

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant James E and Hera L. Baumann N P.O. Box 308 of Eureka Nevada 89316

(2) Source of water Shirt Creek Springs

(3) The water is diverted by Dam

(4) The water is diverted at the following point(s) SW 1/4 of SW 1/4 Sec: 20 Twn: 19N Rng: 54E.

(5) The water is impounded in Reservoir

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

(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, 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).

Serial No. 09763

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant James E and Vera L. Baumann P.O. Box 308 of Eureka Nevada 89316

(2) Source of water Shirt Creek Springs

(3) The water is diverted by Dam

(4) The water is diverted at the following point(s) SW 1/4 of SW 1/4 Sec: 20 Twp: 19N Rng: 54E

(5) The water is impounded in Reservoir

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

(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, Spanish Gulek 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 100 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 100 hd of Cattle more or less over
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.
the years; but this Spring has been
used continuously since 1866.

(11) The amount of water which has been necessary to be diverted for this purpose has been
50 cubic feet per second.
448.83 gallons per minute equals 1 cubic feet per second.

(12) The works are located at SW 1/4 SW 1/4 Sec: 20 Twn: 19 N
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed
Rng. 54 E
land, it should be stated.
GPS. Long: 39° 31.78 N Lat: 115° 54.55

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

Remarks (map provided in Vol II)

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. 09763

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

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

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

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

(4) The water is diverted at the following point(s) SW 1/4 of SW 1/4 Sec: 20
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.
TWN: 19N Rng: 54E.
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 Reservoir
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, deceded, public domain with grazing permit, etc.
Located in the Shannon Station, 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 100 cattle _____ horses _____ sheep or wildlife (describe) _____

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 100 hd of Cattle more or less over
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.
the years; but this Spring has been
used continuously since 1866.

(11) The amount of water which has been necessary to be diverted for this purpose has been
20 cubic feet per second.
448.83 gallons per minute equals 1 cubic feet per second.

(12) The works are located at SW 1/4 SW 1/4 Sec: 20 Twn: 19 N
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed
Rng. 54 E
land, it should be stated.
G.P.S. Lot: 39° 31.78' N Lon: 115° 54.55'

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

Remarks (Map provided in Vol II)

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 L. 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



Maryjo Castaneda

Notary Public in and for the County of Eureka

My commission expires June 25, 2009

2008 SEP 11 PM 3:36

\$50 FILING FEE MUST ACCOMPANY PROOF

STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER

(Statutory vested water rights are those with a priority date prior to: March 1, 1905 for All Surface Sources; March 22, 1913 for Underground Artesian Waters; March 25, 1939 for Underground Percolating Water)

USE(S):

Primary (Please select only one):

Irrigation	<input type="checkbox"/>	Stock water	<input checked="" type="checkbox"/>	Mining and Milling	<input type="checkbox"/>	Domestic	<input type="checkbox"/>
Municipal	<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Quasi-Municipal	<input type="checkbox"/>	Commercial	<input type="checkbox"/>
Federal Reserved Right	<input type="checkbox"/>	Other (OTH) _____					

Secondary (Select all that may be applicable):

Stock water	<input type="checkbox"/>	Domestic	<input checked="" type="checkbox"/>
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NAME OF CLAIMANT James E. & Vera L. Baumann

Address PO Box 308 City of Eureka County of Eureka

State of Nevada Telephone No. 775-237-5452 Email Address simpsoncreekranch@gmail.com

1. Source of water Shirt Creek Springs
 Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion Natural channel, pools, and small reservoir
 Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):
 SW1/4 SW1/4 of Sec. 017, T19N, R54E (Unsurveyed)
 GPS location in WGS 84: Longitude --115.926263 Latitude 39.509928

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun _____
 and completed specific dates unknown but use began in 1866

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

6. The claimant's water right was / was not recorded in the office of the County Recorder of
 (circle one)
 _____ County, at Page _____ of Book _____ of _____

7. The amount of water diverted for the claim's purpose has been measured at
 0.05 _____ cubic feet per second.
 448.83 gallons per minute equals 1 cubic feet per second

06/15 - POA

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MAY 27 2016
 Page 1
 STATE ENGINEER'S OFFICE

8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):

Utilizing the natural channel, pools and small reservoir in SW1/4 SW1/4 of Sec. 017, T19N, R54E (Unsurveyed)
GPS location in WGS 84: Longitude -115.926263 Latitude 39.509928

(List all places of use for the primary and any secondary purposes being claimed, attaching additional sheet(s) as needed. Describe them as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated. If the watering of livestock is accomplished by utilizing the natural stream channel, then describe the 40-acre legal subdivision at the beginning (upstream point) and the legal subdivision at the end of the stream reach.)

QUESTIONS REGARDING WATERING OF LIVESTOCK

9. The approximate number of animals watered by the claimant during the first year of 1866 was _____ Year
300 cattle _____ horses _____ sheep _____ other (describe in remarks)

The watering was conducted during each of the following months: January 1 through December 31

10. The approximate number of animals watered by the claimant in subsequent years was:

300 cattle _____ horses _____ sheep _____ other (describe in remarks)

11. The water is impounded in Natural channel, pools, and small reservoir.

Trough(s), tank(s), pool(s), reservoir, natural channel, etc.

QUESTIONS WITH REGARD TO IRRIGATION

12. The date of survey of ditch, canal, or pipe line was _____

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom _____ feet,
width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement,
on a grade of _____ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of _____ inches with
a type of pipe of _____ for _____ feet in length.

Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not been enlarged.
(circle one)

16. The work of enlargement of the ditch, canal or pipeline commenced _____
and completed _____

17. The dimensions of the enlarged ditch or canal are: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, for _____ lineal feet of improvement, on a grade of _____ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of _____ inches with a type of pipe of _____ for _____ lineal feet in length.
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

19. The claimant is / is not the owner in the above-described conduit.
(circle one)

If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of _____
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)
have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from _____ to _____ of each year. The average number of cuttings in a year is typically _____ cuttings and the maximum number of cuttings in a year is _____ cuttings.

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

23. 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):

24. The characteristics of the soil are _____
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is _____ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is _____ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is _____ cubic feet per second.

27. List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with their corresponding subdivision. (Attach additional sheets as needed.)

Date	Acres	Quarter-Quarter	Section	Township	Range
_____	_____	acres in the _____ of Sec.	_____	, T. _____	(N./S.), R. _____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____	, T. _____	(N./S.), R. _____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____	, T. _____	(N./S.), R. _____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____	, T. _____	(N./S.), R. _____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____	, T. _____	(N./S.), R. _____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____	, T. _____	(N./S.), R. _____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____	, T. _____	(N./S.), R. _____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____	, T. _____	(N./S.), R. _____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____	, T. _____	(N./S.), R. _____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____	, T. _____	(N./S.), R. _____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____	, T. _____	(N./S.), R. _____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____	, T. _____	(N./S.), R. _____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____	, T. _____	(N./S.), R. _____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____	, T. _____	(N./S.), R. _____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____	, T. _____	(N./S.), R. _____ E. (circle one)

ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING

This is filed to amend previously filed claim V-09763 to (1) correct the description of the point of diversion/place of use in previous claim; (2) add domestic as a secondary use; and (3) increase the claimed cattle watered. The GPS point plots in Sec. 17, not Section 20 (unsurveyed).

All other previous remarks on claim V-09763 still apply.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by

James E. & Vera L. Baumann are full and correct to the best of their knowledge and belief.
(Name)

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name James E. Baumann Signature *James E. Baumann*
(Please type or print name) (Please sign in the presence of a Notary Public)

Address PO Box 308, Eureka State of Nevada ZIP Code 89316

Telephone Number 775-237-5452 Email Address simpsoncreekcranch@gmail.com

State of Nevada
County of Eureka

Subscribed and sworn to before me on 5-24-2016
(Date)

by *James E. Baumann*
Annelle D. Watts

Signature of Notary Public Required



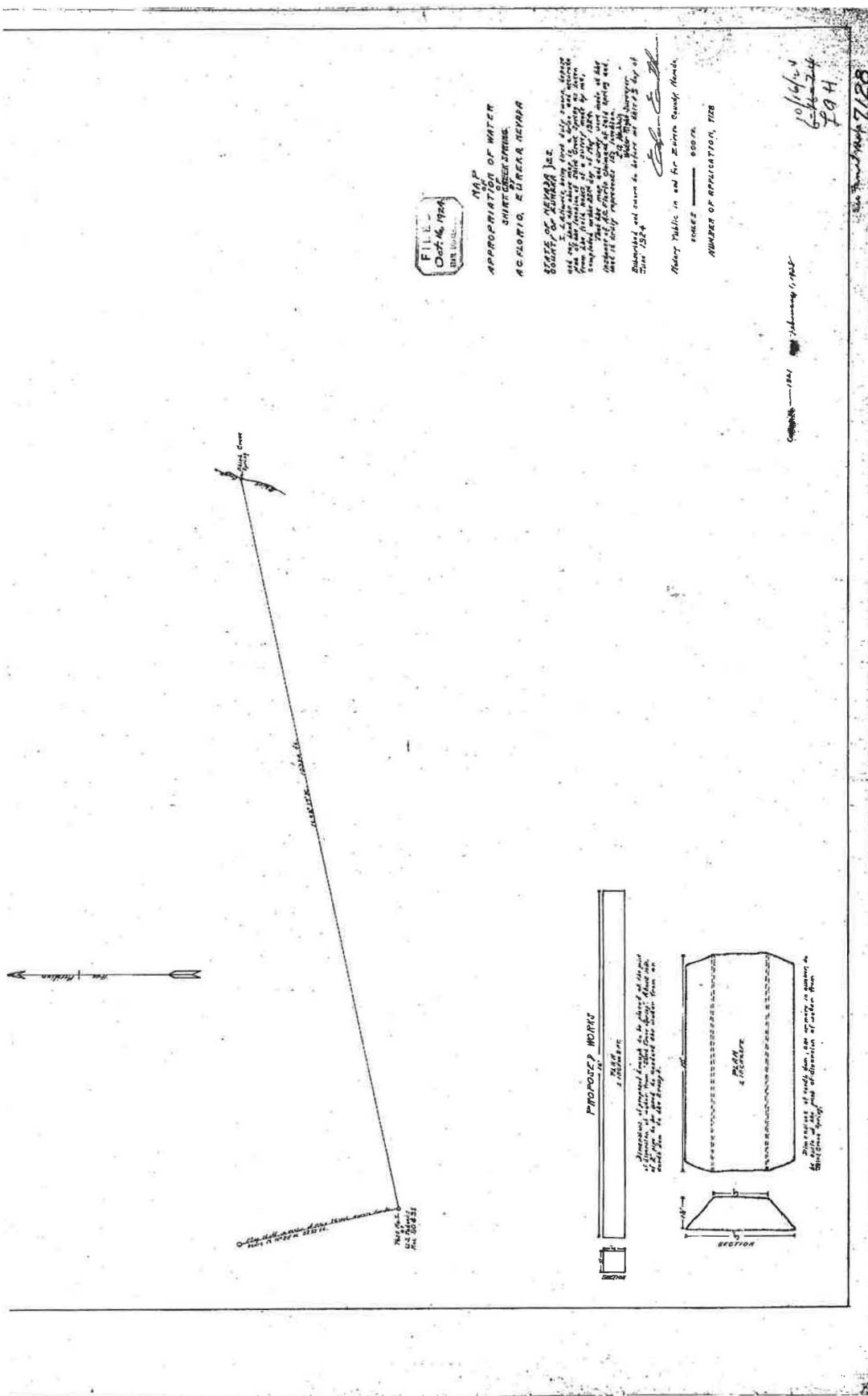
Notary Stamp or Seal Required

THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM, WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.

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MAY 27 2016

STATE ENGINEER'S OFFICE



FILE
 Oct. 14, 1924
 DIV. OF WATER

MAP
 APPROPRIATION OF WATER
 SHIRT CREEK DITCHES.
 ACACIO, EUREKA, CALIF.

STATE OF CALIFORNIA
 I, the undersigned, County Clerk of the County of Nevada, do hereby certify that the above described map was filed for record in my office on the 14th day of October, 1924, and that the same is a true and correct copy of the original map as filed with me.

Witness my hand and the seal of my office this 14th day of October, 1924.

NUMBER OF APPLICATION, 118

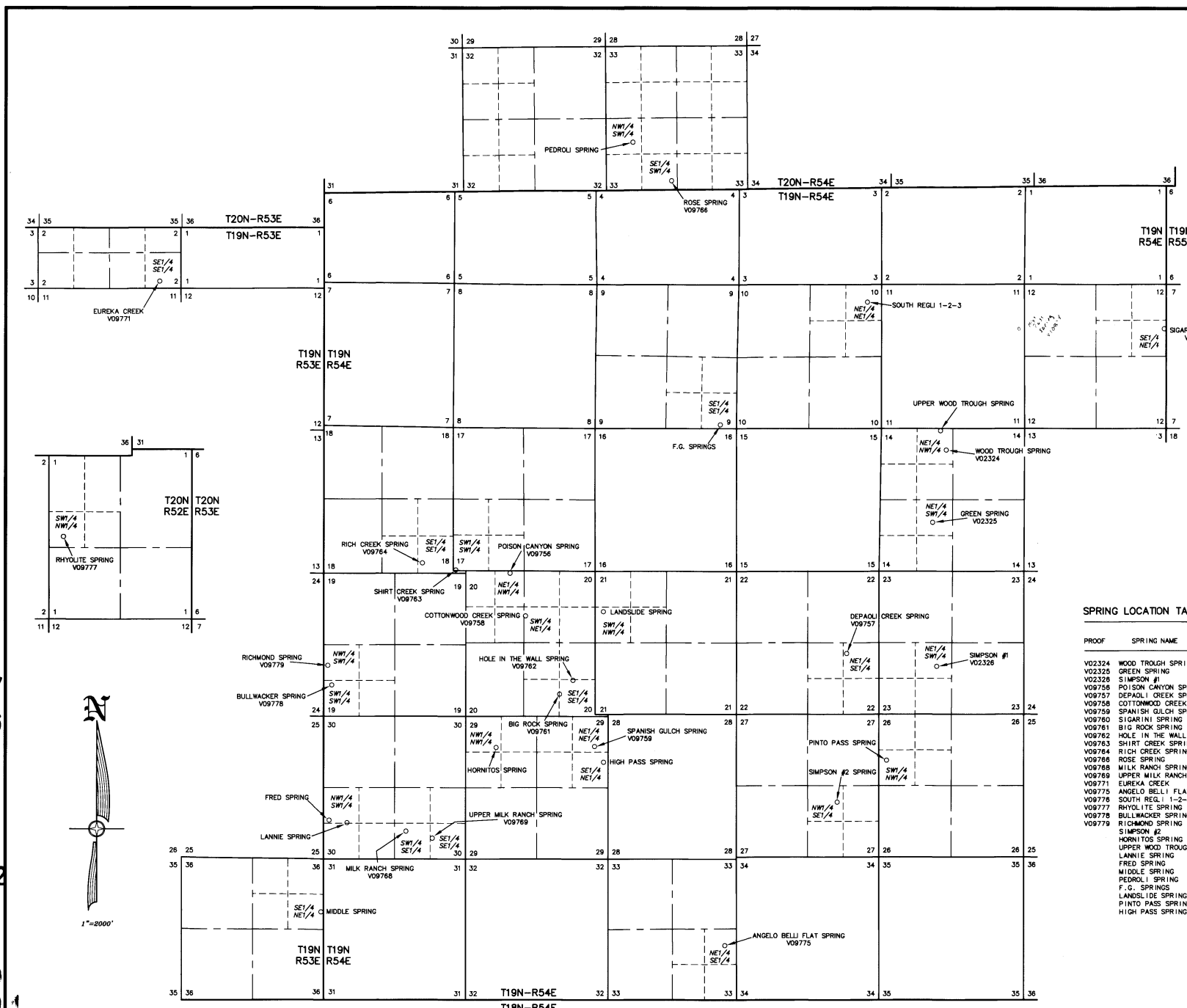
10/14/24
 6-2-24
 794

7128

SHEET NO. 1 OF 1 SHEETS.

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

W216014



V10879
 V10878
 V10877
 V10876
 V10875
 V10873
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 V09779
 V09778
 V09777
 V09776
 V09775
 V09771
 V09769

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

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. 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. 688

ROBERT E. MORLEY
 Exp. 12-31-17
 No. 6203

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

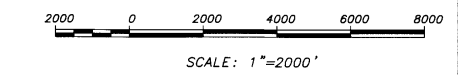
Charlene A. Jones
 NOTARY PUBLIC IN AND FOR THE STATE OF NEVADA
 MY COMMISSION EXPIRES Feb. 6, 2018

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	SUB-DIVISION	TOWNSHIP	RANGE	SHIP	LATITUDE	LONGITUDE
V02324	WOOD TROUGH SPRING	14	NE1/4 NW1/4	T19N	R54E	39.522389 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	
V09756	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	39.501671 N	115.874839 W	
V09758	COTTONWOOD CREEK SPRING	20	SW1/4 NE1/4	T19N	R54E	39.502525 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	39.4874 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	115.926263 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	115.93337 W	
V09769	UPPER MILK RANCH SPRING	30	SE1/4 SE1/4	T19N	R54E	39.482789 N	115.929769 W	
V09771	EUREKA CREEK	02	SE1/4 SE1/4	T19N	R53E	39.539828 N	115.965614 W	
V09775	ANGELO BELLI 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	116.067534 W	
V09778	BULLWACKER SPRING	19	SW1/4 SW1/4	T19N	R54E	39.498914 N	115.942926 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	39.485852 N	115.876004 W	
V09779	HORNITOS SPRING	29	NW1/4 SW1/4	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	39.484569 N	115.943679 W	
V09779	MIDDLE SPRING	36	SE1/4 NE1/4	T19N	R53E	39.47521 N	115.944456 W	
V09779	PEDROLI 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	115.891431 W	
V09779	LANDSLIDE SPRING	21	SW1/4 NW1/4	T19N	R54E	39.50582 N	115.906859 W	
V09779	PINTO PASS SPRING	28	SW1/4 NW1/4	T19N	R54E	39.490811 N	115.86968 W	
V09779	HIGH PASS SPRING	29	SE1/4 NE1/4	T19N	R54E	39.490811 N	115.906859 W	



STATE ENGINEERS USE

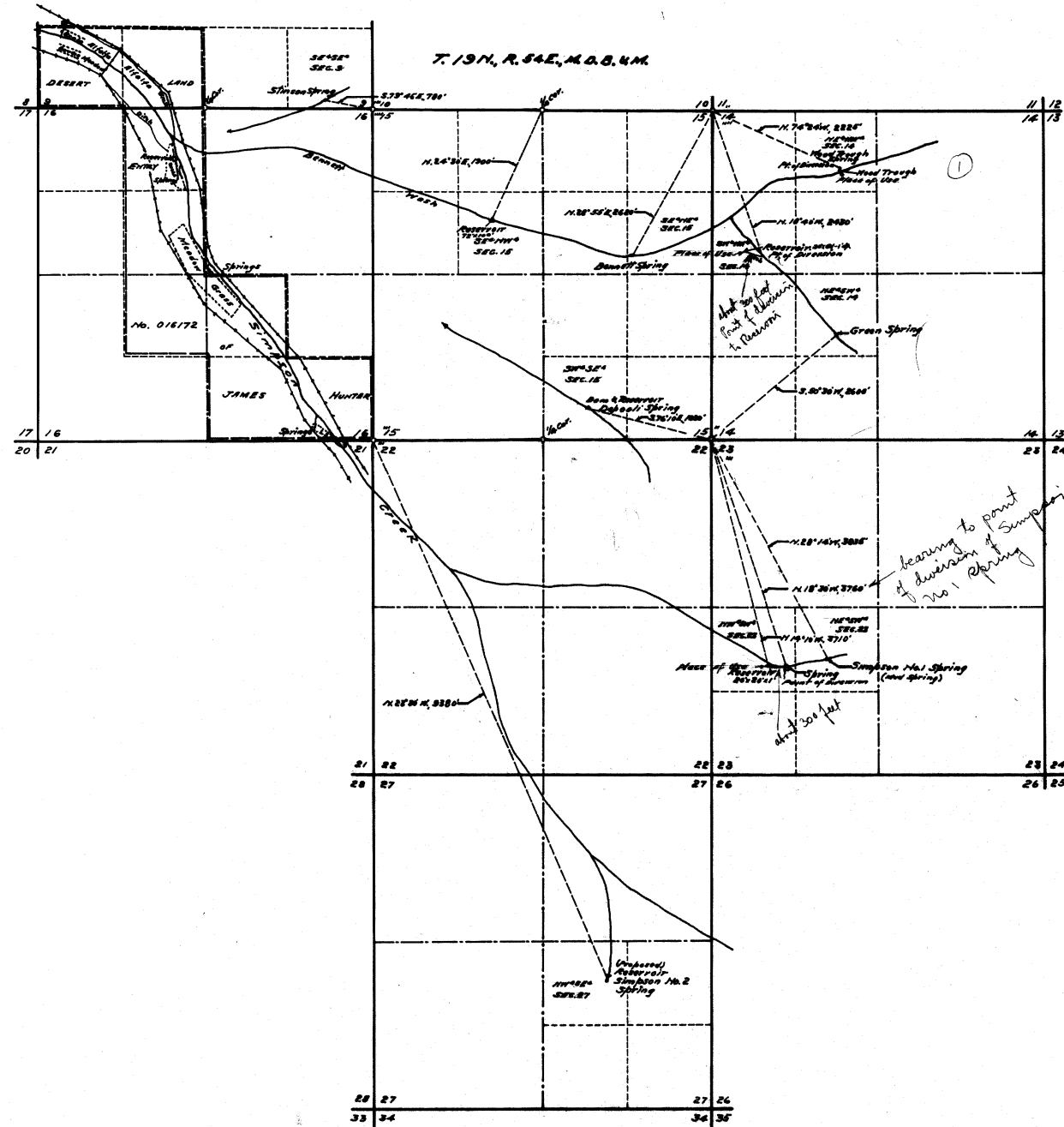
V.09756-77

MAY 27 2016

ELKO COUNTY ENGINEERS OFFICE

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





STATE OF NEVADA } 55.
 County of White Pine }

I, F.M. Millard, being first duly sworn, depose and say that this map has been correctly drawn to the designated scale from field notes of a survey made by me between the 15th and 20th days of June, 1943, that it truly and correctly represents the location and extent of the works used to divert water from WOOD TROUGH, BENNETT, GREEN, DEPOALI and SIMPSON No. 1 SPRINGS in Eureka County by JAMES HUNTER for stockwatering purposes; that the points of diversion, the locations and sizes of the diverting channels or other conduits, the places 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.

F.M. Millard
 State Water Right Surveyor.

Subscribed and sworn to before me this 23rd day of June, 1943.

[Signature]
 Notary Public in and for White Pine County, Nevada.
 My Commission expires Jan 6, 1946

SCALE 1 IN. = 1000 FT.

FILED
 June 7, 1944
 STATE WATER RIGHTS OFFICE

MAP
 TO ACCOMPANY PROOFS OF APPROPRIATION
 FOR
STOCKWATERING
 BY
JAMES HUNTER
 FROM WOOD TROUGH, BENNETT,
 GREEN, DEPOALI & SIMPSON NO. 1
 SPRINGS.

SURVEYED
 JUNE 17-19, 1943. - BY - F.M. MILLARD & SON,
 RAY, NEVADA.

02324-02325-02326

Supplementary Information

Name: Shirt Creek Spring

Latitude: 39° 31.78 N

Longitude: 115° 54.55 W

Elevation: 6572

NDWR Water Rights Application #: 09763 ~~7128~~

Remarks: This spring is located on the grazing allotment of this ranch and has been used by this ranch dating back to 1866 and is a tributary to Simpson Creek.

2009
Corrected
Supplementary Information

Name:	Shirt Creek Spring
Latitude:	39.510
Longitude:	115.926
Elevation:	6572
NDWR Water Rights Application #:	7128
NDWR Filing under Baumann	#09763

Remarks: This spring is located on the grazing allotment of this ranch and has been used by this ranch dating back to 1866 and is a tributary to Simpson Creek.



STATE OF NEVADA
ENGINEER'S OFFICE

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

CARSON CITY July 16, 1924.

Replying to your letter of July 12, 1924.

In your reply refer to Nos. 7128, 7131, 4416.

Mr. James Hunter,
Bar "C" Ranch,
Eureka, Nevada,

Dear Sir:-

We note the contents of your letter. We are enclosing blank forms to be used in case you desire to file a protest against any of the applications made by Mr. Florio. Protests must be prepared in duplicate so that we will have a copy to serve upon the applicant. Each protest must be accompanied by a filing fee of \$1.00

We are also enclosing copy of the water law which gives all requirements for the protection and acquisitions of water rights. Sections 18 to 51 inclusive outline the procedure by which the vested rights of any party (that is, rights initiated prior to the year 1905) are determined by the state engineer. Commencing with section 52 the requirements of law relative to the appropriation of water and requirement of new rights are given. This law, which requires any party desiring to appropriate water to make an application to the state engineer, has been in effect since 1905. Thus, no legal right attaches to the use of water commenced since 1905 unless an application has been made to the state engineer therefor.

For your information we are enclosing a blank application for permission to appropriate water.

Yours very truly,

Robert A. Allen,
State Engineer,

By *R. H. Baumann*

Mr. Allan

Dear Sir I beg to thank you for yours
of July. - 16 -

I am filling the blanks out to the
best of my ability as there is not
a lawyer in town at present.

These natural courses are all
tributaries to Simpson Creek, but
have been diverted by Mr. Depaulis into sections
marked on the map and used for irrigation. He
has seen no water from any of these springs that
has been allowed to run to waste due to ^{our} ~~my~~
improvements in the form of ditches, dams, and
reservoirs. I intend putting a reservoir on
~~the Simpson Creek~~ ~~at~~ ~~the~~ ~~as marked~~
on map, this year. So that I can use it long

There is some difference in different surveys but
I have seen Mr. Wehkind and Mr. Johnson who
have both surveyed the ~~land~~ and to the best of
their knowledge, the map I am sending you is
correct.

I am positive that an investigation from your office
if such a thing were possible, would prove to you that
these springs were ~~not~~.



STATE OF NEVADA
ENGINEER'S OFFICE

CARSON CITY

July 29, 1924

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

In your reply refer to Nos. 7128-7129-7131

Mr. James Hunter
Bar G Ranch
Eureka, Nevada

Dear Sir:

This will acknowledge receipt of your protests and duplicates against the granting of applications of A. C. Florio for the waters of Cottonwood Creek, Choke Cherry Spring, and Shirt Creek Spring, together with Post Office Money Order No. 127996 in the amount of \$3.00. These protests will be filed and appropriate action taken thereon when the time arrives.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Robert A. Allen".

RAA:ALS

State Engineer.



STATE OF NEVADA
ENGINEER'S OFFICE

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

CARSON CITY August 4, 1924.

Subject: Shirt Creek Spring, etc.

In replying, refer to Nos. 7128, 7129, 7131.

Mr. James Hunter
Bar C Ranch
Eureka, Nevada

Dear Sir:

Protests were

received and filed in this office under the above-mentioned
serial numbers on July 26, 1924.

Official receipt covering filing fee is inclosed herewith.
No. 15858.

Very truly yours,

Robert A. Allen
State Engineer.

EF



STATE OF NEVADA
ENGINEER'S OFFICE

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

CARSON CITY July 9, 1925

Replying to your letter of

In your reply refer to No s. 7128, 7129 and 7131

Mr. A. C. Florio, Applicant
Eureka, Nevada

and

Mr. James Hunter, Protestant
Eureka, Nevada

Gentlemen:

In accordance with the understanding had by you in the presence of our Deputy State Engineer, H. M. Payne, on June 24, 1925, we have listed the protest of Mr. Hunter against the granting of application No. 7128, Shirt Creek Spring, as withdrawn. The application will accordingly be approved as well as application No. 7131 for Cottonwood Creek Spring. Application No. 7129 Choke Cherry Spring, which is the same source for which permit No. 4416, now standing in the name of James Hunter for Poison Canyon Spring was issued, has been listed on our records as withdrawn by applicant Florio.

Accordingly we are inclosing notices for fees for issuing to the applicant permits under N's. 7128 Shirt Creek Spring and 7131 Cottonwood Spring. •

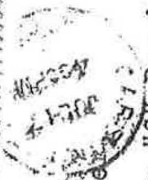
Yours very truly,

Robert A. Allen
State Engineer

By 
Office Engineer

Inc.
HP AQ

OFFICE OF
STATE ENGINEER
CARSON CITY, NEVADA



Mr. James Hunter
Bar "O" Ranch,
Eureka,
Nevada.

*From all information I can
obtain, this spring is known as
Prison Canyon Spring and never
known as Shirt Creek Spring*

7420

is filed on by me as Paines Canyon Spring
This spring is ~~misnamed~~ in application
under application #4416 and is tributary to Simpson Canyon
Creek which irrigates ranch
This spring cleaned by me this year

This spring forms a tributary to Simpson Canyon Creek
which is diverted by ditch to irrigate ranch and
has been used for stock watering purposes and irrigation
for a period of more than 30 yrs. as testified by Mrs.
Depauli former owner of ranch for a period of
thirty years preceding the year 1909 when it
was taken over by me. A reservoir and small
dams have been constructed on this stream
This spring cleaned by me this year

This spring forms a tributary which ~~but~~
supplies the water to fill ~~the~~ Cotton Wood Creek 3
Reservoir and is marked on the enclosed map. 29
The water from this spring has been used for stock
watering and irrigation purposes the same as that
of Cotton Wood Creek and for the same period of time.
This spring cleaned by me this year

#3

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 north east of Eureka). No works of diversion were in evidence and it does not appear that the water of this spring reaches any irrigated land at this time of the year, so there is no reason why application should not be approved. This application was not protested.

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 ^{of} 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 any work toward clearing out the dam and reservoir on account of Florio having made application.

R.

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 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 water from some of these springs to other sheep men.

H.M. PAYNE

Deputy State Engineer

HP
AI

Cottonwood Spring

agreed

HP Payne

Copy to Jim Baumann

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

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

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,

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.

<u>James E. Bauman</u> (Signature of Permittee/Lessee)	<u>July 14, 81</u> (Date)
<u>Don Edrigh</u> (Signature of Permittee/Lessee)	<u>July 13/81</u> (Date)
_____ (Signature of Permittee/Lessee)	_____ (Date)
_____ (Signature of Permittee/Lessee)	_____ (Date)
_____ (Signature of Permittee/Lessee)	_____ (Date)
_____ (Signature of Permittee/Lessee)	_____ (Date)
APPROVED: <u>Neil D. Talbot</u> (Signature of Authorized Officer)	<u>12/12/84</u> (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.

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 Shirt Creek Spring through Reservoir for Stockwatering purposes. The point of diversion of water from the source is as follows: N 78° 17' E, 10324 ft. distant from Post No. 1 of U.S. Patents Nos. 90 and 91 Eureka Mining Dist. or in SW 1/4 SW 1/4 Sec. 20, T. 19 N., R. 54 E., M.D.B. unsurveyed. Situated in Eureka County, State of Nevada.

#1

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 - Angelo C. Florio
- Post office address - Eureka, Nevada
- Amount of appropriation - Sufficient to water 5000 head of sheep or 0.05 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: -
An earth dam, 20 ft. long, 2 1/2 ft. high, with 2 ft. crown has been built across bed of creek, and forms a small reservoir for impounding water for stockwatering purposes.

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

Completed 1/25/28

Endorsed: State of Nevada. Certificate of Appropriation of Water Application Number 7128 Certificate Number 1321 Book 5 Page 1321

Recorded at the request of A.C. Florio Feb. 14, A.D. 1928 At 0 minutes past 9 a.m.

Ceter Mercedo Recorder

Water locations Book A Page 199

#4

NUMBER 7128

CERTIFICATE NO. 1321 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.: 7128 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: SHIRT CREEK SPRING

Project Name: Decree Name: Use: STOCKWATERING

Period Start: 0301 Period End: 1130

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

Duty Balance: 8.80 MGS Div Balance: 0.05

Acre-Foot Storage: 0 Well Log Nos.:

Remarks 1:

Application No.: 7128 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
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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.: [7128](#) **Application Status:** CER **Certificate No.:** [1321](#)

Filing Date: [06-09-1924](#) Priority Date: [06-09-1924](#) Return Date:
 Sent for Publication Date: [06-19-1924](#) 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

<u>Filed Under</u>	<u>Date</u>	<u>Filed Under</u>	<u>Date</u>
Proposed POD: 7128	10-16-1924	Existing POD:	
Proposed POU:		Existing POU:	

Proofs of Completion and Beneficial Use

<u>Due Date:</u>	<u>Rcvd:</u>	<u>Filed:</u>	<u>Ext. Due:</u>	<u>Ext Rcvd:</u>
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: