

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 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

(13) The water was first used for irrigation by claimant or his grantors in the year 1865 when about 65 acres were irrigated in the ~~the~~ of Sec. ~~xxxx~~ ~~FxxxxxxxRxxxxxxxF~~ 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 additional number of acres first irrigated in subsequent years was as follows:

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

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

(15) The maximum acreage irrigated in any year was 133 1/2 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 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) The character of the soil is..... The soil needs..... acre feet~~
(Sandy, gravelly, loam)
~~per annum to properly irrigate the crops. A continuous flow of..... cubic feet of water per~~
~~second during the irrigation season of..... months, as needed to irrigate each 100 acres of land.~~

(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 Depaoli

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

(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 Depaoli

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

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

My commission expires

(SEAL)

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....., 1921

W. M. Kearney.....
State Engineer.

Certificate No.:..... issued hereunder
....., 1921

Form No. B

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
of each year.

(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 SW 1/4 SW 1/4 of Sec. 5, T. 19, R. 54 E.
" .. 5 1/2 acres in the NW 1/4 NW 1/4 of Sec. 8, T. " , R. " E.
" .. 15 acres in the NE 1/4 NW 1/4 of Sec. 8, T. " , R. " E.
" .. 7 1/2 acres in the SE 1/4 NW 1/4 of Sec. 8, T. " , R. " E.
" .. 17 acres in the SW 1/4 NE 1/4 of Sec. 8, T. " , R. " E.
" .. 6 1/2 acres in the NW 1/4 SE 1/4 of Sec. 8, T. " , R. " E.
" .. 21 acres in the NE 1/4 SE 1/4 of Sec. 8, T. " , R. " E.
" .. 5 acres in the NW 1/4 SW 1/4 of Sec. 9, T. " , R. " E.
" .. 14 1/2 acres in the SW 1/4 SW 1/4 of Sec. 9, T. " , R. " E.
" .. 6 acres in the SE 1/4 SW 1/4 of Sec. 9, T. " , R. " E.
" .. 4 1/2 acres in the NE 1/4 NW 1/4 of Sec. 16, T. " , R. " E.
" .. 9 acres in the SE 1/4 NW 1/4 of Sec. 16, T. " , R. " E.
" .. 3 acres in the NW 1/4 SE 1/4 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 133 1/2 acres.

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

(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 ofCounty, 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 A continuous flow of.....3.....cubic
(Sandy, gravelly, loam)

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.

RECEIVED
2008 SEP 11 PM 3:35
STATE ENGINEERS OFFICE

(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 MEADOWS ON 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.

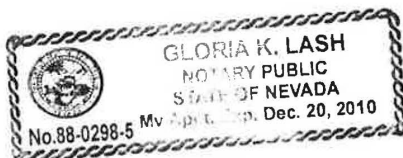
SUCCESSOR IN INTEREST

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

James E. Baumann
Vera L. Baumann

Telephone No. (775) 237-5452

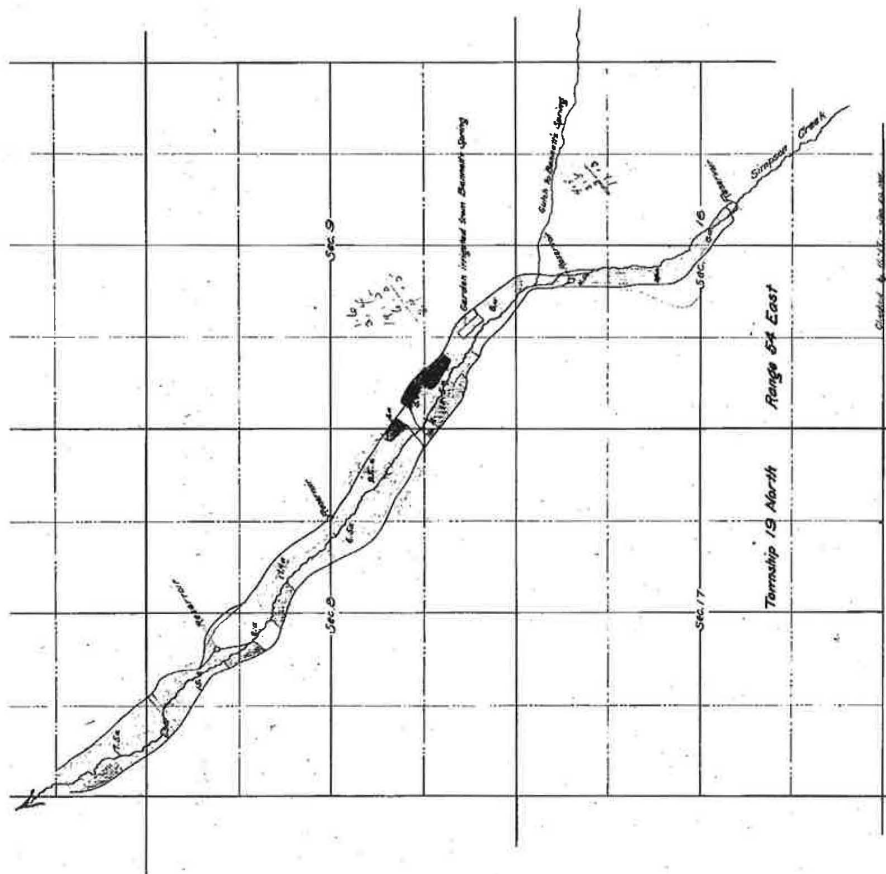
Subscribed and sworn to before me this 11 day of September, 2008



Notary Public in and for the County of Carson City

My commission expires Dec. 20, 2010

\$100 FILING FEE MUST ACCOMPANY PROOF

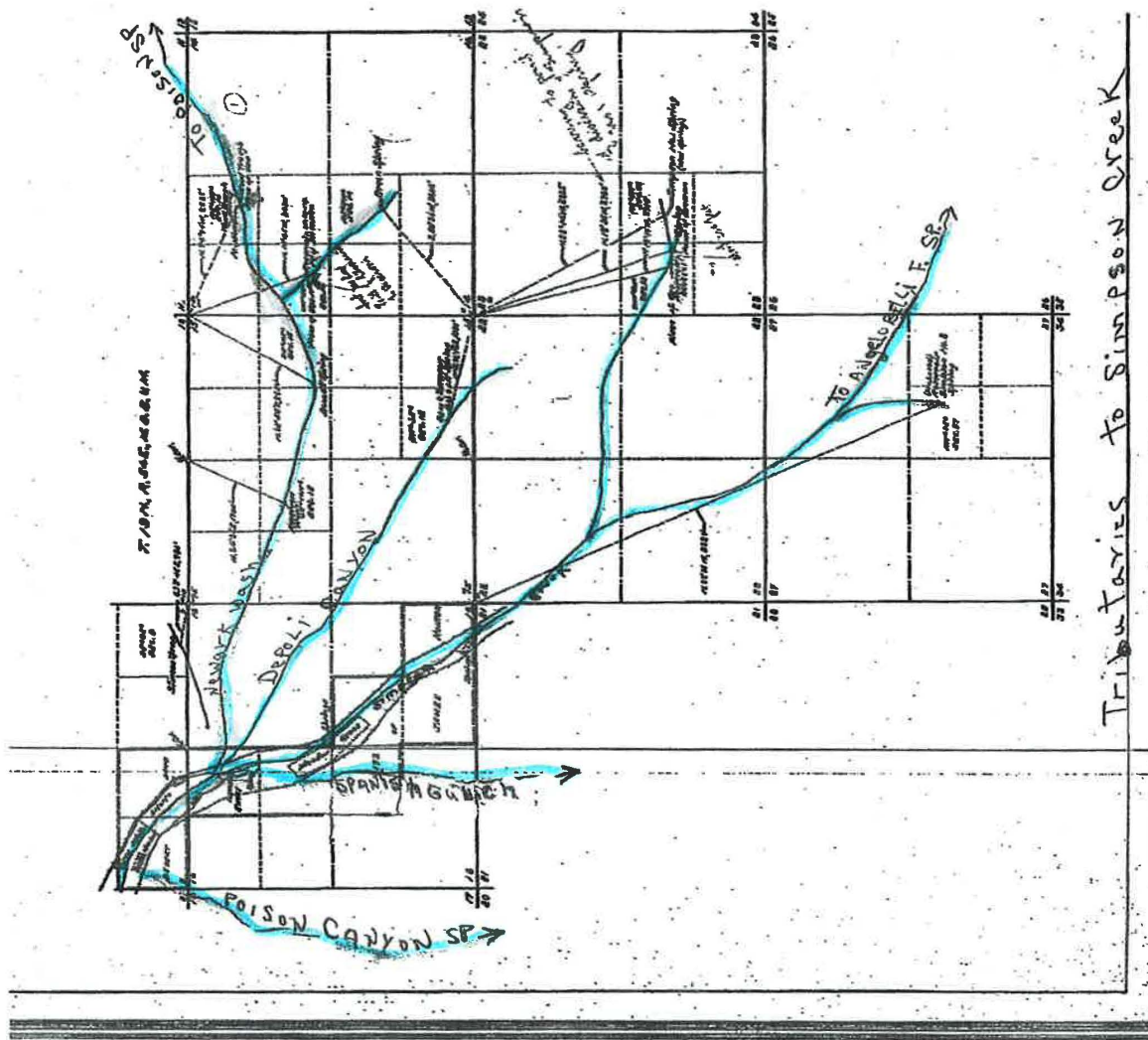


Lands Irrigated By
ANGELO DEPROLI
 From
SIMPSON CREEK
 Eureka County
 NEVADA

§ PROOF OF APPROPRIATION No. 0153

Scale 1 inch = 800 feet.

Survey of the land shown on this map was made by the Surveyor General of Nevada, under the authority of the State of Nevada, and the same is hereby certified to be correct. The survey was made by me on August 1st, 1911, and the results are shown on this map. The location of the water right is shown on the map. The water right is for the purpose of irrigating the land shown on this map. The water right is for the purpose of irrigating the land shown on this map. The water right is for the purpose of irrigating the land shown on this map.



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

Simpson Creek

Cert. 148.

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

SE $\frac{1}{4}$ Sec. 16; and Ditch No. 2 on the north side of the creek, -in the
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16, T.19 N.R.54 E, M.D.B.&M.-and situate in
Eureka County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of Section 18, Chapter XVIII, Statutes of

Name of appropriator.....Angelo Depaoli

Postoffice address.....Eureka, Eureka County, Nevada.

Amount of appropriation..... Sixty-five and 0/10 acres (65.0)

General priority number on main stream.....One

Priority number on _____

Amount of prior appropriations.....None

Amount of equal priority.....None

Date of appropriation.....A.D. 1865

Description of irrigated land 65 acres of alfalfa lying along the creek-bed and

extending through parts of the following legal subdivisions:- the

NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 16, SW $\frac{1}{4}$ Sec. 9, E $\frac{1}{2}$ Sec. 8, NW $\frac{1}{4}$ Sec. 8,

and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5, all in T 19 N.R 54 E, M.D.B. & M.

Description of use other than irrigation

Stockwatering and domestic purposes

The right to water hereby determined is limited to the period between April 1st and 0
1st of each year for irrigation, and the use is restricted to the place where acquired and to th
purpose for which acquired and is dependent upon the beneficial use of such wa

IN TESTIMONY WHEREOF, I W.M. Kearney, State Engineer of Nevada, have hereun
set my hand and the seal of my office, this thirty-first day
March, A. D. 1913.

Compared: H.M. Payne

W.M. Kearney

State Engineer

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Angelo Depaoli has presented to the State Engineer

State of Nevada Proof of Appropriation of Water from

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

for stock (and domestic) purposes, the point of diversion is
Ditch No. 1, on the south side of the creek, in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16; and
Ditch No. 2, on the north side of the creek, in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16, T.19
N.R. 54 E, M.D.B. & M., and situate in

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 Depaoli

Postoffice address Eureka, Eureka County, Nevada

Amount of appropriation Sixty-eight and 5/10 acres (68.5)

General priority number on main stream Three

Priority number on

Amount of prior appropriations One hundred eighty-four and 59/100 acres

Amount of equal priority None

Date of appropriation A.D. 1900

Description of irrigated land 68.5 acres extending through parts of the following
legal subdivisions:- the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 16, SW $\frac{1}{4}$ Sec. 9,
E $\frac{1}{2}$ Sec. 8, NW $\frac{1}{4}$ Sec. 8, and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5, all in T.19 N.R. 54 E, M.D.B.
& M. All of the above land is alfalfa, grain and garden lying in the
canyon along the creek.

Description of use other than irrigation

Stockwatering and domestic purposes

The right to water hereby determined is limited to the period between April 1st and Oct. 1st of each year for irrigation and the use is restricted to the place where acquired and to the purpose for which acquired is dependent upon the 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 thirty-first day of March, A. D. 1913.

Compared: H.M. Payne

W.M. Kearney
State Engineer

Application No.: V01133 Application Status: VST Certificate No.:

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: STREAM Source Description: SIMPSON CREEK

Project Name: Decree Name: Use: IRRIGATION

Period Start: 0401 Period End: 1001

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

Duty Balance: 534.00 AFS Div Balance: 0.00

Acre-Feet Storage: 0 Well Log Nos.:

Remarks 1:

Application No.: V01133 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		



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.: [V01133](#) Application Status: **VST** Certificate No.:**Filing Date: **09-09-1912** Priority Date: **01-01-1865** 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: V01133	09-09-1912	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:



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,

State Engineer.

Copy of letter of June 4, 1925

Replying to your letter of May 25, 1925.
In your reply ^{ref} to Nos. 01085, 01089, ^{Bennett} 01133, ^{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 Stevasi. 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. Certificates
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, respectively.
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;
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



STATE OF NEVADA
ENGINEER'S OFFICE

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

CARSON CITY July 20, 1925

Replying to your letter of July 6, 1925
In your reply refer to No s. 01085-01089-01133-6225.

Mr. James Hunter
Eureka, Nevada

Dear Sir:

In accordance with your request, we are enclosing certified copies of certificates issued on proofs of appropriation Nos. 01085 and 01089, Simpson Creek, (Edera lands) and Bennett Spring. We have also prepared copies of certificates 148 and 152, issued under proof No. 01133, which are for water for the ranch upon which you are living. We thought it advisable to include these in order to make the record complete. We have attached all of the documents together and made one certificate cover them, thereby saving you fees for certifying to each separate instrument.

Within the next few days we will take action upon application No. 6225, for a change in point of diversion and place of use of water of Simpson Creek from the Edera land to land within your home ranch. We will then enclose a certified copy of the permit for filing with the Land Office.

Bill for the statutory charge for the enclosed copies is included herein.

Yours very truly,

Robert A. Allen
State Engineer

By

Handwritten signature of John V. Mueller
Office Engineer

HMP MB



STATE OF NEVADA
ENGINEER'S OFFICE

CARSON CITY

March 25, 1927

In your reply refer to Nos. 01084-01085-01086-01133-6225

Replying to your letter of March 14, 1927

Mr. James Hunter
Bar C Ranch
Eureka, Nevada

Dear Sir:

We note the contents of your letter, together with the attached letter from Mr. De Paoli. Mr. De Paoli is in error when he states that he has a permit from the State Engineer to start use of water from March 1st. A careful examination of the records in connection with all of the various rights on Simpson Creek shows the following:

Proofs of Appropriation #01084-01085 and 01086 filed by John Venturino, Pete Edera and Antonio Tognoni respectively claim use of water commencing March 1st. Proof of Appropriation #01133 filed by Angelo De Paoli ~~does not claim use of water until~~ April 1st. This is the Proof of Appropriation covering the upper ranch.

When the certificates were issued under all four of these proofs the season was given from April 1st to October 1st. You now hold proof #01133 as well as proof #01085, permit #6225 having been granted to you to change the place of use of water from the Edera land to land in the De Paoli upper ranch. Mr. Boston, as we understand it, now has the places formerly owned by Tognoni and Venturino.

After summing up the records carefully we are of the opinion that any water used prior to April 1st should be on the same basis and distributed in the same manner that it is used subsequent to that date.

From Mr. Boston's letter of February 24th it appears that he only wishes to use water two days out of five (according to records it should be two days out of six) prior to April 1st. It is obvious that he should have this privilege as there is nothing in the records which gives you any right to use of all of the water prior to April 1st.

We are sending a copy of this letter to Mr. Boston and we feel that this will clarify the situation and prevent any further misunderstanding as to the rights of the respective parties in the premises.

Yours very truly,

Robert A. Allen
State Engineer

By

Please return



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
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*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