

UCCSN Board of Regents' Meeting Minutes July 20-21, 1921

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Reno, Nevada
July 20, 1921

The Regents met in the Office of the President at 10 o'clock on Wednesday July 20, 1921. All members of the Board, Vice President Lewers and Comptroller Gorman were present.

On motion of Regent Pratt, List No. 7, covering Regents Checks Nos. 1055 to 1057 inclusive, for the net sum of \$1,843.03, and List No. 10, State Claims Nos. 84 to 86 inclusive, for the net sum of \$480.75, were approved by the following vote:

Mrs. Hood	Aye
Judge Talbot	Aye
Mr. North	Aye
Judge Curler	Aye
Mr. Pratt	Aye

Mr. Pratt moved the ratification of the signing by Judge Curler for the Board of Regents of application for industrial track from the Western Pacific Railroad to a point on the University Campus as submitted by the Western Pacific Railroad on their regular standard printing application form, said signatures affixed July 11, 1921. Vote:

Mrs. Hood	Aye
Judge Talbot	Aye
Mr. North	Aye
Mr. Pratt	Aye

After some discussion regarding the purchase of oil storage tank for the University, as the Western Pipe and Steel Company of Los Angeles had notified Mr. Gorman that he had misunderstood their quotations as submitted to the Board at its meeting of June 30th, Mr. North moved that Mr. Gorman and Mr. Pratt be authorized and directed to look into the matter of obtaining a second-hand tank from the Hercules Powder Company and to report their findings at the next meeting of the Board. Vote:

Mrs. Hood	Aye
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Judge Talbot	Aye
Mr. North	Aye
Judge Curler	Aye

Mr. Gorman reported that two University checks sent firms out of town are still outstanding and have apparently been lost in the mails. Regent Pratt moved that Comptroller Gorman be authorized to stop payment on Check No. 11370, April 12, 1921, to Western Laboratories for \$172.80, and on check to Eimer and Amend for \$12.75, issued December 20, 1920, and to issue duplicate checks in their stead. Vote:

Mrs. Hood	Aye
Mr. Pratt	Aye
Judge Talbot	Aye
Mr. North	Aye
Judge Curler	Aye

In order that the Instructors in the Summer School might have their pay checks at the end of the session, Comptroller Gorman asked that the Regents might meet on Friday, July 29th. The Secretary was instructed to call the meeting at that time.

Comptroller Gorman reported that the auditor for the Hatch and Adams funds had already made his audit and that the auditor for the Smith-Lever funds was soon to come.

Judge Curler stated that Carl Wheeler had come to him and said that the University Farm was apt to be short of water as a result of the sale of shares of stock in the South Side Irrigation Canal Company by Professor F. W. Wilson, the Secretary of the S. S. Canal Company, to Miss Frances Frey and Mr. Compton. The claim is made that there are 120 shares of stock, each share representing one inch of water, and that the Ditch will carry but 1100 inches; that Government action looks to the reduction of the water claims of all irrigation ditches allotting only what is necessary actually to irrigate the land. Mr. Wheeler stated to Judge Curler that shares of stock in this Company entitled the owner merely to a right of way and that the title to the water is acquired by appropriation to each individual and that by virtue of the Nixon Estate not having used water for over 4 years their right to the water from the river was dead and that all that they had was the right to carriage and that Miss Frances Frey and Mr. Compton, when they bought the shares that Professor Wilson secured for them from the Nixon Estate, bought nothing except the right to carry water, because the right to any water from the river through this ditch had been lost by the statutes of limitation and the right to the water

properly acquired by other users. The contention was that it was up to us; that the water used by Miss Frey and Mr. Compton would come from the University water rights.

When the Government was adjudicating water rights, these people who were using water from the South Side Irrigating Canal Company's ditch asked the Secretary of the Company, Professor F. W. Wilson of the University, if he could not secure them some stock. He was able to secure from the Nixon Estate for \$7.50 per share certain stock which he sold to the purchasers at \$50 a share.

Professor Wilson is the Head of the Department of Agriculture of the University of Nevada.

This Department is maintained by the people of the State that the farmers may receive help in their farm problems.

Legally the South Side Canal is but a carrier and not an owner of water; Professor Wilson has sold to citizens of the State of Nevada for \$50 a share the right to carry water.

Carl Wheeler states that Mr. Frey, through whom Miss Frey claims title to her land, entered into contract with his father to trade Mr. Wheeler 20 inches of water out of the Holcomb Ditch for 20 inches from the South Side Ditch, but that Mr. Frey subsequently did not cease to use the 20 inches, but continued to use the Holcomb Ditch and would not deliver this quantity of water in the Holcomb Ditch to Mr. Wheeler and that he did relinquish the 20 inches in the South Side Irrigating Ditch but the relinquishment is not on record.

Mr. Hancock, Foreman of the University Farm, was called before the Board. Later, Professor Wilson was called. Discussion with these men brought out the following facts:

The University should receive at the beginning of its land 210 inches of water, 200 inches for the University Farm and 10 inches for Mr. Fife, who is the last owner on the ditch and whose land adjoins the University Farm.

There is no present shortage of water on the University Farm but for a week there was a shortage of 75 inches. A shortage is apt to occur early in the season and then immediately after the first crop is harvested. There is plenty of water for all users if all take just what they are entitled to, provided there is any water in the river.

Mr. Hancock had been at the Farm nearly 6 years and in response to questions stated that the Freys and Mr. Compton had been using water from the South Side Irrigating Canal Company for all this time though they had no stock until the sale by Professor Wilson. During these years there had been no water shortage at the Farm, even though the University Farm is the last, but one, user of water from the S. S. Ditch. Mr. Frey traded 45 inches to Mr. Wheeler in exchange for 45 inches from the Holcomb Ditch and admitted that he had used as high as 100 inches from the S. S. Ditch and had failed to return to Wheeler the 45 inches from the Holcomb Ditch.

Don Wheeler, Jack Frey, Professor Wilson and Mr. Hancock had talked over the question of rights in the ditch and Don said the wheelers at present were entitled to but 136 inches as against the University's 210 inches, 10 of which were to be delivered to Mr. Fife. This agreement of Don's was not put in writing nor acted upon by the Wheeler Company. In addition to this 136 inches which the wheelers are entitled to from the South Side Ditch, they should have on trade the following amounts - 20 inches from Beroli, 45 inches from Hanson, 30 inches from Ferretti and 40 inches from Frey. Frey is supposed to take 20 inches from the South Side Ditch and Compton 10 inches. Compton has no other water. He irrigates 95 acres of land. The Holcomb Ditch is the higher, then the South Side Ditch and the Lake ditches which run parallel and at about the same level.

According to memorandum by Professor Wilson, the D. C. Wheeler Company, Inc. holds 233 shares of water stock. There are 2 1/2 shares in addition in the name of Carl S. Wheeler, 2 1/2 in the name of Guy Walts and 5 in the name of Donald Wheeler. What proportion of this is secured by trading he was not certain.

Professor Wilson stated that the Wheeler Company had not paid its assessments in the S. S. Ditch and he had been urging them to do so. That Wheeler's statement that the ditch would carry but 1100 inches was not so; that the Government measurements had shown that it could carry 1500 inches; there is ample water at the head of the Mc Farland flume to the end of the ditch. Uncle Dan Wheeler distributed the water in the ditch the way he chose, according to statement of Don Wheeler to Professor Wilson. Professor Wilson has been in charge of the University Farm since 1915 and has frequently tried to regulate the use of water by individuals under the South Side Ditch by adjusting their head-gates. This method had not been attended with any particular success.

Carl Wheeler told Judge Curler that they were entitled to 278

inches of water. It seems that this is somewhat higher than shown by the figures submitted.

After some further discussion of the matter, the meeting adjourned.

Carolyn M. Beckwith
Secretary