

Serial No. 09758

STATE OF NEVADA

~~IRRIGATION~~
STOCK WATER

**PROOF OF APPROPRIATION OF WATER FOR STOCK
WATERING
OR WILDLIFE PURPOSES**

- (1) Name of claimant James E. & Vera L. Baumann
P.O. Box 308 of Eureka
Nevada 89316 City or town
Street and No. or P.O. Box No. State and Zip Code No.
- (2) Source of water Cottonwood Creek Springs
Name of natural water source.
- (3) The water is diverted by ~~Dam~~ Natural Channel
Dam, ditch, pipe line, natural channel, spring area, etc.
- (4) The water is diverted at the following point(s) _____
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.
Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such reach.

- (5) The water is impounded in Pools
Troughs, tanks, pools, reservoir, natural channel, etc.
- (6) The construction of the ditch or other works was begun _____
and completed _____
Date Date
- (7) The nature of the claimant's title to the land upon which the source of water and place of use are located is Public domain with grazing permit
Located in the Shannon Station and Spanish Gulch allotments
Patented, deeded, public domain with grazing permit, etc.
- (8) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of _____
County, at Page _____ of Book _____ of _____

NOTE — Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

Serial No. 09758

STATE OF NEVADA

~~For irrigation and stock water~~
stock water

**PROOF OF APPROPRIATION OF WATER FOR STOCK
WATERING
OR WILDLIFE PURPOSES**

- (1) Name of claimant James E. & Vera L. Baumann
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Troughs, tanks, pools, reservoir, natural channel, etc.
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and completed _____
Date Date
- (7) The nature of the claimant's title to the land upon which the source of water and place of use are located is Public domain with grazing permit
Patented, deeded, public domain with grazing permit, etc.
Located in the Shannon Station and Spanish Gulch allotments
- (8) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of _____
County, at Page _____ of Book _____ of _____

NOTE —Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

- (9) The approximate number of animals watered by the claimant during the first year 1866
Date
was 200 cattle _____ horses _____ sheep or wildlife (describe) _____
The watering was conducted during each of the following months April 1st^{Other} thru
November 30th

- (10) The approximate number of animals watered by the claimant in subsequent years was as follows:

about 200 hd of cattle more or less over the
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.
years; but this Creek has been used continuously
since 1866. This Creek also^{used} for irrigation
and is a tributary to Simpson Creek

- (11) The amount of water which has been necessary to be diverted for this purpose has been

1 cubic feet per second.
448.83 gallons per minute equals 1 cubic feet per second.

- (12) The works are located at S.E. 1/4 of NW 1/4 Sec: 20 Twn: 19N
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed
Rng: 54E
land, it should be stated.
G.P.S. Long. 39° 30.36' N Lat. 115° 55.16' W

Remarks Support documents for the Chain of title
for the Simpson Creek Ranch / James & Vera L.
Baumann are provided in the Water Rights
Documents - Vol I that was filed with the
Nevada Division of Water Resources. Specific
support documents for Cottonwood Creek Spr.
are located in Vol II of the Simpson Creek
Ranch / James & Vera L Baumann Water
Right Document filing with the Nevada
Division of Water Resources.

Remarks Legal discription on ND.W.R. data base
is incorrect(7131)

This spring used for irragation (see
Letter Angelo DePaoli 1924. affidavit James
DePaoli 1951) Vol II Cottonwood Creek

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of
water by James E and Vera L. Baumann
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.

Claimant

Telephone No. (775) 237-5452

By _____

Street and No., or P.O. Box No.

City, State, Zip Code No.

Telephone No. (____) _____

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public in and for the County of _____

My commission expires _____

\$50 FILING FEE MUST ACCOMPANY PROOF

Serial No. 09758

STATE OF NEVADA

~~IRREGULAR~~
STOCK WATER

**PROOF OF APPROPRIATION OF WATER FOR STOCK
WATERING
OR WILDLIFE PURPOSES**

(1) Name of claimant James E. & Vera L. Baumann
P.O. Box 308 of Eureka
Nevada 89316
Street and No. or P.O. Box No. City or town

(2) Source of water Cottonwood Creek Springs
Name of natural water source.

(3) The water is diverted by ~~Dam~~ Natural Channel
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) SW 1/4 NE 1/4 Section 20 T19N R54E M1E4
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
Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such reach.
Let the dated 5/24/16

(5) The water is impounded in Pools
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun _____ Date _____
and completed _____ Date _____

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is Public domain with grazing permit
Patented, deeded, public domain with grazing permit, etc.
Located in the Shannon Station and Spanish Gulch allotments

(8) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of _____ County, at Page _____ of Book _____ of _____

NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

153-EU

- (9) The approximate number of animals watered by the claimant during the first year 1866
Date
was 200 cattle _____ horses _____ sheep or wildlife (describe) _____
Other
The watering was conducted during each of the following months January 1st thru
December 31st

- (10) The approximate number of animals watered by the claimant in subsequent years was as follows:

about 200 hd of Cattle more or less over the
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.
years; but this Creek has been used continuously
since 1866. This Creek also ^{used} for irrigation
and is a Tributary to Simpson Creek

- (11) The amount of water which has been necessary to be diverted for this purpose has been

1 cubic feet per second.
448.83 gallons per minute equals 1 cubic feet per second.

- letter dated 5/24/16 (12) The works are located at SW 1/4 of NW 1/4 Sec: 20 TWN: 19N
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RNG: 54E
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G.P.S. Lat: 39° 30.36 N Lon: 115° 55.16 W

Remarks Support documents for the Chain of title
for the Simpson Creek Ranch/James & Vera L.
Baumann are provided in the Water Rights
Documents - Vol I that was filed with the
Nevada Division of Water Resources. Specific
support documents for Cottonwood Creek Spr.
are located in Vol II of the Simpson Creek
Ranch/James & Vera L Baumann Water
Right Document filing with the Nevada
Division of Water Resources.

Remarks Legal discription on N.D.W.R. data base
is incorrect (9131)

This spring used for irragation (see
Letter Angelo DePaoli 1924. Affidavit James
DePaoli 1951) Vol II Cottonwood Creek
also refer to map finded under
Vol 33 - COTTONWOOD CREEK IS A TRIBUTARY
TO SIMPSON CREEK.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by James E and Vera L. Baumann 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.

James E. Baumann Vera R. Baumann
Claimant
Telephone No. (775) 237-5452

By _____

Street and No., or P.O. Box No.

City, State, Zip Code No.

Telephone No. () _____

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



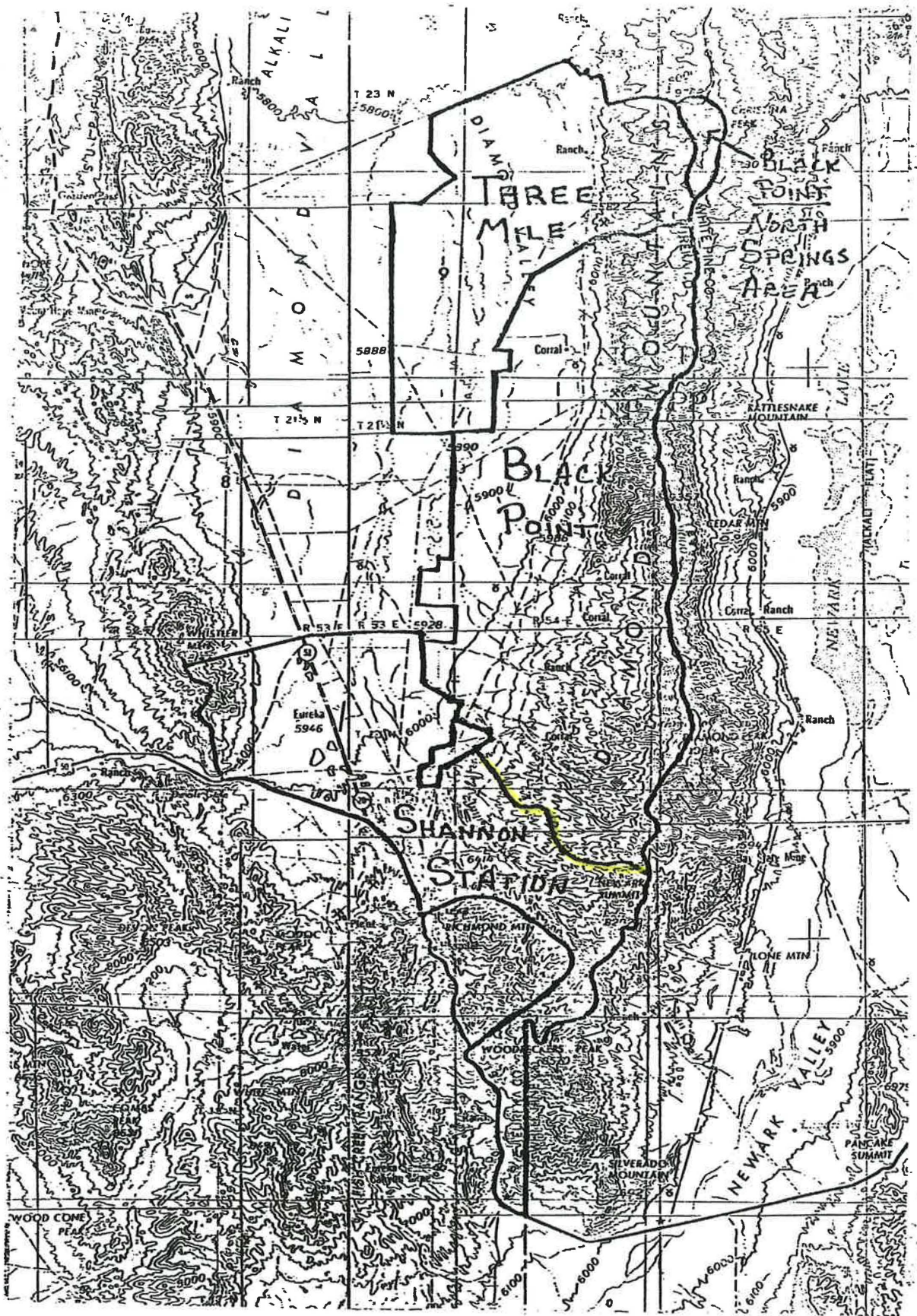
Mary Jo Castaneda
Notary Public in and for the County of Eureka

My commission expires June 25, 2009

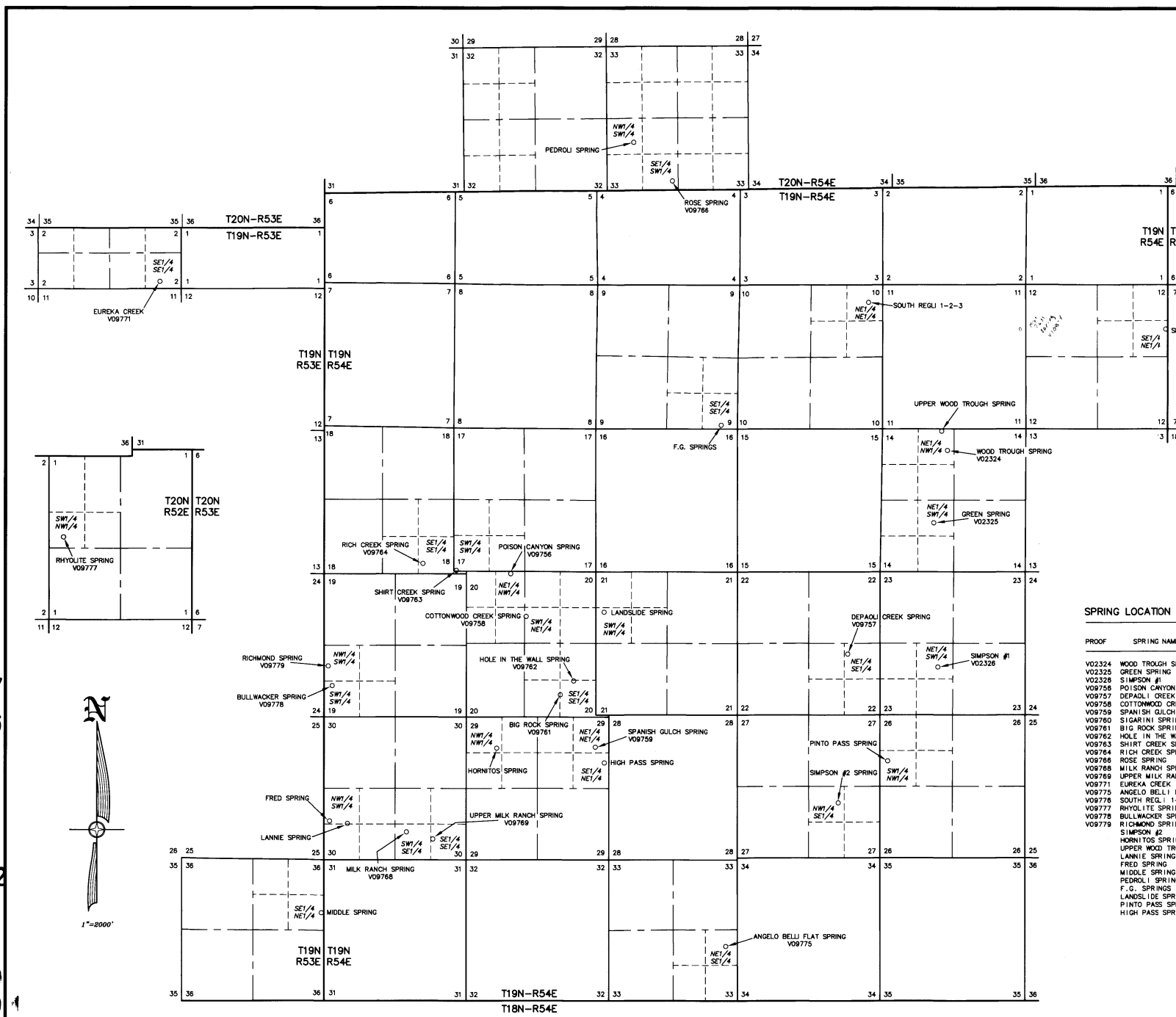
\$50 FILING FEE MUST ACCOMPANY PROOF

RECEIVED
2008 SEP 11 PM 3:36
STATE ENGINEERS OFFICE

Section	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570	571	572	573	574	575	576	577	578	579	580	581	582	583	584	585	586	587	588	589	590	591	592	593	594	595	596	597	598	599	600	601	602	603	604	605	606	607	608	609	610	611	612	613	614	615	616	617	618	619	620	621	622	623	624	625	626	627	628	629	630	631	632	633	634	635	636	637	638	639	640	641	642	643	644	645	646	647	648	649	650	651	652	653	654	655	656	657	658	659	660	661	662	663	664	665	666	667	668	669	670	671	672	673	674	675	676	677	678	679	680	681	682	683	684	685	686	687	688	689	690	691	692	693	694	695	696	697	698	699	700	701	702	703	704	705	706	707	708	709	710	711	712	713	714	715	716	717	718	719	720	721	722	723	724	725	726	727	728	729	730	731	732	733	734	735	736	737	738	739	740	741	742	743	744	745	746	747	748	749	750	751	752	753	754	755	756	757	758	759	760	761	762	763	764	765	766	767	768	769	770	771	772	773	774	775	776	777	778	779	780	781	782	783	784	785	786	787	788	789	790	791	792	793	794	795	796	797	798	799	800	801	802	803	804	805	806	807	808	809	810	811	812	813	814	815	816	817	818	819	820	821	822	823	824	825	826	827	828	829	830	831	832	833	834	835	836	837	838	839	840	841	842	843	844	845	846	847	848	849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864	865	866	867	868	869	870	871	872	873	874	875	876	877	878	879	880	881	882	883	884	885	886	887	888	889	890	891	892	893	894	895	896	897	898	899	900	901	902	903	904	905	906	907	908	909	910	911	912	913	914	915	916	917	918	919	920	921	922	923	924	925	926	927	928	929	930	931	932	933	934	935	936	937	938	939	940	941	942	943	944	945	946	947	948	949	950	951	952	953	954	955	956	957	958	959	960	961	962	963	964	965	966	967	968	969	970	971	972	973	974	975	976	977	978	979	980	981	982	983	984	985	986	987	988	989	990	991	992	993	994	995	996	997	998	999	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043	1044	1045	1046	1047	1048	1049	1050	1051	1052	1053	1054	1055	1056	1057	1058	1059	1060	1061	1062	1063	1064	1065	1066	1067	1068	1069	1070	1071	1072	1073	1074	1075	1076	1077	1078	1079	1080	1081	1082	1083	1084	1085	1086	1087	1088	1089	1090	1091	1092	1093	1094	1095	1096	1097	1098	1099	1100	1101	1102	1103	1104	1105	1106	1107	1108	1109	1110	1111	1112	1113	1114	1115	1116	1117	1118	1119	1120	1121	1122	1123	1124	1125	1126	1127	1128	1129	1130	1131	1132	1133	1134	1135	1136	1137	1138	1139	1140	1141	1142	1143	1144	1145	1146	1147	1148	1149	1150	1151	1152	1153	1154	1155	1156	1157	1158	1159	1160	1161	1162	1163	1164	1165	1166	1167	1168	1169	1170	1171	1172	1173	1174	1175	1176	1177	1178	1179	1180	1181	1182	1183	1184	1185	1186	1187	1188	1189	1190	1191	1192	1193	1194	1195	1196	1197	1198	1199	1200	1201	1202	1203	1204	1205	1206	1207	1208	1209	1210	1211	1212	1213	1214	1215	1216	1217	1218	1219	1220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SHEET NO. 1 OF 1 SHEETS.

HIGH DESERT ENGINEERING LLC
CONSULTING ENGINEERING & SURVEYING
640 IDAHO STREET
ELKO, NEVADA 89801
(775) 738-4053

W216014

STATE OF NEVADA }
COUNTY OF ELKO } SS.

I, ROBERT E. MORLEY, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT THIS MAP, CONSISTING OF 1 SHEET, NUMBERED FROM 1 TO 1, INCLUSIVE, HAS BEEN CORRECTLY DRAWN TO THE DESIGNATED SCALE, FROM SURVEYING CALCULATION NOTES PREPARED BY ME, OR UNDER MY SUPERVISION AND DIRECTION, RELYING UPON ANALYSIS OF BLM CADASTRAL SURVEY PLATS AND LATITUDE AND LONGITUDE OF SPRING LOCATIONS PROVIDED BY THE APPLICANT, BETWEEN THE 20TH DAY OF MAY, 2016 AND THE 25TH DAY OF MAY, 2016; THAT THIS MAP TRULY AND CORRECTLY REPRESENTS THE PROPOSED LOCATION AND EXTENT OF THE WORKS USED TO DIVERT WATER FROM SPRINGS, IN EUREKA COUNTY, NEVADA, BY JAMES E. BAUMANN AND VERA L. BAUMANN, FOR STOCK WATER PURPOSES; THAT THE PROPOSED POINT OF DIVERSION, THE APPROXIMATE LOCATION AND SIZE OF THE DIVERTING CHANNEL OR OTHER CONDUIT, THE PLACE AND MANNER OF USE, AND THE LOCATION AND NAMES OF ALL OTHER WORKS OR STREAMS WHICH ARE CROSSED BY, OR CONNECTED WITH THE SAID WORKS, ARE FULLY AND CORRECTLY DESIGNATED THEREON.

STATE WATER RIGHT SURVEYOR NO. 668

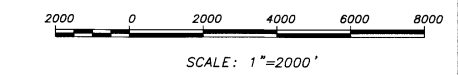
SUBSCRIBED AND SWORN TO BEFORE ME
THIS 24th DAY OF May, 2016.

NOTARY PUBLIC IN AND FOR
MY COMMISSION EXPIRES Feb. 8, 2018

- NOTES
- 1) LATITUDES AND LONGITUDES ARE EXPRESSED IN DECIMAL DEGREES.
 - 2) LATITUDES AND LONGITUDES FURNISHED BY THE APPLICANT.
 - 3) THE DATUM USED IS WGS84

SPRING LOCATION TABLE

PROOF	SPRING NAME	SECTION	DIVISION	TOWN	RANGE	LATITUDE	LONGITUDE
V02324	WOOD TROUGH SPRING	14	NE1/4 NW1/4	T19N	R54E	39.522369 N	115.862093 W
V02325	GREEN SPRING	14	NE1/4 SW1/4	T19N	R54E	39.515113 N	115.863875 W
V02326	SIMPSON #1	23	NE1/4 SW1/4	T19N	R54E	39.5003 N	115.863 W
V09755	POISON CANYON SPRING	20	NE1/4 NW1/4	T19N	R54E	39.509833 N	115.919297 W
V09757	DEPAOLI CREEK SPRING	22	NE1/4 SE1/4	T19N	R54E	39.501571 N	115.874839 W
V09758	COTTONWOOD CREEK SPRING	20	SW1/4 NE1/4	T19N	R54E	39.505255 N	115.917338 W
V09759	SPANISH GULCH SPRING	29	NE1/4 NE1/4	T19N	R54E	39.492274 N	115.908187 W
V09760	SIGARINI SPRING	12	SE1/4 NE1/4	T19N	R54E	39.5343 N	115.834 W
V09761	BIG ROCK SPRING	20	SE1/4 SE1/4	T19N	R54E	39.4974 N	115.913 W
V09762	HOLE IN THE WALL SPRING	20	SE1/4 SE1/4	T19N	R54E	39.498794 N	115.911215 W
V09763	SHIRT CREEK SPRING	17	SW1/4 SW1/4	T19N	R54E	39.509928 N	115.928263 W
V09764	RICH CREEK SPRING	18	SE1/4 SE1/4	T19N	R54E	39.51077 N	115.93057 W
V09766	ROSE SPRING	33	SE1/4 SW1/4	T20N	R54E	39.549832 N	115.898125 W
V09768	MILK RANCH SPRING	30	SW1/4 SE1/4	T19N	R54E	39.48362 N	115.933337 W
V09769	UPPER MILK RANCH SPRING	30	SE1/4 SE1/4	T19N	R54E	39.482789 N	115.9297569 W
V09771	EUREKA CREEK	02	SE1/4 SE1/4	T19N	R53E	39.539628 N	115.965614 W
V09775	ANGELO BELL I FLAT SPRING	33	NE1/4 SE1/4	T19N	R54E	39.472268 N	115.891017 W
V09776	SOUTH REG. 1-2-3	10	NE1/4 NE1/4	T19N	R54E	39.537081 N	115.872301 W
V09777	RHYOLITE SPRING	01	SW1/4 NW1/4	T20N	R52E	39.626254 N	116.087534 W
V09778	BULLWACKER SPRING	19	SW1/4 SW1/4	T19N	R54E	39.498914 N	115.942826 W
V09779	RICHMOND SPRING	19	NW1/4 SW1/4	T19N	R54E	39.500647 N	115.943388 W
V09779	SIMPSON #2	27	NW1/4 SE1/4	T19N	R54E	39.485862 N	115.876004 W
V09779	HORNITOS SPRING	29	NW1/4 NW1/4	T19N	R54E	39.4922 N	115.921 W
V09779	UPPER WOOD TROUGH SPRING	14	NE1/4 NW1/4	T19N	R54E	39.524297 N	115.862967 W
V09779	LANNIE SPRING	30	NW1/4 SW1/4	T19N	R54E	39.484396 N	115.941172 W
V09779	FRED SPRING	30	NW1/4 SW1/4	T19N	R54E	39.484559 N	115.943679 W
V09779	MIDDLE SPRING	36	SE1/4 NE1/4	T19N	R53E	39.47521 N	115.944458 W
V09779	PEDROL SPRING	33	NW1/4 SW1/4	T20N	R54E	39.553644 N	115.903179 W
V09779	F.G. SPRINGS	09	SE1/4 SE1/4	T19N	R54E	39.525102 N	115.881431 W
V09779	LANDSLIDE SPRING	21	SW1/4 NW1/4	T19N	R54E	39.50582 N	115.906959 W
V09779	PINTO PASS SPRING	28	SW1/4 NW1/4	T19N	R54E	39.490811 N	115.89896 W
V09779	HIGH PASS SPRING	29	SE1/4 NE1/4	T19N	R54E	39.490811 N	115.906959 W



STATE ENGINEERS USE

V-09756-77

MAY 27 2016

MAP TO ACCOMPANY PROOF OF APPROPRIATION
FOR STOCKWATER USE
BY JAMES E. & VERA L. BAUMANN
FROM SPRINGS
IN EUREKA COUNTY, NEVADA

V09768 V09766 V09764 V09763 V09762 V09761 V09760 V09759 V09758 V09757 V09756 V02326 V02325 V02324

2009
Corrected
Supplementary Information

Spring: Cotton Wood Creek Spring

Latitude: 39.505

Longitude: 115.916

Elevation: 7280

NDWR Water Rights Application #: 7131
NDWR Filing under Baumann #09758

Remarks: We believe that the legal description shown on the NDWR Database is incorrect according to topo map.

We believe that this GPS reading is the location of Cotton Wood Creek Spring however we find a discrepancy either in the legal description on 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 1866.

See attached letter written by Angelo DePaoli in 1924 and the affidavit written by James DePaoli in 1951, Field Investigation Report by H.M Payne in 1925 and the Range Line Agreement signed in 1981.

This creek has been used by this ranch for irrigation and is a tributary to Simpson Creek.

Supplementary Information

Spring: Cotton Wood Creek Spring

Latitude: 39° 30.36N

Longitude: 115° 55.16W

Elevation: 7280

NDWR Water Rights Application #: 09758 7131

Remarks: We believe that the legal description shown on the NDWR Database is incorrect according to topo map.

We believe that this GPS reading is the location of Cotton Wood Creek Spring however we find a discrepancy either in the legal description on 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 1866.

See attached letter written by Angelo DePaoli in 1924 and the affidavit written by James DePaoli in 1951, Field Investigation Report by H.M Payne in 1925 and the Range Line Agreement signed in 1981.

This creek has been used by this ranch for irrigation and is a tributary to Simpson Creek.

A. A. De Paoli, Mgr.

A. De Paoli

C. A. De Paoli

FREMONT FOOD SHOP

Fruits and Groceries

At Fremont Station
50th Ave. and Bond St.

PHONE 963
FRUITVALE

Oakland, California,
April 25, 1924.

Mr. James Hunter,
Eureka, Nevada.

Dear Mr. Hunter:

Your letter regarding Springs jumped by Florio & Bedart came to me today, and I am very sorry to learn of same.

With regard to the Cottonwood Spring, the proof of possession I have is that I have used it as an irrigation and stock watering spring as long as I can remember, and the law with regard to such Springs was that in such usage, the consumer was in possession of it. I have constructed a water channel or ditch from Cottonwood Springs to our ranch, thereby carrying all the water from said spring to our place for domestic and irrigation purposes. Above this we have constructed small dams or ponds at different points so that our stock could water. The proper and immediate step for you to take is to clean this ditch so that the water can run freely to your main ditch, passing over the low gap on the hill between Cottonwood Canyon and Spanish Gulch Canyon and entering the main creek through the field, and also to clear out these small ponds so that signs of labor will show. Through our usage of these springs for such purposes, the law did not require us to have these springs surveyed and recorded at that time, as our usage gave us entire possession.

With regard to Poinson Canyon Spring, Mr. Edera and myself had a little difficulty when he jumped it, and the State Engineer in deciding the case gave us both the possession of it, enabling us both to water our stock there, and that neither of us were to put sheep in it. When I purchased Mr. Edera's properties, he gave me a deed for the Spring and ranches. The proper and immediate thing for you to do is to construct a small watering pond or dam on this spring so that your stock can water, and also that you have proof of labor on it. On all of your Springs it will be necessary for you to show a certain amount of labor each year, indicating that you are using them.

Kindly advise me as early as you can just whom is representing Mr. Florio in this case, and also whom you expect to have represent you. In this case a legal protect will be necessary through a Notary Public and not by yourself.

#5

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 Tellhouse 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.

Paoli
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

December 1, 2008

To Whom It May Concern:

I was born in 1948 and raised in Eureka, Nevada.

From a very young age, I helped the Hunter family by working on the Hunter Ranch and riding and tending to their cattle.

Hunter's cattle grazed the surrounding mountains of the ranch from the first of April through the end of October or November depending on the weather.

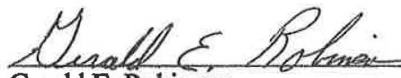
The Hunter cattle utilized each and every spring in the mountains from the Cottonwood Spring north of the Hunter Ranch; to the Fairbury Well south of the Hunter Ranch; east to the Poison Spring and west to the Rhyolite Spring.

The Hunter cattle used the water in Eureka Canyon for many, many years (and created havoc within the townsite) which surfaces below the upper slag dump at the south end of the town. The creek and additional springs surfacing within the townsite continued through the town of Eureka and ran past the depot located at the north end of town.

Richmond Spring, Bullwhacker Spring and the Milk Ranch Spring were the main springs for the southern country that were utilized by the cattle belonging to the Hunter Ranch.

It is common knowledge that the Hunter Ranch (aka Simpson Creek Ranch) utilized the range and water sources prior to 1900 to present.

Signed:


Gerald E. Robinson

Copy to Jim Baumann

Form 4120-10
(December 1979)
(formerly 4111-5)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

#6

RANGE LINE AGREEMENT

State Office	Nevada
District Office	Battle Mountain
Date	July 9, 1981

In accordance with the provisions of Grazing Regulations (43 CFR 4120.1), we, the undersigned, hereby agree to the establishment or adjustment of our respective range allotment boundaries as shown on the attached map and further described as follows:

Shannon Station Allotment, 1

Beginning at the narrows of Devils Gate on U.S. Highway 50 near the SW corner of section 24, T. 20 N., R. 52 E., M.D.M., thence in an easterly and southerly direction along U.S. Highway 50 which is the Diamond Valley Unit boundary, a distance of about eighteen (18) miles to the district line near the SE corner of section 32, T. 18 N., R. 54 E., M.D.M., thence due north along the section line, a distance of five and three quarters (5-3/4) miles to a point on the drainage divide near the NE corner of section 5, T. 18 N., R. 54 E., M.D.M., thence continuing along the district line east and north along the drainage divide of the Diamond Range to Poison Spring in the NE corner of section 12, T. 19 N., R. 54 E., thence in a north-westerly direction up the canyon on the SW side of the road along the fence to the saddle south of Alpha Peak in the center of T. 19 N., R. 54 E., section 12, NENW, thence in a southwesterly direction following the high ridges, old bladed line and fence to a point near the center of section 11, T. 19 N., R. 54 E., thence west and northwest along the ridge south of Pastorino Canyon, thence across Pastorino Canyon and around the west side of the private ground in Pastorino Canyon, thence in a northerly direction to the east

It is further agreed that the above-described allotment boundary constitutes a fair, equitable, and practical range division, based on the respective qualifications of our dependent base property under the Grazing Regulations, and as such shall be binding upon our respective heirs, executors, administrators, successors in interest or assigns.

James E. Bauman
(Signature of Permittee/Lessee)

July 14, 81
(Date)

Don E. Edrigh
(Signature of Permittee/Lessee)

July 13/81
(Date)

(Signature of Permittee/Lessee)

(Date)

(Signature of Permittee/Lessee)

(Date)

(Signature of Permittee/Lessee)

(Date)

(Signature of Permittee/Lessee)

(Date)

APPROVED:

Neil D. Talbot
(Signature of Authorized Officer)

12/12/84
(Date)

quarter corner of section 33, T. 20 N., R. 54 E., M.D.M., thence in a north-westerly direction across Dry Canyon going halfway between the patented lands containing Four-eyed Nick's Spring and the Eunice Place, thence in a north and westerly direction along the Alpha fence to a point in section 19, T. 20 N., R. 54 E., where the Alpha fence meets the fence around the crested wheat grass seeding used by Edward Melka, thence southwesterly around this seeding and Melka's patented ground and northerly around the Desert Land Entry and north along the fence dividing Melka's seeding from Hunter's seeding to the fence corner along the fence dividing Hunters seeding from Cottonwood seeding, thence in a straight line, a distance of about one (1) mile to the SW corner of section 1, T. 20 N., R. 53 E., M.D.M., thence north one and one quarter (1-1/4) miles to the NW corner of this same section, thence westward along the section line through the Desert Land Entries and excluding the Desert Land Entries from the allotment to the NW corner of section 4, T. 20 N., R. 53 E., M.D.M., thence in a straight line in a westerly direction, a distance of four (4) miles to the top of Whistler Mountain at a point in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ section 3, T. 20 N., R. 52 E., M.D.M., thence in a southerly direction along the drainage divide, a distance of about four (4) miles to the Narrows at Devils Gate, the point of beginning.

Water will be available from Poison Spring to the troughs on both sides of the boundary fence. Excess water from Held's tank will go to the trough in Shannon Station.

#2

43
28
15

REPORT OF INVESTIGATION

MADE BY H. M. PAYNE ON JUNE 24, 1925
Nos. 7127, 7128, 7129, 7131.

On the above date the undersigned in company with Mr. Florio the applicant, L. A. Harris who surveyed the springs for him, P. A. McCarran his Attorney, James Hunter and son made a Field Investigation of the sources under these applications and the protests of Mr. Hunter against the granting thereof.

The first source visited was Rich Creek Spring. It is well up in the canyon about one and one half to two miles south of the Wattles Ranch on Simpson Creek (about three miles east of Eureka). No works of diversion were in evidence at this time of the year, so there is no reason why application should not be approved. This application was not

Read. The next source visited was Shirt Creek Spring No. 7128. No water whatever was in evidence in this canyon and only 5 clump of green bushes at the point which Mr. Harris tied as the spring is in evidence to indicate the possible development or supply of water. This canyon probably comes into Simpson Creek about opposite the Wattles Ranch. Mr. Hunter protested this application inadvertently and therefore as soon as he saw the location of same withdrew the protest.

Both of the foregoing sources were investigated without Mr. Hunter being present.

R.
X The next canyon to the east has within it a small spring applied for by Florio under the name of Choke Cherry, under No. 7129. This is the same source known to Mr. Hunter as Poison Canyon spring. At this source there was evidence that a rock dam had at some time been constructed about twenty feet below the spring. However, any reservoir which may have at one time been created by virtue of this rock dam is now filled in, about one-half inch of water was running from the spring by this dam and on down the canyon on the date of investigation. Mr. Hunter stated that he had not done anything to prevent the dam and reservoir on account of Florio having made application.

2. Cottonwood Creek Spring No. 7131 is located in the next canyon to the east. This is a fairly good sized spring running about .025 c.f.s. of water. About one-half to three fourths of a mile below the point of diversion proposed by Florio, Mr. Hunter has constructed a small reservoir about forty feet in diameter which he uses to collect the water from the spring in this canyon, as well as one in the next canyon to the east which gives him a fair head of water to run on down the canyon, the balance of the way (about three fourths of a mile) to his ranch. On the date of the investigation the water from the spring was not reaching this reservoir.

After discussing these applications with Mr. Hunter and explaining that there appeared to be surplus water in all instances it was

N.M.P. --2

agreed that Mr. Florio would withdraw his application No. 7129 for water from Choke Cherry ^{Spring} and keep his sheep away from that particular water, in consideration of which Mr. Hunter agreed not to press his protest against application No. 7131, Cottonwood Creek Spring. It was understood that we would grant permits under numbers 7127, 7128, and 7131 and that we would withdraw from our records application No. 7129.

X During the conversation between Hunter and Florio, it was brought out that Mr. Hunter had during last year leased some of these springs to other sheep men.

H.M. PAYNE

Deputy State Engineer

HP
AI

#1

File No. 17448

Application No. 7131 Certificate Record No. 1323 Book 5 Page 1325

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, A. C. Florio has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Cottonwood Creek (spring) through pipeline, reservoir, and troughs for stockwatering purposes. The point of diversion of water from the source is as follows: S. 86° 49' E. 11,824 ft. distant from Post No. 1 of U. S. Patents Nos. 90 and 91 Eureka Mining Dist. or in SE 1/4 NW 1/4 Sec. 29, T. 19 N., R. 54 E., 14 D.M. unsurveyed. 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 A. C. Florio

Postoffice address Eureka, Nevada

Amount of appropriation Sufficient to water 8000 head of sheep or 1000 C.F.S.

Period of use, from March 1st to November 30th, of each year

Date of priority of appropriation June 9, 1924.

Description of works of diversion, manner and place of use:-

Water is impounded at the spring in an artificial reservoir 16' x 9' x 6 1/2' deep (covered) and water is conveyed from reservoir by 80 feet of 2" pipe into 22 ft. of metal troughs 18 inches wide and 9 inches deep.

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 of Nevada, have hereunto set my hand and the seal of my office, this 1st day of February, A.D. 1928.



Geo. W. Malone

State Engineer

By H. W. Reppert

Assistant State Engineer.

Endorsed: State of Nevada Certificate of Appropriation of Water
Application Number 7131 Certificate Number 1323 Book 5 Page 1325

Recorded at the request of A. C. Florio Feb. 14, A.D. 1928 40 minutes past 9 A.M.

Peter Merriam - Recorder

Original C.F. Seal

#3

NUMBER 7131
CERTIFICATE NO. 1323 - ISSUED February 1, 1928

ASSIGNED: On February 23, 1928 by A. C. Florio to Isaac T. Handley and Walter Handley. Deed filed February 29, 1928 in 3640.

ASSIGNED: On June 21, 1943 by Handley Bros. to Newark Land and Livestock Co. Deed filed November 13, 1962 in 01327.

ASSIGNED: On January 31, 1947 by Newark Land and Livestock Co. to W. S. McGill and R. K. McGill. Deed filed November 13, 1962 in 01327.

ASSIGNED: On September 4, 1947 by W. S. McGill and R. K. McGill to Raymond LaBarry. Deed filed November 13, 1962 in 01327.

ASSIGNED: On September 30, 1950 by Raymond LaBarry and Maria Teresa LaBarry, his wife, to Raymond LaBarry, Jr., one-third interest of their respective community interests. Deed filed November 13, 1962 in 01327.

ASSIGNED: On August 13, 1962 by Decree of Distribution in the matter of the Estate of Raymond LaBarry, deceased, to Jean Pierre LaBarry, his 1/3 interest. Filed November 13, 1962 in 01327.

NOTE: Owner of record stands in the names of:

Maria Teresa LaBarry, an undivided 1/3 interest;
Raymond LaBarry, Jr., an undivided 1/3 interest; &
Jean Pierre LaBarry, an undivided 1/3 interest.
(IAK 4-27-76)

ASSIGNED: On September 22, 1976 by Maria Teresa LaBarry, Raymond LaBarry, Jr. and Jean Pierre LaBarry to United Dressed Beef, Inc. Deed filed November 17, 1976 under 01327.

ASSIGNED: On 18 June 1987 by United Dressed Beef, Inc., aka United Dressed Beef Company to Chloe C. Held (aka Chloe Held Moran) and George D. McClintock, as trustees of the Chloe Held Trust u/w Paul R. Held. Grant, Bargain and Sale Deed, Document Number 109198 and/or 243515, filed April 14, 1989 under Permit 1224.

Application No.: 7131 Application Status: CER Certificate No.:

Owner(s): CHLOE HELD TRUST; Status: CERTIFICATE

Basin: 153 Basin Name: DIAMOND VALLEY Sub Basin:

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

Source: SPRING Source Description: COTTONWOOD CREEK SPRING

Project Name: Decree Name: Use: STOCKWATERING

Period Start: 0301 Period End: 1130

Point of Diversion Information: Qtr-Qtr: SE Qtr: NW Sec: 20 20 Twn: 19N Rng: 54E
--

Duty Balance: 8.80 MGS Div Balance: 0.05

Acre-Feet Storage: 0 Well Log Nos.:

Remarks 1:

Application No.: 7131 Application Status: CER Certificate No.:

Assigned By: Effective Date:

Owner	Type	Div Rate	Duty	Acres	Change By	Description
CHLOE HELD TRUST	C	0	0	0		

Owner
FLORIO, ANGELO C.

Remarks 5:

Home	State Home Pages	About Us	Publications
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.: [7131](#) **Application Status:** **CER** **Certificate No.:** [1323](#)

Filing Date: [06-09-1924](#) Priority Date: [06-09-1924](#) Return Date:

Sent for Publication Date: [06-16-1924](#) Last publication Date: [07-26-1924](#) Ready for Action Date: [08-26-1924](#)

Permit Date: [07-23-1925](#) Withdrawn Date: Forfeit Date:

Cancel Portion: Cancellation Date: Cancellation Rescind Date:

Denied Date:

aps

Filed Under	Date	Filed Under	Date
Proposed POD: 7131	10-16-1924	Existing POD:	
Proposed POU:		Existing POU:	

Proofs of Completion and Beneficial Use

Due Date:	Rcvd:	Filed:	Ext. Due:	Ext Rcvd:
POC: 06-23-1927		04-09-1927		
PBU: 12-23-1927		10-01-1927		

Other Dates and Requirements

Cultural Map: PBU Map Received: PBU Map Filed Under: Certificate Date: [02-01-1928](#)

Forfeiture Due Date: Extension required?: Forfeiture Portion: Forfeiture Received: Forfeiture Filed:

Temporary Expiration Date: Other Date: Reporting Required?:

Remarks 2: