

09768

Serial No. ....

STATE OF NEVADA

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

(2) Source of water MILK RANCH SPRING

(3) The water is diverted by SPRING BOX INTO PIPE TO RESERVOIR BELOW SPRING

(4) The water is diverted at the following point(s) SE 1/4 of SW 1/4 Sec: 30 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 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).

Serial No. 09768

STATE OF NEVADA

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

(2) Source of water Milk Ranch Spring

(3) The water is diverted by Spring Box into pipe to reservoir below spring

(4) The water is diverted at the following point(s) SE 1/4 of SW 1/4 Sec: 30 Twn: 19 N. Rng: 54 E.

(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 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~~ 1866  
Date  
was 200 cattle \_\_\_\_\_ horses \_\_\_\_\_ sheep or wildlife (describe) \_\_\_\_\_  
Other

The watering was conducted during each of the following months April 1st thru  
Nov. 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  
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.  
over the years; but this spring  
has been <sup>used</sup> continuously since 1866

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

1/10 cubic feet per second.  
448.83 gallons per minute equals 1 cubic feet per second.

(12) The works are located at SE 1/4 of SW 1/4 Sec: 30 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.

Remarks Support documents for chain of title  
for Simpson Creek Ranch / James E. & Vera L.  
Baumann provided in Water Rights Documents  
Vol I filed with Nevada Division of Water  
Resources

Support documents for Milk Ranch Spring  
are provided in Vol. II also filed with  
Nevada Division of Water Resources

Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 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. (725) 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**



09768

Serial No. ....

STATE OF NEVADA

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

(2) Source of water Milk Ranch Spring

(3) The water is diverted by Spring Box into pipe to Reservoir below Spring

(4) The water is diverted at the following point(s) SE 1/4 of SW 1/4 Sec: 30 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 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~~ 1866  
Date  
was 200 cattle \_\_\_\_\_ horses \_\_\_\_\_ sheep or wildlife (describe) \_\_\_\_\_  
Other  
The watering was conducted during each of the following months January 1st  
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  
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.  
over the years; but this spring  
has been <sup>used</sup> continuously since 1866

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

(12) The works are located at SE 1/4 of SW 1/4 Sec: 30 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.

Remarks Support documents for chain of title  
for SIMPSON CREEK RANCH / James E. & Vera L.  
Baumann provided in Water Rights Documents  
Vol I filed with Nevada Division of Water  
Resources  
Support documents for Milk Ranch Spring  
are provided in Vol. II also filed with  
Nevada Division of Water Resources

Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 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

**\$50 FILING FEE MUST ACCOMPANY PROOF**

2008 SEP 11 PM 3:37

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  Stock water  Mining and Milling  Domestic   
Municipal  Industrial  Quasi-Municipal  Commercial   
Federal Reserved Right  Other (OTH) \_\_\_\_\_

Secondary (Select all that may be applicable):

Stock water  Domestic

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 Milk Ranch Spring  
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 Spring box into pipeline that flows to reservoir below spring.  
Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):  
SW1/4 SE1/4 of Sec. 030, T19N, R54E (Unsurveyed)  
GPS location in WGS 84: Longitude -115.933337 Latitude 39.483620

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

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**MAY 27 2016**  
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8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):

Spring is piped from the spring box to a reservoir. There is some overflow and pooling at the spring source. Water is utilized in the natural channel and pools at the spring source in SW1/4 SE1/4 of Sec. 30, T19N, R54E (Unsurveyed) and the reservoir located in SE1/4 SW1/4 of Sec. 30, T19N, R54E (Unsurveyed).

(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 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)	

**ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING**

This is filed to amend previously filed claim V-09768. V-09768 incorrectly described the point of diversion at the location where water discharges from the pipeline to the reservoir. This amended claim correctly describes the spring as being piped from the spring source in SW1/4 SE1/4 of Sec. 30, T19N, R54E (Unsurveyed) to a reservoir in SE1/4 SW1/4 of Sec. 30, T19N, R54E (Unsurveyed). This amendment also adds add domestic as a secondary use and increase the claimed number of livestock watered.

All other previous remarks on claim V-09768 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 simpsoncreekranch@gmail.com

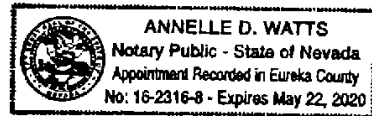
State of Nevada

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

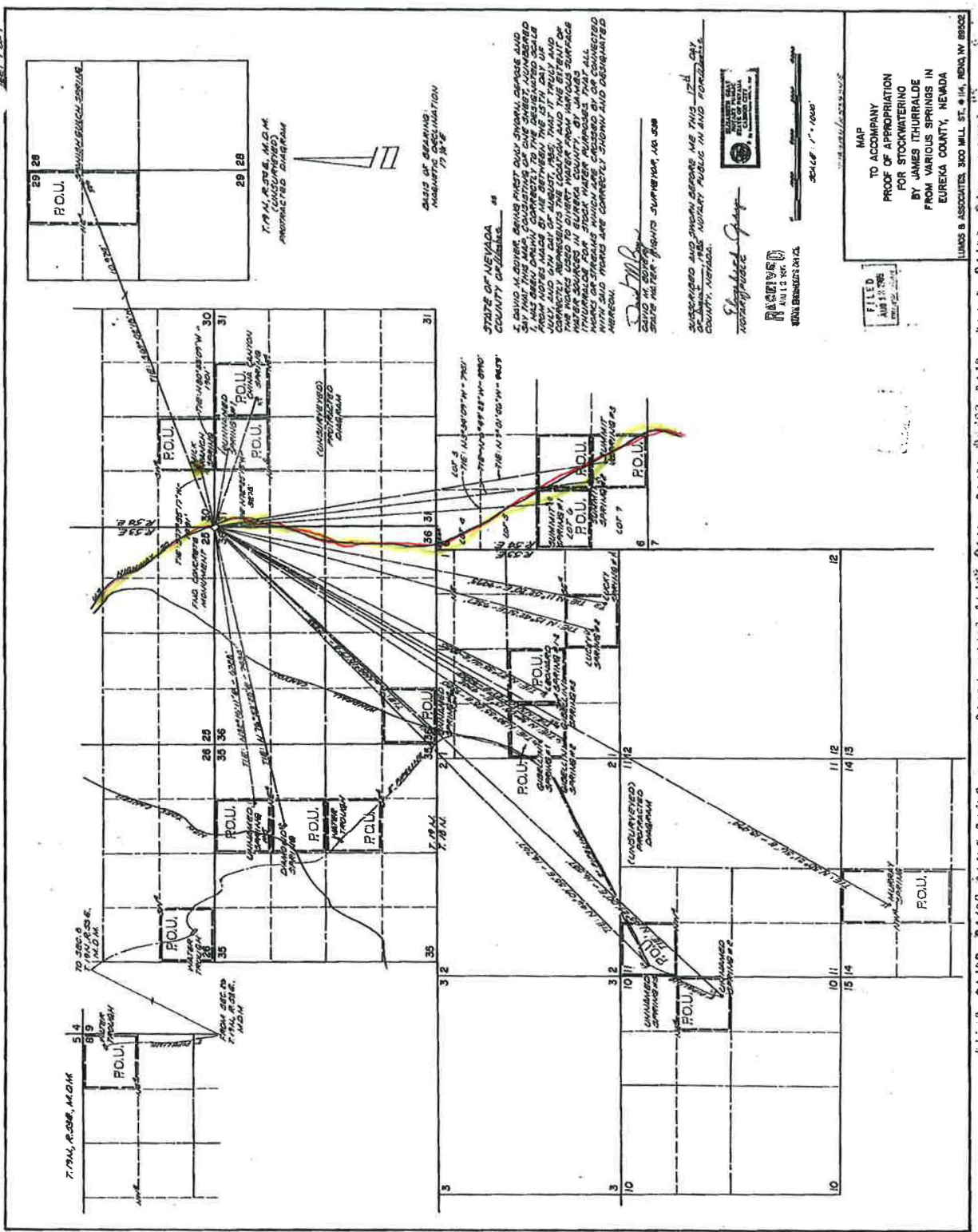
**THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM, WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.**

**RECEIVED**

**MAY 27 2016**

**STATE ENGINEER'S OFFICE**

SECT. 7, 20-7



T.P.M. R. 208, M.D.M.  
CONSIDERED  
PROTECTED CHAPARRAL

CLASS OF BEHAVIOR  
NATURE OF DISCUSSION  
17-18-8

STATE OF NEVADA  
COUNTY OF ELIABETH

THIS MAP SHOWS THE LOCATION OF THE POINTS OF USE AND THE WATER RIGHTS THEREFROM TO THE DESIGNATED AREA AND THE WATER RIGHTS TO THE DESIGNATED AREA. THE WATER RIGHTS TO THE DESIGNATED AREA ARE THE WATER RIGHTS TO THE DESIGNATED AREA. THE WATER RIGHTS TO THE DESIGNATED AREA ARE THE WATER RIGHTS TO THE DESIGNATED AREA.

STATE WATER RIGHTS SUPERVISOR, 10.038

SUBSCRIBED AND SWORN BEFORE ME THIS 17th DAY OF JUNE, 1988, NOTARY PUBLIC IN AND FOR THE COUNTY OF NEVADA.

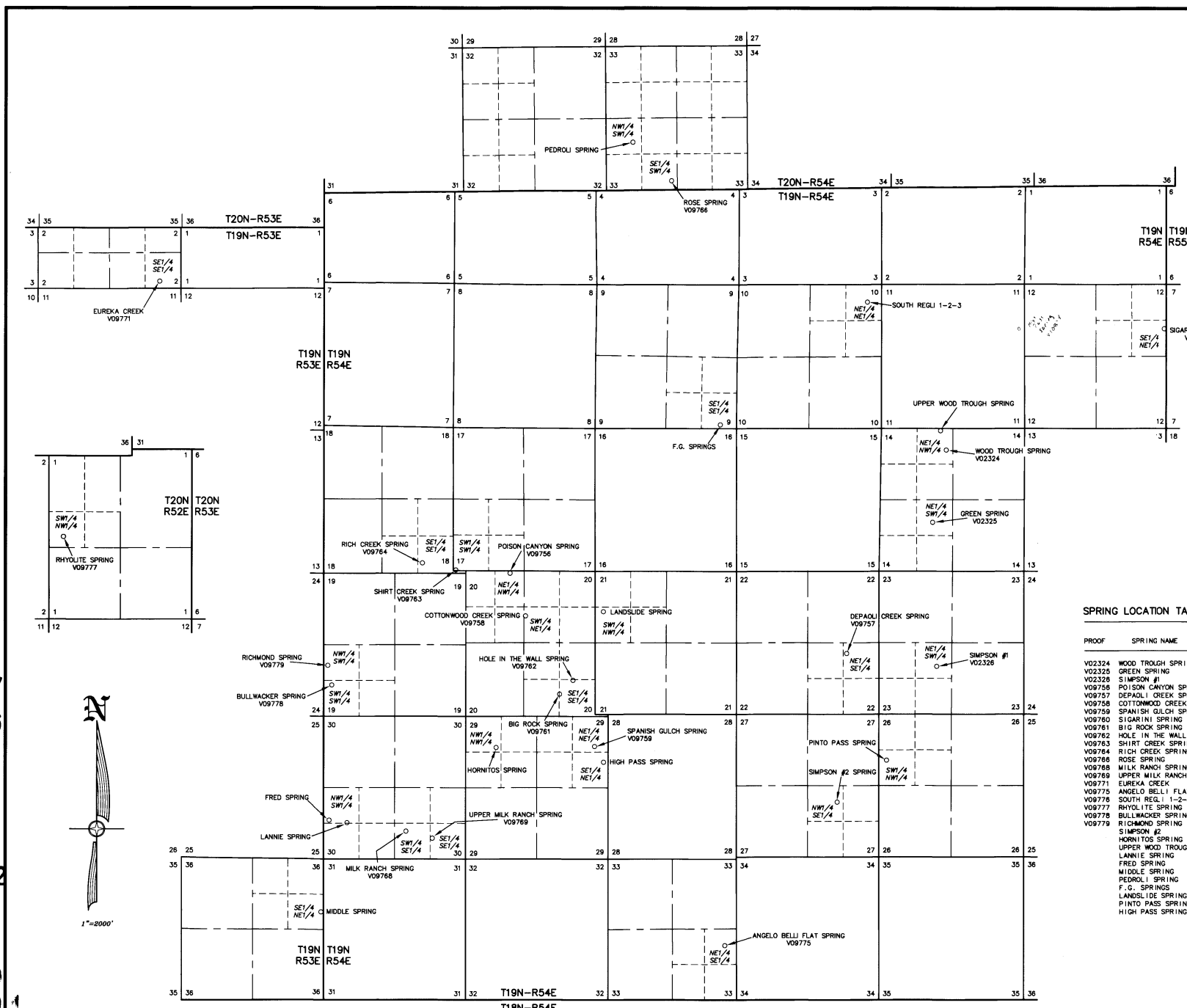
*[Signature]*  
NOTARY PUBLIC

SCALE 1" = 1000'

FILED  
JUN 20 1988  
NOTARY PUBLIC

MAP  
TO ACCOMPANY  
PROOF OF APPROPRIATION  
FOR STOCKWATERING  
BY JAMES ITHURRALDE  
FROM VARIOUS SPRINGS IN  
EUREKA COUNTY, NEVADA

JAMES S. ASSOCIATES, 300 MILL ST., #14, RENO, NV 89502



V10879  
 V10878  
 V10877  
 V10876  
 V10875  
 V10873  
 V10872  
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 V09771  
 V09769

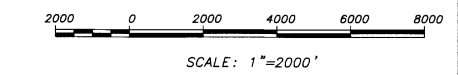
STATE OF NEVADA }  
 COUNTY OF ELKO } SS.  
 I, ROBERT E. MORLEY, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT THIS MAP, CONSISTING OF 1 SHEET, NUMBERED FROM 1 TO 1, INCLUSIVE, HAS BEEN CORRECTLY DRAWN TO THE DESIGNATED SCALE FROM SURVEYING CALCULATION NOTES PREPARED BY ME, OR UNDER MY SUPERVISION AND 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

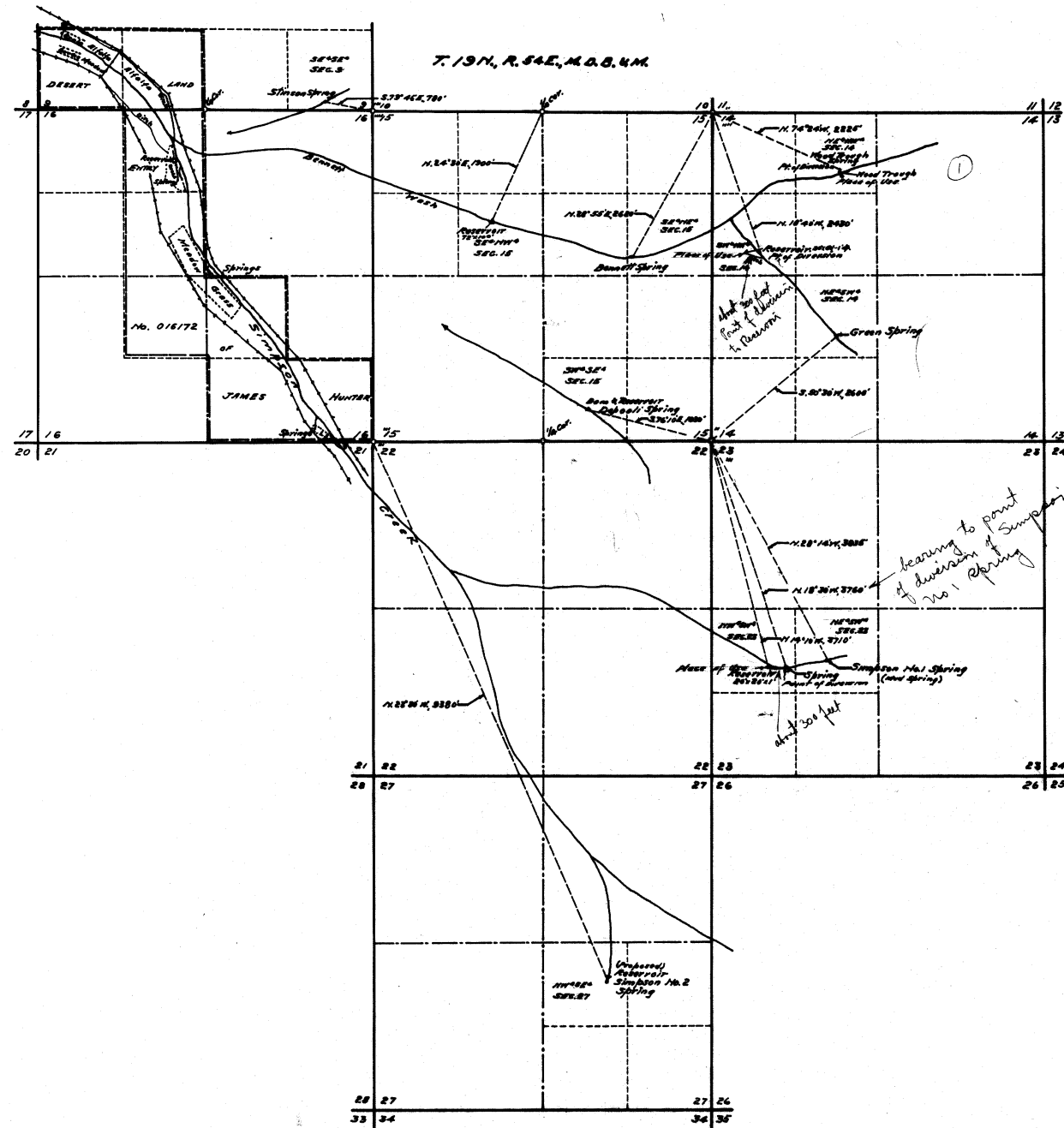
PROOF	SPRING NAME	SECTION	SUB-DIVISION	TOWNSHIP	RANGE	SHIP	LATITUDE	LONGITUDE
V02324	WOOD TROUGH SPRING	14	NE1/4 NW1/4	T19N	R54E	39.522389 N	115.862093 W	
V02325	GREEN SPRING	14	NE1/4 SW1/4	T19N	R54E	39.515113 N	115.863875 W	
V02326	SIMPSON #1	23	NE1/4 SW1/4	T19N	R54E	39.5003 N	115.863 W	
V09756	POISON 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	39.4974 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	115.926263 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	
V09789	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	39.539828 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	LANNE 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

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



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.

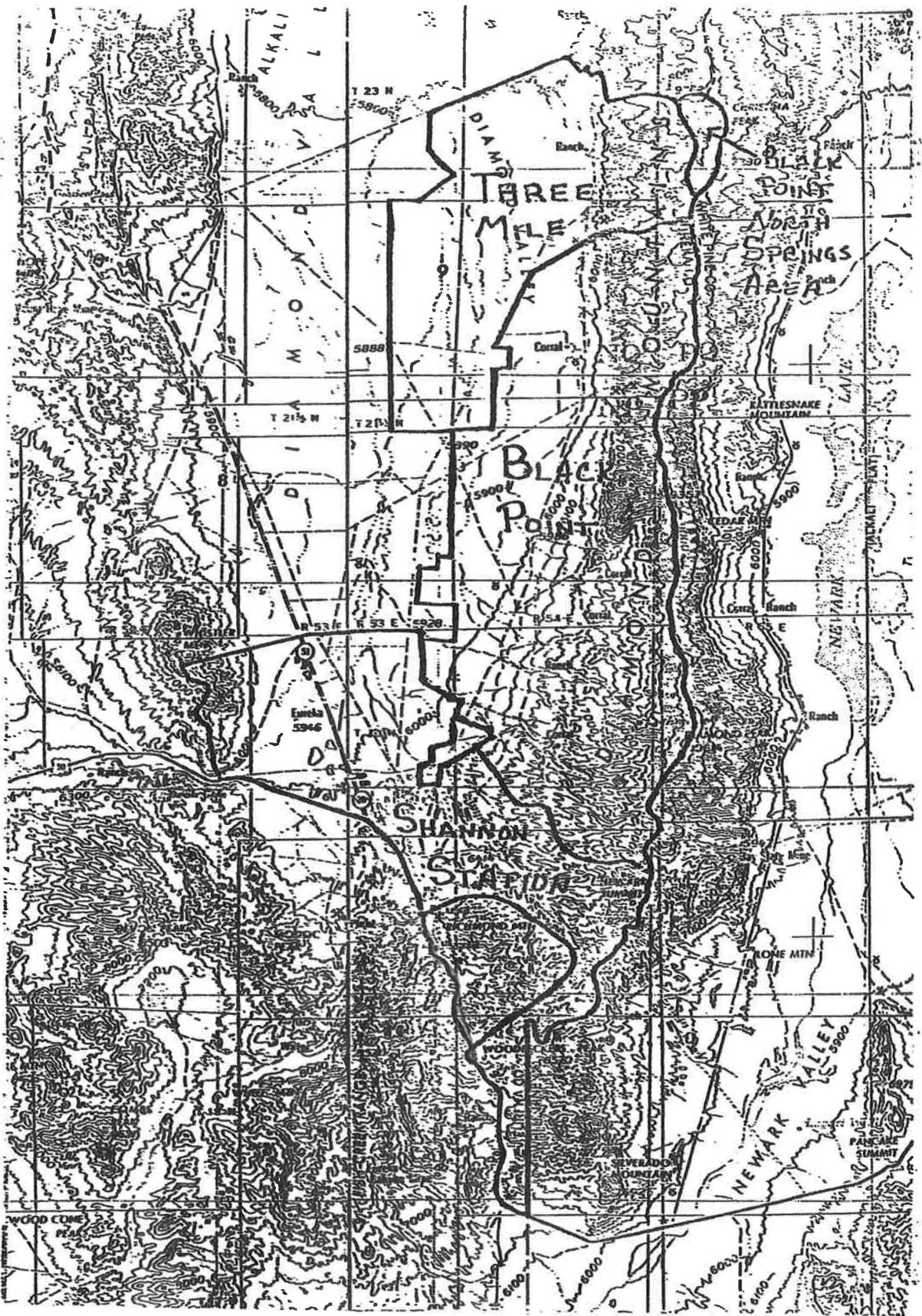
FILED  
 June 7, 1944  
 STATE WATER RIGHTS OFFICE

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:** Milk Ranch Spring

**Latitude:** 39°29.06 N

**Longitude:** 115°56.10W

**Elevation:** 6962

**NDWR Water Rights Application #:** .09768....

**Remarks:** This spring has been used by this ranch back to 1866.  
It is a significant water source to our current livestock operation  
and has been a very important water source to our predecessors.

**2009**  
**Corrected**  
**Supplementary Information**

<b>Name:</b>	<b>Milk Ranch Spring</b>
<b>Latitude:</b>	39.482
<b>Longitude:</b>	115.938
<b>Elevation:</b>	6962
<b>NDWR Water Rights Application #: (at pond)</b>	V0499
<b>NDWR Filing under Baumann</b>	# 09768

**Remarks:** This spring has been used by this ranch back to 1866.  
It is a significant water source to our current livestock operation  
and has been a very important water source to our predecessors.

**Owner(s):** ITHURRALDE, JAMES; **Status:** VESTED RIGHT

**Basin:** 153 **Basin Name:** DIAMOND VALLEY **Sub Basin:**

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

**Source:** SPRING **Source Description:** MILK RANCH SPRING

**Project Name:** **Decree Name:** **Use:** STOCKWATERING

**Period Start:** 0315 **Period End:** 1031

<b>Point of Diversion Information:</b> <b>Qtr-Qtr:</b> SE <b>Qtr:</b> SW <b>Sec:</b> 30 <b>Twn:</b> 19N <b>Rng:</b> 54E
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**Duty Balance:** 2.17 MGS **Div Balance:** 0.15

**Acre-Foot Storage:** 0 **Well Log Nos.:**

**Remarks 1:**

*Need BOOK 24 page 54*

State of Nevada, )  
County of Eureka. ) SS.

On this 29 day of July, 1948, personally appeared before me, Ed Delaney, Clerk of the Third Judicial District Court of the State of Nevada in and for Eureka County, Judge W. R. Reynolds, known to me to be the trustee of the Eureka Town Site, and to be the person described in and who executed the foregoing instrument and who acknowledged to me that he executed the same freely and voluntarily as such trustee for the uses and purposes therein mentioned.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal in my office in Eureka, Nevada, the day and year in this certificate first above written.

(Official Seal)

Ed Delaney  
Clerk of said Court.

Recorded at the Request of Thomas M. Cahill May 10, 1950 At 30 minutes past 3 P.M.

Peter Merrialdo--Recorder.

File No. 28320

ANGELO C. FLORIO, )  
TO )  
BERTRAND ARAMBEL, JAMES )  
ITHURRALDE and JOHN IROS. ) DEED (U.S.I.R. Stamps affixed and cancelled \$55.00)

D E E D  
THIS INDENTURE, made this 29th day of March, A.D. 1950, by and between ANGELO C. FLORIO, of the town of Eureka, County of Eureka, State of Nevada, the party of the first part, and BERTRAND ARAMBEL, JAMES ITHURRALDE and JOHN IROS, of the same place, the parties of the second part:

W I T N E S S E T H

That the said party of the first part, for and in consideration of the sum of Ten (\$10.00) dollars, lawful money of the United States of America, and other and further valuable consideration, to him in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto the said parties of the second part, and to their heirs and assigns, all those certain springs, water rights, and range rights, lying, and being in the County of Eureka, State of Nevada, together with the winter Range rights belonging to the first party, lying and being in the County of Nye, State of Nevada, all of which are more particularly bounded and described as follows, to-wit:

- Ruby Hill Water Works
- Secret Canyon Spring, also known as Murry Spring
- Lower Rato Spring
- Upper Rato Spring
- Rock Spring
- Trap Corral Spring located in Sierra Canyon
- Surprise Spring
- Dave Smith Spring
- View Spring
- Zunino Spring
- Snow Ravine Spring
- Lamb Canyon Spring
- McCullough Spring
- Little McCullough Spring
- Hole in Ground Spring
- Dry Lake Well
- Josephine Spring
- Rock Spring at Top of Summit
- Summit Reservoir Spring
- Wildcat Spring
- Mountain Boy Spring
- Spanish Spring
- Gibellini Spring No. 1
- Gibellini Spring No. 2
- Gibellini Spring No. 3
- Leonard Spring No. 1
- Leonard Spring No. 2
- Alfonso Alfrankino Spring
- Baby Alice Spring
- Pinto Summit No. 1
- Pinto Summit No. 2 (said Pinto Summit No. 1 and No. 2 being sometimes known as Mud Springs)
- China Canyon Spring
- Goodwin Canyon (better known as Diamond Mine Road Spring)
- Clover Spring

*Milk Ranch Spr. is NOT listed here*

Together with the right to use of all water falling or flowing into Dry Lake, and the canyon in which the town of Eureka, Nevada, is situated.

TOGETHER with that right, reserved by the party of the first part, made on the 16th day of January, 1943, between ANGELO C. FLORIO, and BARTHOLOMAE CORPORATION, in which said ANGELO C. FLORIO passed a Deed to certain springs and grazing rights to the said BARTHOLOMAE CORPORATION, but in said deed did reserve the right to trail sheep across the land conveyed to his winter range in Nye County, Nevada.

The said party of the first part, further grants, bargains, sells and conveys to the parties of the second part, all of his right, title and interest in and to his winter range in Nye County, Nevada.

TOGETHER with all of the party of the first part's right, title and interest in and to grazing rights which the first party claims by virtue of ownership of the water rights hereinabove described, which grazing rights now claimed and used by the first party cover an area extending on the North to the ridge above Dry Lake, South to the line between White Pine County and Eureka County, East to the gentlemen's agreement line respected by the party of the first part, and Schaefer Sheep Company, and West to the divisions line between Bartholomae and Florio grazing division.

Said area being herein conveyed, is in words and figures more fully and particularly described, as follows, to-wit:

Commencing at the Eureka County Courthouse and running on a line northwest to Silver Lake Mine; thence running on a line west to a junction with the Richmond Eureka mine road at the foothills of Riley Canyon; thence west on a line running through Riley Canyon to the top of the ridge of Dry Lake; thence running south on a line following ridge to Spring Valley, (together with all the water that falls and drains into Mine Well Canyon); thence southeast on a line to what is known as Hoover Spring; thence on a line running northeast one-half mile to proposed well No. 4, belonging to Bartholomae Oil Company; thence running southeast on a line to the White Pine County and Eureka County line; thence northwest on a line to Shaeffer Sheep Co. and on to the top of Secret Canyon Ridge; thence east on a line running along the top of the ridge of Secret Canyon to Pinto Summit, (together with all the water that falls and drains into the town of Eureka, Nevada); thence west on a line running to the place of beginning at the Eureka County, Courthouse.

IT IS AGREED that in consideration of the mutual benefits and harmony to be secured between the parties hereto, that the parties of the second part covenant and agree with the first party that they, their heirs, successors and assigns, will respect the boundaries of range lands belonging to the party of the first part, and not herein conveyed.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said parties of the second part, and to their heirs, successors or assigns forever.

IN WITNESS WHEREOF the said party of the first part has hereunto set his hand and seal the day and year first above written:

Angelo C. Florio

STATE OF NEVADA )  
: ss  
COUNTY OF EUREKA)

On this 29th day of March, 1950, personally appeared before me, a Notary Public, in and for the county of Eureka, state of Nevada, ANGELO C. FLORIC, known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office at my office in the town and county of Eureka, State of Nevada, the day and year in this Certificate first above written.

(Notarial Seal)

Leona Morrison  
Notary Public.

Recorded at the Request of Bertrand Arambel May 15 A.D. 1950 At 0 minutes past 4 P.M.

Peter Merialdo--Recorder.

File No. 28338

M. E. Neely, )  
to ) QUIT-CLAIM DEED  
Lester C. Neely and Mrs. Iva )  
Neely Brubaker. )

QUIT-CLAIM DEED

<sup>grantor</sup>  
M. E. Neely/of Salt Lake City, County of Salt Lake, State of Utah, hereby QUIT-CLAIM to Lester C. Neely and Mrs. Eva Neely Brubaker, grantees of Salt Lake City, Utah, for the sum of TEN DOLLARS the following described tract of land in Eureka County, State of Nevada

The Liberty Lode Mining Claim situated in Eureka Mining District, County of Eureka, State of Nevada, known, located and recorded as the Liberty Lode, United States Mineral Survey number 257. Together with all tenements, hereditaments and appurtenances belonging thereunto.

WITNESS the hand of said grantor, this 17th day of April, A. D. one thousand nine hundred and fifty.

Signed in the presence of) M. E. Neely  
J. B. Kelly

STATE OF UTAH, )  
County of Salt Lake.) )SS.

On the 17th day of April A.D. one thousand nine hundred and Fifty personally appeared before me M. E. Neely the signer of the foregoing instrument, who duly acknowledge to me that he executed the same.

(Notarial Seal) J. C. Johnson  
My commission expires Mar. 11, 1952 Notary Public.  
ADDRESS:  
Salt Lake City, Utah

Recorded at the Request of Lester C. Neely May 26, A.D. 1950 At 30 min. past 10 A.M.

Peter Merialdo--Recorder.

Copy to Jim Baumann

Spanish Gulch  
Description of  
Boundary

**Diamond Valley Unit  
Adjudication and Allotment  
Agreement**

In accordance with 43 CFR 4111.3-2(c), 4111.4-1 and 4111.4-2, Federal Range Code, the undersigned users within the Diamond Valley Unit of the Battle Mountain District, Bureau of Land Management, hereby agree to the following described group and individual allotments within the unit, as illustrated on the accompanying allotment map.



### Hay Ranch Allotment

In general, the Hay Ranch allotment will include all of that area within the Diamond Valley Unit lying west of the Devils Gate - Whistler Mountain range of hills, more particularly described as follows:

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., MDM, thence in a northerly direction following the drainage divide over Whistler Mountain, a distance of about ten (10) miles, to the junction of the Diamond Valley Unit and the Roberts Creek Unit at a point on the drainage divide in the NW $\frac{1}{4}$ , section 9, T. 21 N., R. 52 E., MDM, thence southwesterly along the Diamond Valley Unit boundary, a distance of about 14 miles to the corner of the Diamond Valley Unit near the treasure well in section 21, T. 20 N., R. 50 E., MDM, thence in a southerly direction along the unit boundary, a distance of about five (5) miles to U. S. Highway 50 at the SE corner of the Bartine Ranch fence in the NE $\frac{1}{4}$  of section 15, T. 19 N., R. 50 E., MDM, thence in an easterly direction along U. S. Highway 50, a distance of about fifteen (15) miles to Devils Gate narrows, the point of beginning. It is further noted that this allotment description is limited only to that area in the Diamond Valley Unit and in no way affects the allotment of the Hay Ranch in the Antelope Unit.

John & Kay Hunter and  
James Ithurralde Allotment

The allotment of John and Kay Hunter is described as follows:

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., MDM, 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., MDM, 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., MDM, thence continuing along the district line east and north along the drainage divide of the Diamond Range, a distance of about nine (9) miles to the high point on the drainage divide north of Poison (Summit) Spring in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  sec. 36, T. 20 N., R. 54 E., MDM, thence in a southwesterly direction following the high ridges to a point near the center of the west half of section 12, 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 Labarry's private ground in Pastorino Canyon, thence in a northerly direction to the east quarter corner of section 33, T. 20 N., R. 54 E., MDM, thence in a northwesterly direction across Dry Canyon going halfway between the patented ground owned by Hunters and by Labarrys respectively, thence in a northerly direction to the east end of the crested wheat-grass seeding used by Edward Melka, thence southwesterly around this seeding and Melkas 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., MDM, 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., MDM, 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 $\frac{1}{4}$  sec. 3, T. 20 N., R. 52 E., MDM, 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.

The James Ithurralde Spanish Gulch allotment within the Hunter allotment is described as follows:

Beginning at the town of Bureka, thence in an easterly direction remaining at approximately the 7000 ft. elevation contour to Spanish Gulch south of Hunters Ranch, thence southeasterly to the center of Section 27, T. 19 N., R. 54 E., known as Angelo Belli Flat, thence southwesterly to the top of the drainage divide to the NE corner of Section 5, T. 18 N., R. 54 E., MDM, thence along the drainage divide to U. S. Highway 50 at Pinto Summit near the south quarter corner of Section 6, T. 18 N., R. 54 E., thence northerly along the highway to the town of Bureka, the point of beginning.

This area will comprise Ithurralde's area of use within the Diamond Valley Unit to be used in conjunction with the summer sheep range in the Antelope Unit.

The Hunter Ithurralde allotment will be used in common by Hunters' cattle and the Ithurralde sheep are limited to the Spanish Gulch allotment.

It is further understood that Mrs. Jeanne Arambel will retain the right to trail sheep from Pinto Creek through Milk Ranch Spring to their summer range in the Antelope Unit. *We, HUNTERS, further understand that the Pinto Creek sheep will trail through once in the spring and return once in the fall of any given year.*

General Conditions

We the undersigned, stipulate that the Federal range area within this described allotment constitutes our apportioned share of the available Federal range forage within the Diamond Valley grazing unit of the Battle Mountain District.

It is also agreed that in the event of the increase or diminution of the Federal range forage within this allotment for any past, present, or future cause whatsoever, the resultant adjustment of grazing privileges will be made within this allotment and will not affect grazing privileges in adjoining allotments, or be a cause for the amendment of this agreement, or a readjudication of the range.

This agreement shall be binding on heirs or assignees of all licensees or permittees who are party to this agreement unless otherwise altered or changed by the mutual consent of the undersigned licensees or permittees or their heirs or assignees, with the concurrence of the Bureau of Land Management.

Special Conditions

In addition to those conditions spelled out in the Hunter-Ithurralde allotment, it shall be recognized that Labarrys shall be permitted to trail across the head of Walters Canyon to make use in the North Spring allotment area and that the sheep will be limited to this high country within the described boundaries of the North Spring allotment area.

E. P. Cochran  
Hay Ranch (Lucky C)

4-5-65  
Date

John A. Kay Hunter  
John A. Kay Hunter  
Rag Hunter

4-25-65  
Date

James Ithurralde  
James Ithurralde

4-24-65  
Date

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