water Rights, Department of Public Works of the State of California