

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.
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.
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~~ annex in the year 1900
 when 1.1 acres were irrigated in the S.E. 1 of SW 1 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.....

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 irriga-.....
ting 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 Depauli

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

J. M. Charles County Clerk,

And ex-officio Clerk of the District Court, Bureau 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

Form No. 8 200-7-11

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

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Dam and ditch, pipe line, flume, etc.

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

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and completed in 1900

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~~not~~ width on top 3 1/2 feet, depth 1 feet, on a grade of 25 feet per thousand feet.

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 and completed

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 top.....feet, depth.....feet, on a grade of.....feet per thousand feet.

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claimant is sole owner

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deeds from original owner who had desert entry and made final
proof.

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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 ~~XX~~ grantor in the year 1900
when 1.1 acres were irrigated in the S.E. $\frac{1}{4}$ of SW $\frac{1}{4}$ 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.

from 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 ~~has not~~ 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
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and being a claim for
of water for the irrigation of

(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) The character of the soil is (Sandy, gravelly, loam) The soil needs acre-feet per annum to properly irrigate the crops. A continuous flow of cubic feet of water per second, during the irrigation season of months, is needed to irrigate each 100 acres of land.

(22) 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 Depaoli

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

R. McCharles

County Clerk

E. _____ of Sec. _____, T. _____, R. _____, acres in the _____
 E. _____ of Sec. _____, T. _____, R. _____, acres in the _____
 E. _____ of Sec. _____, T. _____, R. _____, acres in the _____
 E. _____ of Sec. _____, T. _____, R. _____, acres in the _____
 E. _____ of Sec. _____, T. _____, R. _____, acres in the _____
 E. _____ of Sec. _____, T. _____, R. _____, acres in the _____
 E. _____ of Sec. _____, T. _____, R. _____, acres in the _____

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

Angelo Depaoli

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

R. McCharles County Clerk
 and ex-officio Clerk of the District
 Notary Public in and for the County of Court, Eureka County

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 Depaoli

Filed in the office of the State Engineer on

May 4th, 1912, 192

W.M. Kearney
State Engineer

Certificate No. issued hereunder

, 192

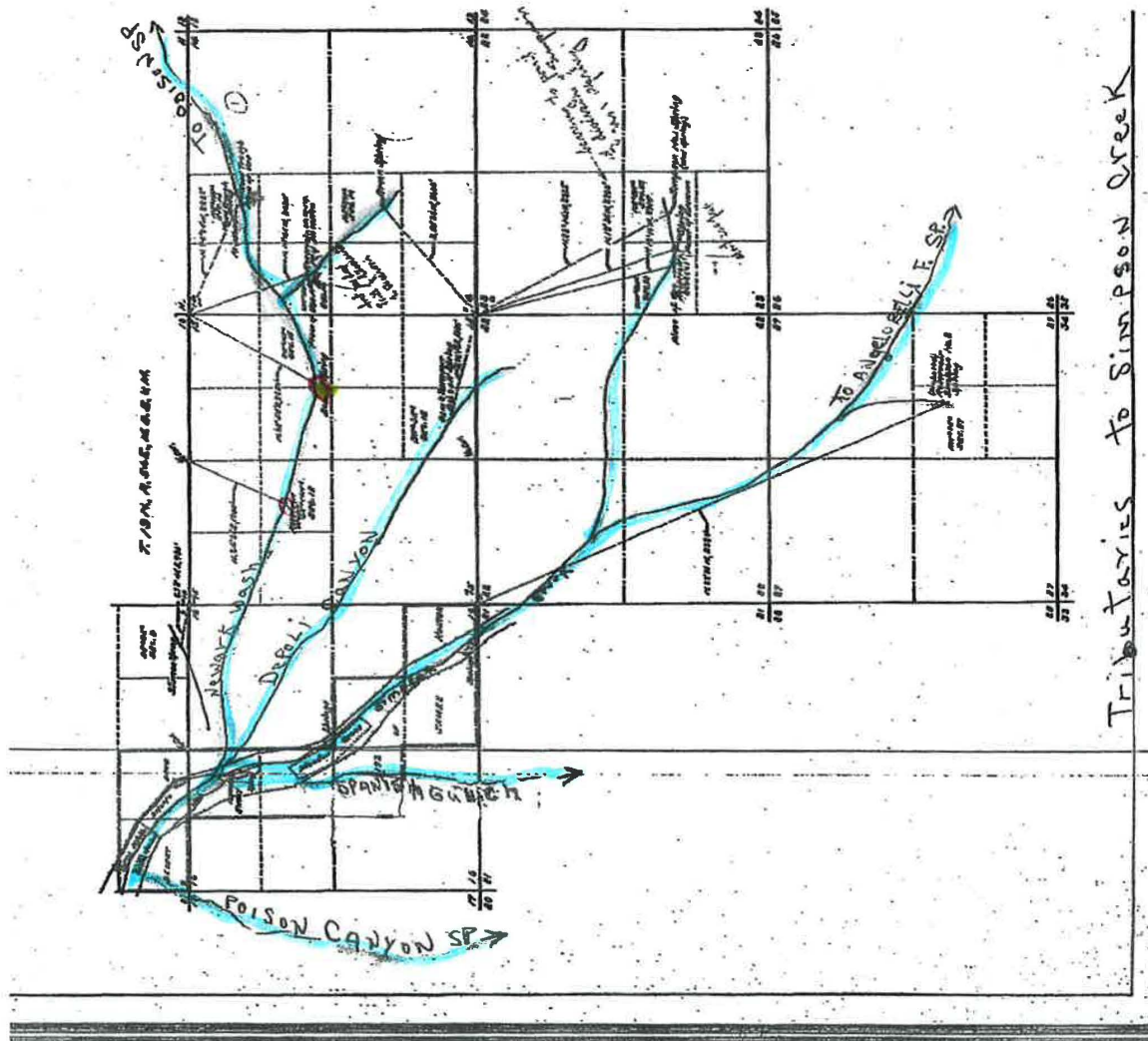
Form No. B-100



Scale: 6 inches = 1 mile.

[illegible]

PROOF OF APPROPRIATION No. 01039





Proof No. 01089

Certificate Record No. 42 Book 2 Page 42

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Angelo Depaoli has presented to the State Engineer
of the State of Nevada Proof of Appropriation of Water from _____

Cert. 42.

ASSIGNED August 25, 1920, by Angelo Depaoli and Theresa Depaoli
to James Hunter and Edith Mary Hunter. FILED MAY 15, 1924.

Eureka County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of Section 18, Chapter XVIII, Statutes of
1907, has determined the amount of such appropriation as follows:

Name of appropriator Angelo DepaoliPostoffice address Eureka, Eureka Co., NevadaAmount of appropriation (1.1) One and 1/10 acres.General priority number on main stream One

Priority number on _____

Amount of prior appropriations NoneAmount of equal priority NoneDate of appropriation A.D. 1900

Description of irrigated land 1.1 acres in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 9, T.19 N.R.
54 E., M.D.B. & M.

Description of use other than irrigation Stock watering and domestic purposes.

The right to water hereby determined is limited to Irrigation, stock watering and
domestic purposes, and the use is restricted to the place where acquired and to the
purpose for which acquired and is dependent upon Beneficial Use of such water.

IN TESTIMONY WHEREOF, I W.M. Kearney, State Engineer of Nevada, have hereunto
set my hand and the seal of my office, this 25th day of
November, A. D. 1912.

Compared: P.P. Jones

W.M. Kearney

State Engineer

2009
Corrected
Supplementary Information

Name: **Bennett Spring**

Latitude: 39.518

Longitude: 115.874

Elevation: 6804

NDWR Water Rights Application #: **#V01089**

Remarks:

Application No.: V01089 Application Status: VST Certificate No.: 7242

Owner(s): BAUMANN, JAMES E.; Status: VESTED RIGHT

Basin: 153 Basin Name: DIAMOND VALLEY Sub Basin:

Basin Status: DESIGNATED (ID) Region: CENTRAL County: EUREKA

Source: SPRING Source Description: OLD BENNET SPRING

Project Name: Decree Name: Use: IRRIGATION

Period Start: 0401 Period End: 1001

Point of Diversion Information: Qtr-Qtr: NE Qtr: NW Sec: 16 Twn: 19N
Rng: 54E

Duty Balance: 4.40 AFS Div Balance: 0.00

Acre-Feet Storage: 0 Well Log Nos.:

Remarks 1:

Application No.: V01089 Application Status: VST Certificate No.:

Assigned By: Effective Date:

Ownership Information

Owner	Type	Div Rate	Duty	Acres	Change By	Description
BAUMANN, JAMES E.	C	0	0	0		
BAUMANN, VERA L.	C	0	0	0		

Original Owner(s)

Owner
DEPAOLI, ANGELO

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Webmaster				



State of Nevada

Department of Conservation & Natural Resources

Division of Water Resources

Tracy Taylor, P. E. State Engineer

Water Rights Database, Page 2***Due Dates and Maps***

[New Search](#) [General Information](#) [Maps and Due Dates](#) [Place of Use](#) [Abrogations/Protests/Rulings](#)
[Ownership/Title](#)

Application No.: [V01089](#) Application Status: **VST Certificate No.:**

Filing Date: **05-04-1912** Priority Date: **01-01-1900** Return Date:
 Sent for Publication Date: Last publication Date: Ready for Action Date:
 Permit Date: Withdrawn Date: Forfeit Date:
 Cancel Portion: Cancellation Date: Cancellation Rescind Date:
 Denied Date:

Maps

Filed Under	Date	Filed Under	Date
Proposed POD: V01089	05-04-1912	Existing POD:	
Proposed POU:		Existing POU:	

Proofs of Completion and Beneficial Use

Due Date:	Rcvd:	Filed:	Ext. Due:	Ext Rcvd:
POC:				
PBU:				

Other Dates and Requirements

Cultural Map: PBU Map Received: PBU Map Filed Under: Certificate Date:
 Forfeiture Due Date: Extension required?: Forfeiture Portion: Forfeiture Received: Forfeiture Filed:
 Temporary Expiration Date: Other Date: Reporting Required?:
 Remarks 2:

NO. 7242

CERTIFICATE NO. 1952

ISSUED April 12, 1933

ASSIGNED: On August 4, 1958 by Estate of James Hunter to John Handley Hunter, and Kathryn Hunter. Deed filed February 10, 1959 in 4416.

ASSIGNED: On 2/10/69 by The Decree of Distribution of the Estate of John Handley Hunter to Kathryn Elizabeth Hunter. Filed 4/27/70 in 01089.

ASSIGNED: On 12/2/69 by Kathryn Hunter to Basic Industries, Inc. GBS filed 4/27/70 in 01089.

AFFIDAVIT OF

IDENTITY: States that Kathryn Elizabeth Hunter and Kathryn Hunter is c and the same person. Filed 4/27/70 in 01089.

ASSIGNED: On 12/26/69 by Basic Industries, Inc. to E. L. Cleveland. G deed filed 4/27/70 in 01089.

ASSIGNED: On September 15, 1970, by Eldon L. Cleveland to Ranchers Equipment and Supply Co., Inc., a Nevada corporation. Deed filed October 15, 1980, under 6225.

ASSIGNED: On October 4, 1971, by Ranchers Equipment & Supply Co., Inc. to Robert R. and Irene B. Campbell, husband and wife. Deed filed October 15, 1980, under 6225.

ASSIGNED: On August 20, 1980, by Robert R. and Irene B. Campbell, husband and wife, to James E. and Vera L. Bauman, husband and wife. Deed filed October 15, 1980, under 6225.



STATE OF NEVADA
ENGINEER'S OFFICE

ROBERT A. ALLEN
STATE ENGINEER
JOHN V. MUELLER
ASSISTANT STATE ENGINEER

CARSON CITY June 2, 1924.

Subject: Poison Canyon Spring, etc.

In replying, refer to Nos. 4416, 4417, 6225, 01085, 01089, 01133, 01512.

James and Edith Mary Hunter
% Edgar Eather
Attorney at Law
Eureka, Nevada

Dear Sir and Madam:

Assignment was

received and filed in this office under the above-mentioned
serial number son May 15, 1924.

Official receipt covering filing fee is inclosed herewith.
No. 15759.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Robert A. Allen", is written above the title "State Engineer".

State Engineer.

Copy of letter of June 4, 1925

Replying to your letter of May 25, 1925
In your reply ^{refer} to Nos. 01085, 01089, 01133, ^{Bennett} ^{Simpson}
01512, 6225, 4416, 4417.

Mr. James Hunter
Bar C. Ranch
Eureka, Nevada

Dear Sir:

We have your letter of the above date in which you asked for a list of the water filings which had been transferred to you from Angelo Sycas. We find the following filings:
Application.

No. 6225, for waters of Simpson Creek. This is an application to change the point of diversion and place of use.

01089 - Bennett Spring. Certificate
No. 42 has been issued
under this proof. Irrigation
of 1.1 A.

01133 - Simpson Creek. Certificate
Nos. 148 and 152 have
been issued under the
proof. For 65 A. and
68.5 A.

01512 - Poison Canyon Spring.
No Certificate has
yet been issued.
Stockwatering.

We are returning your money
order for \$1.00 as there is
no charge for this information.
If there is any further
information you desire in
connection with these
water rights, write us
again and we will be glad

of water under your proof of appropriation
No. 01085. No action has been taken
on this application. Irrigation.
Permits.

Nos. 4416 and 4417, for water
of Poison Canyon Spring and
Wdry Canyon Spring, respective
Proofs of beneficial use
~~have been filed under~~
these permits and they
are now ready for the
issuance of certificates by
this office. Stockwatering.

Proofs of appropriation (Vested
rights initiated prior to 1905)

01085 — Simpson Creek and
Springs. Certificate
No. 149 has been
issued under this
proof. Irrigation of
35.99A.



STATE OF NEVADA
ENGINEER'S OFFICE

ROBERT A. ALLEN
STATE ENGINEER
JOHN V. MUELLER
ASSISTANT STATE ENGINEER

CARSON CITY July 10, 1925

Replying to your letter of

In your reply refer to Nos. 4416, 4417, 01089, 01133, 01512 and 01085

Mr. James Hunter,
Eureka, Nevada

Dear Sir:

Pursuant to your verbal request to Mr. Payne while in Eureka recently, we have prepared copies of filings of record in this office originally made by Mr. Depaoli and now standing in your name, also copies of certificates issued under 01089, 01133 and 01085, and the proofs of beneficial use filed under Nos. 4416 and 4417. Bill for preparing these copies is inclosed.

Our records do not show any filings for water from any springs within Sec. 14, T. 19 N., R. 54 E.

We are inclosing blank applications in case you desire to make filings.

Yours very truly,

Robert A. Allen
State Engineer

By *John V. Mueller*
Office Engineer

Inc.
HP AQ



ALFRED MERRITT SMITH
STATE ENGINEER

STATE OF NEVADA
OFFICE OF STATE ENGINEER
CARSON CITY

HUGH A. SHAMBERGER
ASSISTANT

November 12, 1943

IN YOUR REPLY REFER TO NO. S. 4416, 4417, 6225, 7242, 10831 and 10967
01089, 01133 and 01512

Mr. James Hunter
Eureka
Nevada

Dear Mr. Hunter:

This will acknowledge receipt of your letter of October 21, 1943.

It is not necessary for you to file new applications on water sources that you already have a right to use by virtue of permits or claims of vested right.

To date you have the following water filings on record in this Office:-

Read
Application No. 4416, filed on April 30, 1917, for the waters of Poison Canyon Spring. The application was approved on January 5, 1918. Certificate No. 1357 was issued on April 13, 1928, for 0.0022 c.f.s. of water for stockwatering purposes.

Application No. 4417, filed on April 30, 1917, for the waters of Dry Canon Springs. The application was approved on October 30, 1917. Certificate No. 1356 was issued on April 13, 1928, for 0.0125 c.f.s. of water for stockwatering purposes.

Application No. 6225, filed on July 30, 1920, to change the point of diversion and place of use of the waters claimed under Proof of Appropriation of Water Serial No. 01085 on Simpson Creek with a priority of 1877. This application was approved on July 30, 1925, and Certificate No. 1951 was issued on April 12, 1933.

Application No. 7242, filed on October 31, 1924, for the waters of Depaoli Creek Spring. The application was approved on September 23, 1925, and Certificate No. 1952 was issued on April 12, 1933, for 0.003 c.f.s. of water for stockwatering purposes.

Application No. 10831, filed on May 29, 1942, for the underground water of Diamond Well. This application was protested by A. C. Florio on November 17, 1942. No action has been taken.

Application No. 10967, filed on July 3, 1943, for the waters of Simpson No. 2 Spring. No action has been taken. *certified*

Mr. James Hunter
11/12/43 - Page Two

*Bennett,
Simpson Creek Springs.*

Proof of Appropriation of Water Serial No. 01089, filed on May 4, 1912, for the waters of Bennet Spring. This proof is covered by Certificate No. 42 for the irrigation of 1.1 acres of land.

Proof of Appropriation of Water Serial No. 01133 - Simpson Creek - Certificates Nos. 148 and 152, issued for 65 acres and 68.5 acres of land.

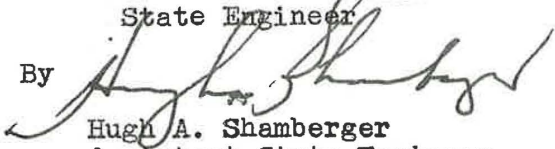
Proof of Appropriation of Water Serial No. 01512, withdrawn February 3, 1926.

Trusting that this gives you the desired information, we are

Yours very truly,

ALFRED MERRITT SMITH
State Engineer

By


Hugh A. Shamberger
Assistant State Engineer

JAM:RMA

Oakland, Calif.,
Nov. 10, 1951.

TO WHOM IT MAY CONCERN:

This will certify that, My Father, Angelo De Paoli was the owner of the Bar C Ranch prior to 1922 and prior to 1900. I was born on the above ranch and worked with my father until 1921.

The Poison Canyon Spring situated on Newark Summit was always understood to be ours as the water came down the canyon into our Bennets Spring and finally into our ranch at the White Rock intersection. Frank Sigarini at one time did place a ditch and tried to place the water own Tollhouse Canyon to his ranch, but the water did not reach his place for irrigation purposes. Our cattle and stock used the waters from this spring for many years even prior to the 1900 period. The original channel of this water ran down the canyon towards the Bennets Springs and all waters in the spring of the year ran down that channel.

Read
X
The waters from the Angelo Billy Springs were always claimed by us as the waters came into our canyon through the mud springs section. Our cattle and stock watered at these waters all through the years that we remained on the ranch. In the spring of the year, the waters from this channel ran into the main stream above the old picnic grounds.

X
The Spanish Gulch spring, even though taken up by Florio, was always in my estimation a water that was used by our stock and the original channel ran into our ranch, as well as the Cottonwood spring. My dad and I in the early 1900's made a ditch for the Cottonwood Spring and also brought that water into the Spanish Gulch canyon and used the waters for irrigation.

X
I believe that the vested rights in the above mentioned waters definitely belong to the Bar C Ranch as the waters followed the natural channels to the ranch.

Any further information I shall be pleased to give.

Very truly yours,

James A. De Paoli