

AMENDED
APPLICATION FOR PERMIT

ASSIGNED

Serial No. 4416

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office APR 30 1917
Returned to applicant for correction APR 30 1917
Corrected application filed MAY 14 1917

The undersigned Pete Edera

Name of applicant.

No. of Eureka, County of Eureka,

State of Nevada, hereby make s application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation give date and place of incorporation.)

1. The source of the proposed appropriation is Poison Canyon
Name of stream, lake, or other source.
Spring

2. The amount of water applied for is .025 second-feet.
One second-foot equals 40 miners' inches.

3. The water to be used for Stock-watering and domestic purposes
Irrigation, power, mining, manufacturing, domestic, or other use.

4. The water is to be diverted from its source at the following point: NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec.20, Tp.19 N.R. 54 E.M.D.B & M.
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land it should be so stated.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is _____

(b) Description of land to be irrigated _____
Describe by legal subdivision, or if on unsurveyed land it

should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

(c) Irrigation will begin about _____ and end about _____
Month. _____, of each year.
Month. _____

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is _____ horsepower.

(e) Works to be located at the spring in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec.20
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.
Tp.19 N.R. 54 E.M.D.B&M.

(f) Point of return of water to stream Not returned
Describe in same manner as point of diversion.

(g) Remarks _____

DESCRIPTION OF PROPOSED WORKS

Water will be diverted at the spring by means of a dam of dirt and rock two feet high and eight feet wide, and conveyed by means of two inch pipe a distance of ten feet to a reservoir of dirt and rock, fifteen feet in diameter and one foot deep.

5. Estimated cost of works \$50.

6. Estimated time required to construct works Three months

7. Remarks For use of applicant.

Pete Edera, Applicant.

By

Compared P. P. Jones

This sheet inspected Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all prior rights on the source, and particularly subject to the right of Angelo Depaoli for water sufficient for 40 head of stock. In issuing this permit it is further understood that the water will be used only for horses and cattle or domestic purposes, and that during the flood season, the water will not be diverted and prevented from reaching Depaoli's field. The State reserves the right to regulate the use of the water herein granted at any and all times. It is distinctly understood that the applicant agrees to the terms herein contained.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed One-fortieth cubic foot per second. (0.025)

Actual construction work shall begin on or before June 5, 1918

Proof of commencement of work shall be filed before July 5, 1918

Work must be prosecuted with reasonable diligence and be completed on or before September 5, 1918

Proof of Completion of Work shall be filed on or before October 5, 1918

Application of water to beneficial use shall be made on or before January 5, 1920

Proof of the application of water to beneficial use must be filed with State Engineer on or before February 5, 1920

Also filed MAY 14 1917

Proof of labor filed AUG 2 1918

Proof of completion of work filed SEP 27 1918

Proof of beneficial use filed APR 14 1920

Certificate No. 1257 Issued 11-13-1918

Recorded 7-16-28 Blk 9 Page 211

County Records

WITNESS MY HAND AND SEAL this 5th day of January, 1918

J. J. Sangham State Engineer

Application No. 4416

Certificate Record No. 1357 Book 5 Page 1357

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 Application of Water to Beneficial Use, from Poison Canyon Spring through Poison Canyon ditch, dam and reservoir for Stockwatering and domestic purposes. The point of diversion of water from the source is as follows: NE 1/4 Sec. 20, T. 19 N., R. 54 E., M.D.B. & M. situated in Eureka County, State of Nevada.

Now KNOW YE, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator James Hunter and Edith Mary Hunter

Post-office address Eureka, Nevada

Amount of appropriation 0.0022 C.F.S.

Period of use, from March to October of each year

Date of priority of appropriation April 30, 1917.

Description of Works and diversion:-

The works of diversion consists of a dam and reservoir located about thirty feet north easterly from the spring, and is there used for watering approximately 50 head of cattle and 20 head of horses. The place of use of water is in the SE 1/4 Section 17, T. 19 N., R. 54 E., M.D.M.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, GEO. W. MALONE, State Engineer

Recorded 7-16-28 By Edith Page 211
Eureka County Records

of Nevada, have hereunto set my hand and the seal of my office, this 13th day of April, A. D. 1928.

Geo. W. Malone
State Engineer.

Compared M. R. Smith

[illegible]

7. 19. N.R. 54 E. M.D.B. & M.

Fairleigh May, May 24th 1912.
 H.C. Wadsworth, First Army Cavalry Depot and says
 that the above trip is a few and accurate place of
 Police Springs, and was made by me at Blackstone of
 Peace Estate, according to the U.S. Government Survey
 on the 25th day of May 1912.

H. C. Wedekind
Surveyor
Scale, 528 Ft. one inch

Subscribed and sworn to before me this 10th
day of May 1917. *J. P. [Signature]*

W. P. Morgan
Notary Public, Lincoln Co.
Nevada.

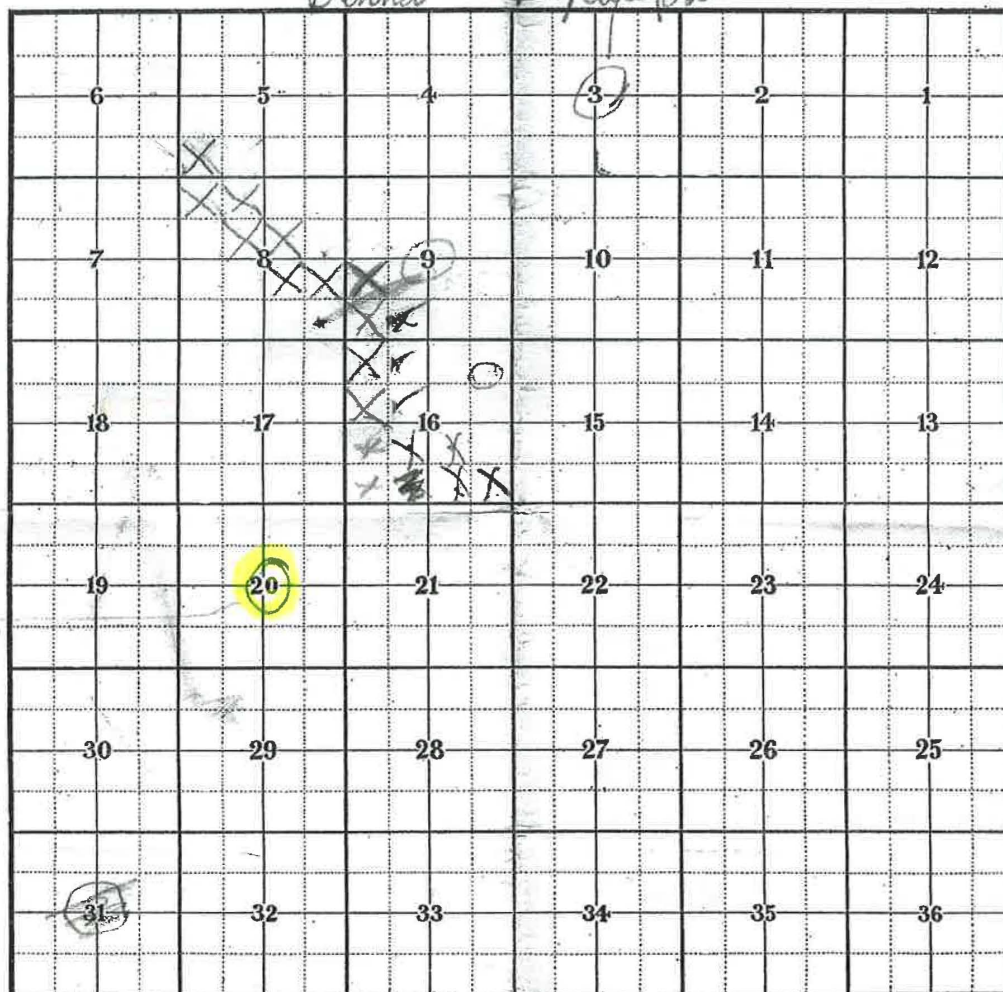
6779
1911

4418

T. 19 N., R. 34 E.,

Bennet

Dry Canyon



Scale 1 inch to 1 mile.

Edna place Sec 31 T 20 R 34 E

NEVADA FORM No. 0

2009
Corrected
Supplementary Information

This spring is already under Baumann ownership but should be a vested right rather than a certificated right.

Name:	Poison Canyon Spring (aka Choke Cherry Spring)
Latitude:	39.510
Longitude:	115.918
Elevation:	7357
NDWR Water Rights Application #:	7129
New NDWR Filing under Baumann	09756

Remarks: We believe that this GPS reading is the location of Poison Canyon Spring aka Choke Cherry Spring however we find a discrepancy either in the legal description of the survey or in the legal description shown on NDWR Database.

This spring is located on the grazing allotment of this ranch and has been used by this ranch dating back to 1865 and is a tributary to Simpson Creek.

We believe that this spring which is filed under Certificate #4416 should be under V01512.

See Angelo DePaoli letter dated 1924 and the Field Investigation Report from H.M. Payne, Deputy State Engineer.

Application No.: 4416 Application Status: CER Certificate No.: 1057

Owner(s): BAUMAN, JAMES E.; Status: CERTIFICATE

Basin: 153 Basin Name: DIAMOND VALLEY Sub Basin:

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

Source: SPRING Source Description: POISON CANYON SPRING

Project Name: Decree Name: Use: STOCKWATERING

Period Start: 0301 Period End: 1031

Point of Diversion Information: Qtr-Qtr: NE Qtr: NW Sec: 20 Twn: 19N Rng: 54E
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Duty Balance: 0.34 MGS Div Balance: 0.00

Acre-Feet Storage: 0 Well Log Nos.:

Remarks 1:

Application No.: 4416 Application Status: CER Certificate No.: 12

Assigned By: Effective Date:

Ownership Information

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

Original Owner(s)

Owner
EDERA, PETE

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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.: [13757](#) **Application Status:** **FOR** **Certificate No.:** [4416](#)

Filing Date: **06-27-1951** Priority Date: **06-27-1951** Return Date:
 Sent for Publication Date: **07-31-1951** Last publication Date: **08-31-1951** Ready for Action Date:
 Permit Date: **10-24-1951** Withdrawn Date: Forfeit Date:
 Cancel Portion: Cancellation Date: Cancellation Rescind Date:
 Denied Date:

Maps

Filed Under	Date	Filed Under	Date
Proposed POD: 13757	06-27-1951	Existing POD:	
Proposed POU:		Existing POU:	

Proofs of Completion and Beneficial Use

Due Date:	Rev'd:	Filed:	Ext. Due:	Ext Rev'd:
POC: 05-22-1953		05-11-1953		
PBU: 05-22-1955		05-09-1955	Y	

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: **03-10-1977** Reporting Required?:
 Remarks 2:

Chain of title goes back to 1901 for Edna Property
Certificate No. 1357

44/6
NO. 441
Issued April 13, 1928

ASSIGNED: By Pete Edera and Julia Edera, his wife, April 5, 1919, to Angelo Depaoli, of Eureka, County of Eureka, Nevada. Filed March 9, 1920.

ASSIGNED: August 25, 1920, by Angelo Depaoli and Theresa Depaoli to James Hunter and Edith Mary Hunter. Filed May 15, 1924.

ASSIGNED: On June 9, 1949, by Edith Mary Hunter to James Hunter. Decree of Distribution filed February 10, 1959.

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

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 deed filed 4/27/70 in 01089.

AFFIDAVIT OF

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

ASSIGNED: On 12/26/69 by Basic Industries, Inc. to E. L. Cleveland. GBS 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., a Nevada corporation, 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

ORIGINAL

STATE OF NEVADA
ENGINEER'S OFFICE
Carson City, Nevada

DEC. 29, 1917. , 191

RECEIPT NO.

PETE EDERA,

EUREKA, NEVADA?

8210

SERIAL NO. 4416

To THE STATE OF NEVADA, Dr.

DEC. 29, 1917	TO FEE FOR ISSUING & RECORDING PERMIT NO. 4416	\$5.00
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Poison Canyon.

Remittance in P.O.M.O. 83144 EUREKA, NEV. FOR \$5.00

Received payment,

J. G. Scruggs

State Engineer.

Posted in Fee Book by

By

Linda Davis

6-31-16 3M-3-31-16



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 ^{ref} 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 Stevas. 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 this
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 gla

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;
35.99A.



STATE OF NEVADA
ENGINEER'S OFFICE

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

CARSON CITY

January 18, 1926.

Replying to your letter of

In your reply refer to Nos. 4416, 6225, 01512.

Mr. James Hunter,
Eureka, Nevada,

Dear Sir:-

In re maps received on July 10th last, showing your
Simpson Creek Ranch:

When sending in these maps you did not advise under what filings you desired to have them placed, but we presume that they were intended for filing under permit No. 6225, which was granted to you last summer for a change in the point of diversion and place of use of water from the Edera Ranch to the Depaoli place. Such being the case we find the following discrepancies and corrections and we are returning the maps accordingly:

1. The new points of diversion named in permit No. 6225 are as follows: "Ditch No. 1 on the S. side of Simpson Creek in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16 and Ditch No. 2 on the H. side of Simpson Creek in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16, T. 19 N., R. 54 E." No points of diversion are shown in these forty acre tract and the only ditches shown on sheet No. 1 from Simpson Creek are two proposed ditches, the point of diversion of both appearing to be in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16. In glancing over the cultivated land in the SW $\frac{1}{4}$ Sec. 9, it appears that same is irrigated from a continuation of these proposed ditches. No doubt the ditches which irrigate this land are already constructed and their points of diversion should be shown on the map. As the map is now prepared, it is impossible to tell what ditches are constructed and those which are merely proposed to be constructed. We suggest also that the surveyor label each intake of the various ditches which irrigate the Depaoli ranch, "Present Point of Diversion".

2. The point of diversion of the old ditches which formerly irrigated the Edera Ranch, according to description in application and permit No. 6225 as well as locations shown on the cultural map filed some years ago by Edera, within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5, T. 19 N., R. 54 E. The map does not show this old point of diversion or these old ditches. This should be shown with the labeling "Old Point of Diversion".

3. Maps Nos. 1 and 2 have been prepared by the surveyor on a different scale, No. 1 having been made on the scale of 1" equals 400', and No. 2 having a scale of 1" equals 600'. It does not particularly matter which scale is used but the surveyor should

-2-

have made both maps on the same scale and we suggest that you call this to his attention.

Care should also be taken by the surveyor in having the cultivated land shown on Sheet No. 1 check with that shown on Sheet No. 2 when properly placed alongside of it. As the maps are now prepared, there appears to be cultivated land in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, which is not shown on either map.

With respect to the 3rd sheet showing Poison, Cottonwood and Ditch Springs, we presume that it is intended also for filing with the cultural maps just mentioned showing the Simpson Creek Ranch. It occurs to us that it could also be made to cover permit No. 4416 for water from Poison Spring by showing exactly what works of improvement are located thereat. We could then issue a certificate under said permit for stockwatering purposes. We also have a proof of appropriation, No. 01512, for water from Poison Canon Spring but if we issue a certificate under permit No. 4416 it will accomplish all that proof of appropriation No. 01512 could do and we, therefore, suggest that said proof be withdrawn by you in order to clear our records.

Yours very truly,

Robert A. Allen,
State Engineer,

By



Office Engineer.

H P MC



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*

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 in 01089.

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

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ALFRED MERRITT SMITH
STATE ENGINEER

STATE OF NEVADA
OFFICE OF STATE ENGINEER
CARSON CITY

HUGH A. SHAMBERGER
ASSISTANT

December 22, 1943

IN YOUR REPLY REFER TO NO. 10967

Mr. James Hunter
Eureka
Nevada

Dear Mr. Hunter:

Enclosed herewith is the report of the field investigation I made on Simpson No. 2 Spring last week.

You will note that a permit can be issued under this application and accordingly we are enclosing herewith our official notice calling for the statutory fee of Ten Dollars for the issuance of same.

I recall that you asked me regarding the ownership of Permits Nos. 4416 and 4417. This is covered in the last paragraph of the first sheet of the report of the investigation.

May I extend to you and your family the Season's greetings?

With kind regards, we are

Yours very truly,

ALFRED MERRITT SMITH
State Engineer

By


Hugh A. Shamberger
Assistant State Engineer

HAS:RMA
Encls.

*Simpson No. 2
Poison Canyon water?*

IN THE OFFICE OF THE STATE ENGINEER OF NEVADA

In the Matter of Application No. 10967)
filed by James Hunter to appropriate)
the Waters of Simpson No. 2 Spring and)
which was protested informally by Mrs.)
E. C. Boston.)

Report of Field
Investigation

Application No. 10967 was filed on July 3, 1943, by James Hunter to appropriate the waters of Simpson No. 2 Spring for stockwatering purposes. The location of the source was given as being in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 19 N., Range 54 E., M.D.B. & M.

On July 28, 1943, Mrs. E. C. Boston made an informal protest against the granting of a permit under this application on the grounds that the source is located on their property and the water is piped across the road for use on her property.

On December 14, 1943, I made a field investigation of this application and it became evident that when Mrs. Boston wrote this Office she was confused as to the location of the source. Simpson Creek, upon which are located the ranches of Mrs. Boston and Mr. Hunter, has its source, Simpson Spring, located at a point about 1 $\frac{1}{2}$ miles above the Hunter ranch. From this point the canyon splits, one fork running in a northeasterly direction and the other in a southerly direction. It is in this latter fork that Simpson Spring No. 2 is located and is about two miles from Simpson Spring.

According to Mr. Hunter Simpson Spring is more of a seepage area and the spring does not flow at present. Should a permit be issued under this application Mr. Hunter plans to develop the spring.

Mr. Hunter has been running range cattle in this area for many years and by virtue of other stockwatering rights in the immediate vicinity of Simpson No. 2 Spring and continuous range usage has established range rights in this area.

Mr. Hunter is the owner of Permit No. 4416 which is the subject of Certificate No. 1357 for the waters of Poison Canyon Spring for stockwatering purposes. This source is located about

2½ miles in a northwesterly direction from Simpson Spring No. 2; of Permit No. 4417 the subject of Certificate No. 1356 for the waters of Dry Canyon Springs for stockwatering purposes. This spring is located about 4 miles in a northerly direction, of Permit No. 7242, the subject of Certificate No. 1952 for the waters of Depaoli Creek Spring for stockwatering purposes. This source is located about one mile northerly from Simpson Spring No. 2. In addition to the above, Mr. Hunter is the owner of certain irrigation and stockwatering rights on Simpson Creek/

I was informed by Mrs. Boston that they had run no range cattle in this area for many years.

From the foregoing it is apparent that Application No. 10967 can be approved without interfering with any prior rights on the source.

Respectfully submitted,

s/ Hugh A. Shamberger

Assistant State Engineer

Dated December 22, 1943.

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.

*Not
out spring.*

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