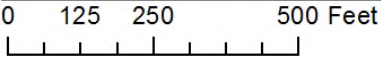


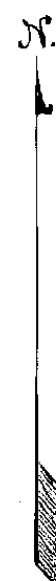
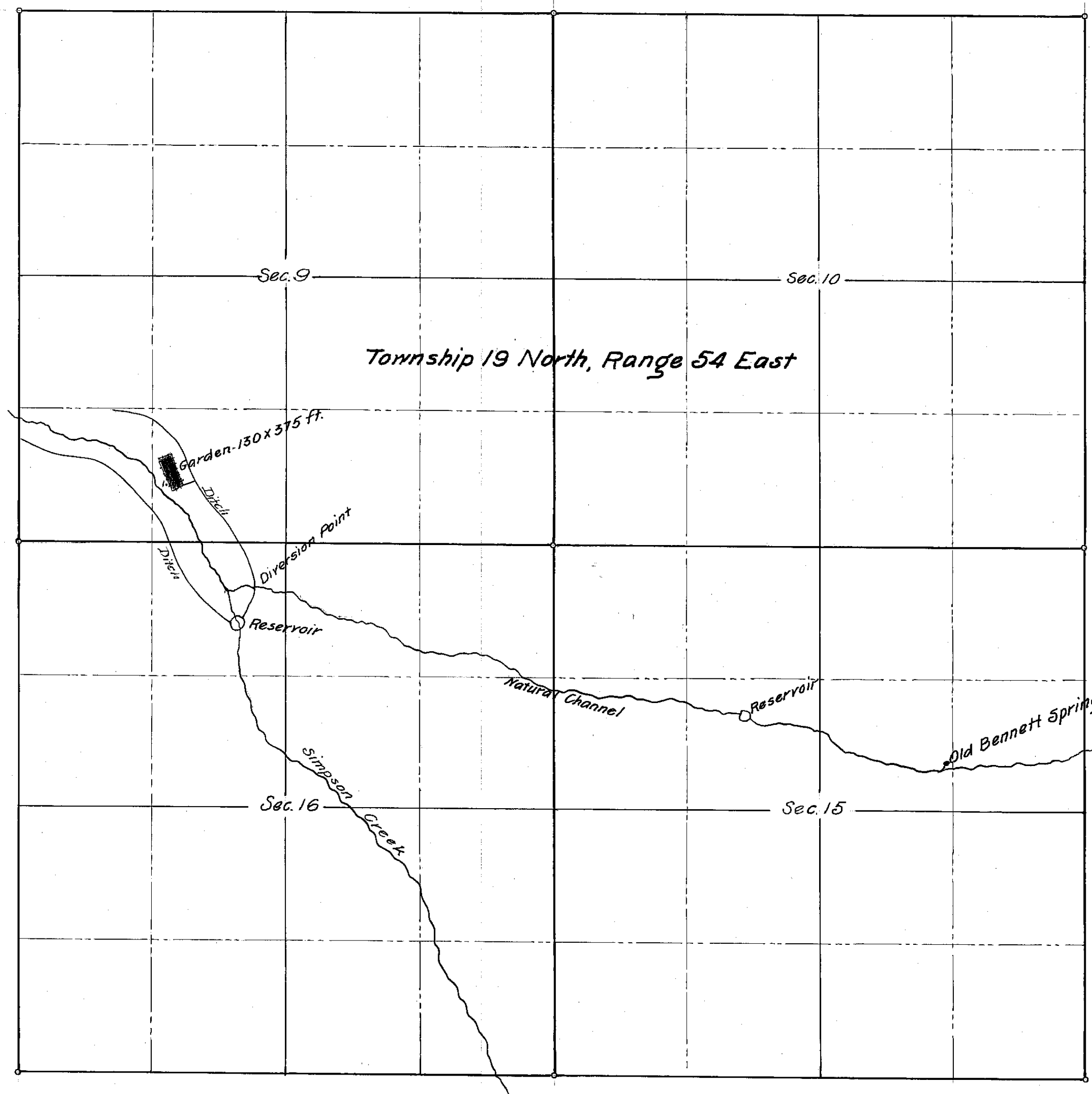
BLM-021

R-04239



GPS locations of PWRs provided by the Bureau of Land Management (BLM). Eureka County point based on coordinates provided in report. National Geographic topographic map. No warranty is made by BLM as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.





Scale: 6 inches = 1 mile.

STATE OF NEVADA } ss.
 County of Eureka }
 I, Geo. S. Nickerson, of Sacramento, Cal., hereby certify that the above map is a true and accurate plat of the plan of irrigation from the Old Bennett Spring, as taken from the field notes of a survey made by me on April 5th, 1912, and at the instance of Angelo Depaoli; that it represents the works described in his Proof of Appropriation No. together with the location of streams and ditches in the immediate vicinity.
 Geo. S. Nickerson, Surveyor.

ANGELO DEPAOLI
 OLD BENNETT SPRING
 Eureka County
 NEVADA

RECEIVED
 APR 23 1912
 MAY 1912

PROOF OF APPROPRIATION No. 01039

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

From Old Bennett Spring
Name of natural water source

Through Reservoir, natural channel and ditch.
Name of ditch, flume, or pipe line

Angelo Depaoli, the undersigned, being first
duly sworn, deposes and says that the facts relative to the appropriation of water by
himself 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 Angelo Depaoli
Address Eureka, County of Eureka
State of Nevada

(2) The means of diversion employed Reservoir and ditch
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was no survey

(4) The construction of the ditch or other works was begun Reservoir and ditch were
~~and completed~~ completed in 1900

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 2 feet
~~feet~~, width on top 3 1/2 feet, depth 1 feet, on a grade of 25 feet per thousand feet.

(6) The conduit ~~has~~ (has not) been enlarged.
None—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.
Claimant is sole owner
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
deeds from original owner who had desert entry and made final
proof.

(11) Crops of Potatoes and garden truck
have been grown upon the land irrigated.

(12) The water has been used for irrigation from April 1 to October 1
Day of month Day of month
of each year.

(13) The water was first used for irrigation by claimant ~~on~~ ~~in~~ in the year 1900
when 1.1 acres were irrigated in the S.E. 1/4 of SW 1/4 of Sec. 9
T. 19 N., R. 54 E.

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

Year	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.

See map -> 130 X 375 feet

Remarks: The tract of land irrigated is 130 X 375 feet
Append a sheet if necessary

and no additions have been made since the first year it was irrigated by the claimant from the Old Bennett spring in 1900

(15) The maximum acreage irrigated in any year was 1.1 acres.

(16) The water claimed has ~~been~~ 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 All the water used every year

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 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 (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: ~~Water used for watering stock and irrigation~~ only.

(21) Remarks: The flow of water from the Old Bennett spring does not exceed one miner's inch on a basis of 40 miner's inches to a second foot. The water in its natural flow during the irrigating season does not reach the land in question on account of the flow being so small and the distance too great. The manner of use by claimant is that the water from the spring is stored in the reservoir shown on the map for several days and then it is allowed to flow in a large stream for one or two hours and thus utilize all of the water by having a flow large enough to reach the land. There is no other claimant to any of the water of Old Bennett spring.

Angelo Repaldi

Subscribed and sworn to before me this 15 day of April, 1912

A. M. Charles County Clerk,

And ex-officio Clerk of the District Court, Butte County.

Notary Public in and for the County of

My commission expires

This part of form to be left blank by claimant

Filing Serial No. 01089

STATE OF NEVADA

Proof of Appropriation of
Water for Irrigation

Water Source Bennett Spring

Through Reservoir & Ditch

Claimant Angelo Depoali

Filed in the Office of the State Engineer on

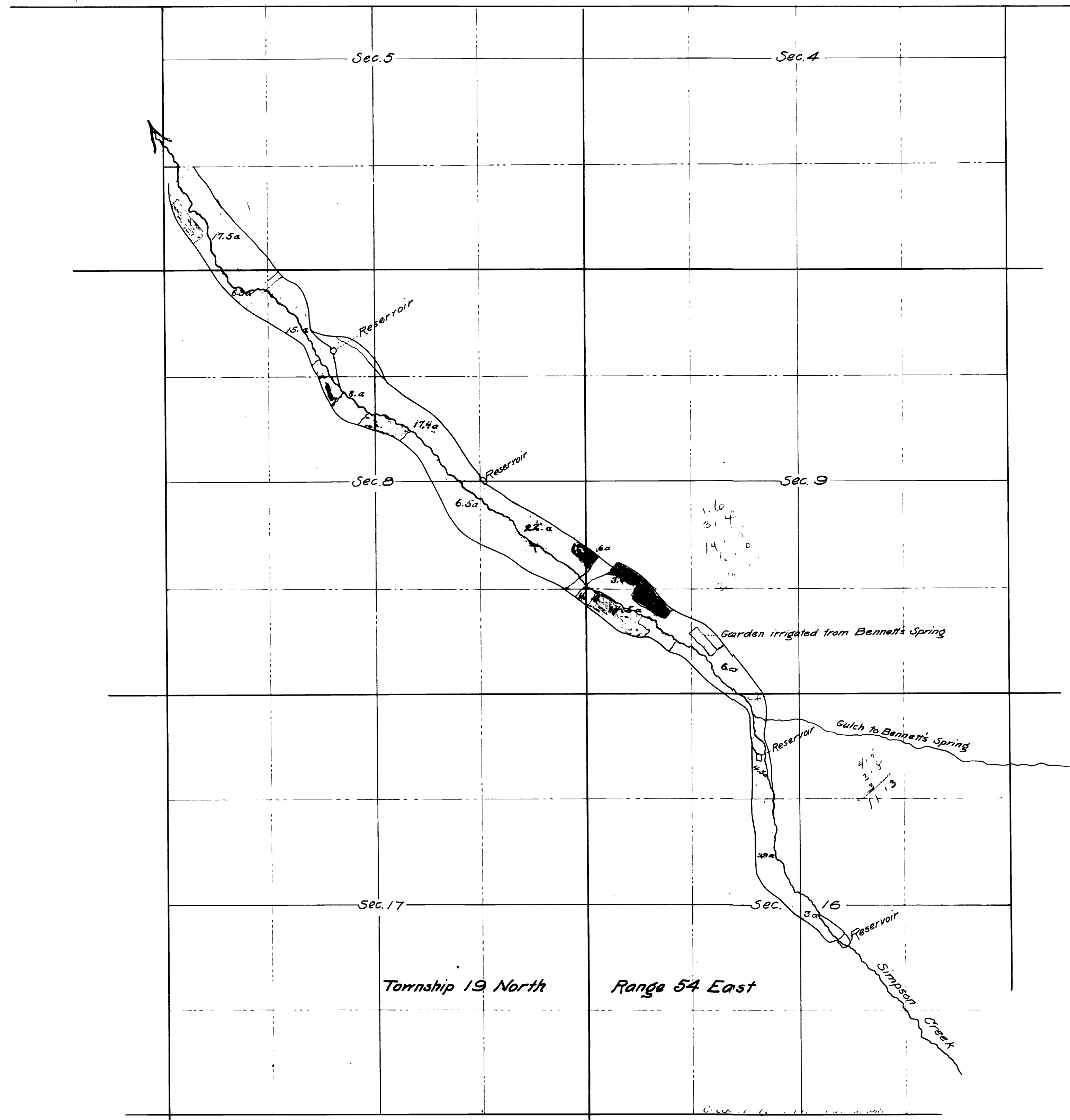
May 4th. 1912, 191

W. M. Kearney

State Engineer

Certificate No. issued hereunder

, 191



STATE of NEVADA } ss.
 County of Eureka }
 I, Geo. S. Nickerson of Eureka, Eureka County, Nevada, hereby
 certify that the above map is a true and accurate plat of the
 lands irrigated by Angelo Depaoli from Simpson Creek, as taken
 from the field notes of a survey made by me on Aug. 4th, 15th, 1912,
 and at the instance of said Angelo Depaoli; that it represents
 the works described in the accompanying Proof of Appropria-
 tion; together with the location of streams and ditches in the
 immediate vicinity.
 Geo. S. Nickerson
 Surveyor.

Scale: 1 inch = 800 feet.

Lands Irrigated By
ANGELO DEPAOLI
 From
SIMPSON CREEK
 Eureka County
 NEVADA

PROOF OF APPROPRIATION No. 01133

AMENDED

Filing Serial No. 01133

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source SIMPSON CREEK & TRIBUTARIES = COTTONWOOD CREEK, SPANISH GULCH, POISON SPRING
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source. Name of ditch, flume or pipe line

at the following point(s). 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

(1) Name of claimant JAMES E. & VERA L. BAUMANN
Address P.O. Box 308, County of EUREKA
State of NEVADA Telephone No. (775) 237-5452

(2) The means of diversion employed. 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 1865
and completed 1880

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 1-3 feet, width on top 2-5 feet, depth 1/2 - 2 feet, on a grade of Various 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.

THE CLAIMANT IS THE SOLE OWNER OF SAID DITCHES
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

(11) Crops of NATIVE HAY 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 JAN 1ST to DEC 31ST
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.

1865 Year, 19 acres in the SW¹/₄ SW¹/₄ of Sec 5, T 19, R 54 E.
"5¹/₂ acres in the NW¹/₄ NW¹/₄ of Sec 8, T "", R "" E.
15 acres in the NE¹/₄ NW¹/₄ of Sec 8, T "", R "" E.
7¹/₂ acres in the SE¹/₄ NW¹/₄ of Sec 8, T "", R "" E.
17 acres in the SW¹/₄ NE¹/₄ of Sec 8, T "", R "" E.
6¹/₂ acres in the NW¹/₄ SE¹/₄ of Sec 8, T "", R "" E.
21 acres in the NE¹/₄ SE¹/₄ of Sec 8, T "", R "" E.
5 acres in the NW¹/₄ SW¹/₄ of Sec 9, T "", R "" E.
14¹/₂ acres in the SW¹/₄ SW¹/₄ of Sec 9, T "", R "" E.
6 acres in the SE¹/₄ SW¹/₄ of Sec 9, T "", R "" E.
4¹/₂ acres in the NE¹/₄ NW¹/₄ of Sec 16, T "", R "" E.
9 acres in the SE¹/₄ NW¹/₄ of Sec 16, T "", R "" E.
3 acres in the NW¹/₄ SE¹/₄ of Sec 16, 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 133¹/₂ acres.

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

(20) Remarks ALL OF THE WATERS FLOWING FROM COTTONWOOD CREEK, POISON SPRING AND SPANISH GULCH FLOW INTO SIMPSON CREEK WHICH IS USED FOR IRRIGATION OF THE MEADOWSON SIMPSON CREEK RANCH.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by VERA L. BAUMANN are full and correct to the best of his knowledge and belief.

SUCCESSOR IN INTEREST

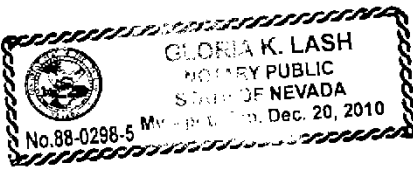
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

James E. Baum
Vera L. Baumann

Telephone No. (775) 237-5452

Subscribed and sworn to before me this 11 day of September, 2008

Gloria K. Lash



Notary Public in and for the County of Carson City

My commission expires Dec. 20, 2010

\$100 FILING FEE MUST ACCOMPANY PROOF

(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:

STOCK WATER

(19) The character of the soil is GRAVELLY LOAM (Sandy, gravelly, loam) A continuous flow of 3 cubic feet of water per second has been used to irrigate 133 1/2 acres of land and 3 acre-feet per acre per annum have been used to irrigate the crops.

2008 SEP 11 PM 3:35
STATE ENGINEER'S OFFICE

FILED
Sept. 9, 1912
STATE ENGINEER'S OFFICE

11712

Filing Serial No. 01133

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

From Simpson Creek
Name of natural water source

Through The Depaoli ditches.
Name of ditch, flume, or pipe line

Angelo Depaoli, the undersigned, being first
duly sworn, deposes and says that the facts relative to the appropriation of water by
Angelo Depaoli 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 Angelo Depaoli
Address Eureka, County of Eureka
State of Nevada.

(2) The means of diversion employed dams, ditches and reservoirs
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was no survey was ever made.

(4) The construction of the ditch or other works was begun about 1865
and completed about 1880.

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 1 to 3
feet, width on top 2 to 5 feet, depth 1/2 to 2 feet, on a grade of various 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.
The claimant is the sole and only owner of said ditches.
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
Desert land entry and deeds from former owners.

(11) Crops of alfalfa, timothy, grain, vegetables and fruit
have been grown upon the land irrigated.

(12) The water has been used for irrigation from April 1st to October 1st
of each year.
Day of month Day of month

(13) The water was first used for irrigation by claimant or his grantors in the year 1865
when about 65 acres were irrigated ~~at the~~ ~~of Sec~~
~~xxxxxxx~~ ~~xxxxxxx~~ along the creek bottom, but the exact location
is not known. In 1900 over 100 acres were irrigated, but the legal
subdivisions cannot be named with any certainty.

(14) The following shows description of land irrigated in 1904 and since
~~The additional number of acres first irrigated in subsequent years was as follows:~~

Year	Acres	Subdivisions	Sec.	T.	R.	E.
19	acres	SW $\frac{1}{4}$ SW $\frac{1}{4}$	5	19	54	E
5 $\frac{1}{2}$	acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$	8	"	"	E
15	acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$	8	"	"	E
7 $\frac{1}{2}$	acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$	8	"	"	E
17	acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$	8	"	"	E
6 $\frac{1}{2}$	acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$	8	"	"	E
21	acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$	8	"	"	E
5	acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$	9	"	"	E
14 $\frac{1}{2}$	acres	SW $\frac{1}{4}$ SW $\frac{1}{4}$	9	"	"	E
6	acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$	9	"	"	E
4 $\frac{1}{2}$	acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$	16	"	"	E
9	acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$	16	"	"	E
3	acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$	16	"	"	E
	acres					E
	acres					E

Remarks: The claimant purchased the ranch in 1901 at which time
 Append a sheet if necessary

there was over 100 acres being irrigated. The above shows the
 amount of land he is now irrigating.

*Priority of the
 Note: 15 acres, being
 1865 allowed for
 8.5 acres, being
 allowed under the date of 1900.*

(15) The maximum acreage irrigated in any year was 133 $\frac{1}{2}$ acres.

(16) The water claimed has (~~1877-78~~) 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 water used each and every year
 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
 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 (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: water used for irrigation only.

(21) Remarks: All of the water flowing in Simpson creek is used on the land herein described one-half of the time during the irrigating season as follows- the claimant uses all of the water in said creek for three successive days and allows it to flow to claimants below on the same stream. This alternating use is through the entire irrigating season.

Angelo Repoli

Subscribed and sworn to before me this 4th day of September 1912, 19

[Signature] County Clerk, And ex-officio Clerk of the District Court, Eureka County.

Notary Public in and for the County of

My commission expires

noe
100

This part of form to be left blank by claimant

Filing Serial No. **01133**

STATE OF NEVADA

Proof of Appropriation of
Water for Irrigation

Water Source Simpson Creek,

Through Depaoli Ditches.

Claimant Angelo Depaoli.

Filed in the Office of the State Engineer on

September 9th., 1912

W. M. KEARNEY,
State Engineer

Certificate No. issued hereunder

....., 191.....

Form No. B  1000-7-13-11



