

ASSIGNED
Serial No. 10967

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUL 3 1943
Returned to applicant for correction _____
Corrected application filed _____

The undersigned James Hunter Name of applicant
of Eureka, County of Eureka,
State of Nevada, hereby makes application for

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

1. The source of the proposed appropriation is Simpson No. 2 spring
Name of stream, lake, or other source _____

2. The amount of water applied for is one-fortieth second-foot.
One second-foot equals 40 miners' inches _____

3. The water to be used for stockwatering
Irrigation, power, mining, manufacturing, domestic, or other use _____

4. The water is to be diverted from its source at the following point:
in the NW 1/4 Sec. 27, T. 19 N., R. 54 E., M. D. B. & M. whence the
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section-corner. If on unsurveyed land, it should be so stated.
NW Corner of Sec. 22, T. 19 N., R. 54 E. bears N. 23° 30' W., 9380 ft.

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

(a) Number of acres to be irrigated is _____

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

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

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

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

(d) Power to be developed is _____ horsepower.

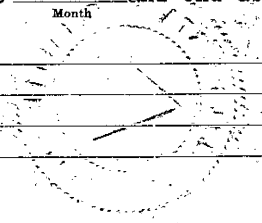
(e) Works to be located at the spring in the NW 1/4 Sec. 27, T. 19 N.,
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.
R. 54 E., M. D. B. & M.

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

(g) State number and kinds of animals to be watered 200 cattle

(h) Use will begin about Jan. 1 and end about Dec. 31, of each year.
Month Month

(i) Remarks _____



DESCRIPTION OF PROPOSED WORKS

The spring will be developed by an open cut and the water conveyed by ditch to State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water a reservoir 20 ft. by 20 ft., 1 ft. deep to be located about 25 ft. northeast is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions of the spring.

- 5. Estimated cost of works \$50.00
6. Estimated time required to construct works 1 year.
7. Remarks

For use of applicant

James Hunter, Applicant.

By

Compared RMA-CT

This sheet inspected

, Engineer.

APPROVAL OF STATE ENGINEER

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

This permit is issued subject to all prior rights on the source. The State reserves the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0063 of a cubic foot per second, or sufficient to water 200 cattle.

Actual construction work shall begin on or before July 24, 1944

Proof of commencement of work shall be filed before August 24, 1944

Work must be prosecuted with reasonable diligence and be completed on or before July 24, 1946

Proof of completion of work shall be filed before August 24, 1946

Application of water to beneficial use shall be made on or before July 24, 1947

Proof of the application of water to beneficial use must be filed with State Engineer on or before August 24, 1947

Map Filed JUL 6 1943
Proof of commencement of work filed AUG 14 1944
Proof of completion of work filed AUG 14 1944
Proof of Beneficial use filed AUG 14 1944
WITNESS MY HAND AND SEAL this 24th day of January, 1944

Certificate No. 2810 Issued Oct. 24, 1944 for 0.0063 cfs
Recorded Oct. 26, 1944, in B. Water Page 123
Cassia County Records

Alfred M. Smith
State Engineer.

BMA-CT

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, James Hunter has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Simpson No. 2 Spring through Pipeline and reservoir for Stockwatering

purposes. The point of diversion of water from the source is as follows: In the NW 1/4 SE 1/4 Section 27, Township 19 N., Range 54 E., M.D.B. & M., or at a point from which the N.W. Corner of Section 22, Township 19 N., Range 54 E., bears N. 23° 30' W., 9,380 feet, situated in Eureka County, State of Nevada.

Now Know Ye, That the State Engineer, under the provisions of Section 72, Chapter 46, Statutes of 1937 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator James Hunter
Post-office address Eureka, Nevada
Amount of appropriation 0.0063 c.f.s. or sufficient to water 200 head of cattle
Period of use, from May 1st to October 31st of each year
Date of priority of appropriation July 3, 1943

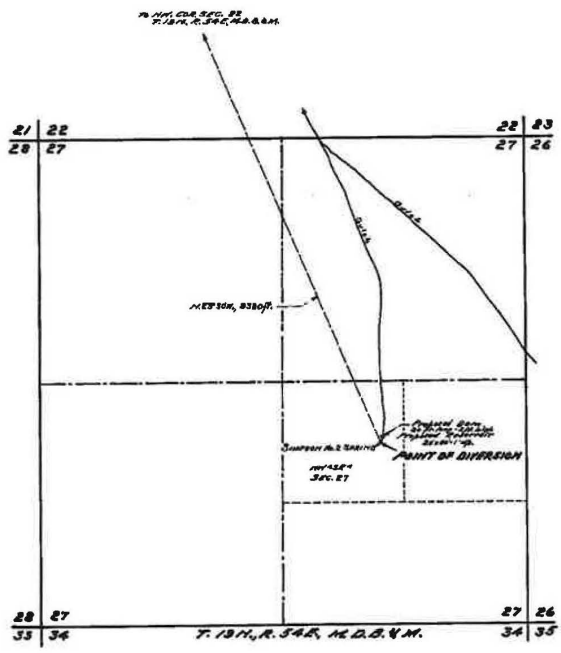
Description of works of diversion, manner and place of use: Water developed by running a ditch 15 feet into a seep and conveyed by a short length of pipe to a reservoir 35 feet long, 2 feet wide formed by a dam 6 feet high. Place of use is in the NW 1/4 SE 1/4 of Section 27, Township 19 N., Range 54 E., M.D.B. & M.

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

IN TESTIMONY WHEREOF, I, Alfred Merritt Smith, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 24th day of October, A. D. 1944.

Alfred Merritt Smith
State Engineer.

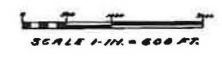
Recorded October 26, 1944, Bk. 8, Page 133
Eureka County Records
Compared BMA-KC



STATE OF NEVADA } ss.
 County of White Pine }
 I, F. M. Millard, being first duly sworn, depose and say that this map, consisting of one sheet, has been correctly drawn to the designated scale from field notes of a survey made by me between the 19th and 20th days of June, 1943; that it truly and correctly represents the location and extent of the proposed works used to direct water from SIMPSON No. 2 SPRING in Eureka County by JAMES HUNTER for stockwatering purposes. That the proposed point of diversion, the location, 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.

Subscribed and sworn to before me this 20th day of June, 1943.

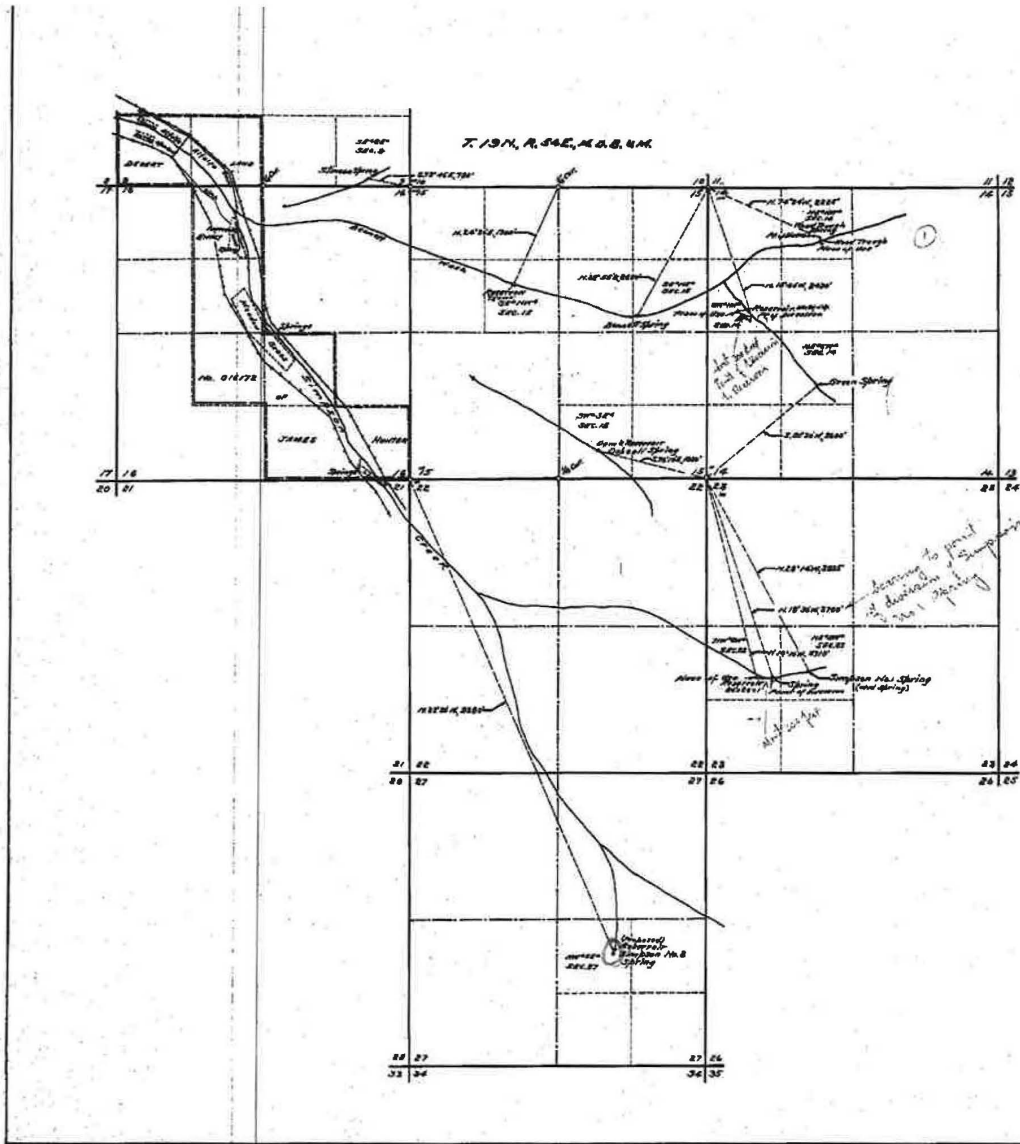
 Notary Public in and for White Pine County, Nevada.
 My Commission expires _____



MAP
 TO ACCOMPANY APPLICATION
 TO APPROPRIATE WATER
 FOR STOCKWATERING
 BY JAMES HUNTER
 FROM SIMPSON NO. 2 SPRING
 SURVEYED JUNE 19, 1943 BY F. M. MILLARD & SON
 DIST. 10967

July 6, 1943

2810 6/2, 1943



STATE OF NEVADA } ss.
 County of White Pine }
 I, J. M. Willard, 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 16th 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 Esmeralda 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.

J. M. Willard
 State Water Right Surveyor.

Subscribed and sworn to before me this 22nd day of June, 1943.

W. L. ...
 Notary Public in and for White Pine County, Nevada.
 My Commission expires Jan 6, 1946

SCALE 1 IN. = 400 FT.

FILED
 June 7, 1948

MAP
 TO ACCOMPANY PROPOS OF APPROPRIATION
 FOR
 STOCKWATERING
 BY
 JAMES HUNTER
 FROM WOOD TROUGH, BENNETT,
 GREEN, DEPOALI & SIMPSON NO. 1
 SPRINGS.
 SURVEYED
 JUNE 17-19, 1943. - BY - J. M. WILLARD & SON.
 211 - OROVILLE.

SIMPSON No. 2

02324-02325-02326

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

Basin: 153 Basin Name: DIAMOND VALLEY Sub Basin:

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

Source: SPRING Source Description: SIMPSON NO.2 SPRING

Project Name: Decree Name: Use: STOCKWATERING

Period Start: 0501 Period End: 1031

Point of Diversion Information: Qtr-Qtr: NW Qtr: SE Sec: 27 Twn: 19N Rng: 54E
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Duty Balance: 0.74 MGS Div Balance: 0.01

Acre-Foot Storage: 0 Well Log Nos.:

Remarks 1:

SIMPSON #2
Needs to be
changed from
certificate to
vested

Application No.: 10967 Application Status: CER Certificate No.: 2810

Assigned By: Effective Date:

Ownership Information

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

Original Owner(s)

Owner
HUNTER, JAMES

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.: [10967](#) **Application Status:** CER **Certificate No.:** [2810](#)

Filing Date: [07-03-1943](#) Priority Date: [07-03-1943](#) Return Date:
 Sent for Publication Date: [07-13-1943](#) Last publication Date: [08-21-1943](#) Ready for Action Date:
 Permit Date: [01-24-1944](#) Withdrawn Date: Forfeit Date:
 Cancel Portion: Cancellation Date: Cancellation Rescind Date:
 Denied Date:

Maps

<u>Filed Under</u>	<u>Date</u>	<u>Filed Under</u>	<u>Date</u>
Proposed POD: 10967	07-06-1943	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:	08-24-1946		08-14-1944		
PBU:	08-24-1947		08-14-1944		

Other Dates and Requirements

Cultural Map: PBU Map Received: PBU Map Filed Under: Certificate Date: [10-24-1944](#)
 Forfeiture Due Date: Extension required?: Forfeiture Portion: Forfeiture Received: Forfeiture Filed:
 Temporary Expiration Date: Other Date: Reporting Required?:
 Remarks 2:



ALFRED MERRITT SMITH
STATE ENGINEER

STATE OF NEVADA
OFFICE OF STATE ENGINEER
CARSON CITY

HUGH A. SHAMBERGER
ASSISTANT

December 22, 1943

IN YOUR REPLY REFER TO NO. 10967

Mr. James Hunter
Eureka
Nevada

Dear Mr. Hunter:

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

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

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

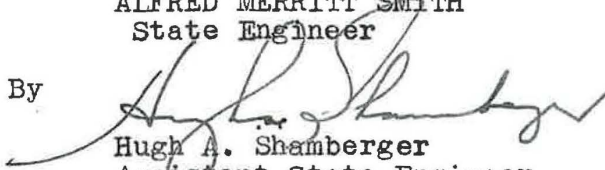
May I extend to you and your family the Season's greetings?

With kind regards, we are

Yours very truly,

ALFRED MERRITT SMITH
State Engineer

By


Hugh A. Shamberger
Assistant State Engineer

HAS:RMA
Encls.

*Simpson No. 2
Purke Canyon location?*

IN THE OFFICE OF THE STATE ENGINEER OF NEVADA

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

Report of Field
Investigation

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

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

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

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

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

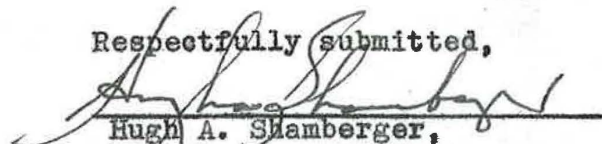
Mr. Hunter is the owner of Permit No. 4416 which is the subject of Certificate No. 1357 for the waters of Poison Canyon Spring for stockwatering purposes. This source is located about

2 $\frac{1}{2}$ miles in a northwesterly direction from Simpson Spring No. 2; of Permit No. 4417, the subject of Certificate No. 1356 for the waters of Dry Canyon Springs for stockwatering purposes. This spring is located about 4 miles in a northerly direction, of Permit No. 7242, the subject of Certificate No. 1952 for the waters of Depaoli Creek Spring for stockwatering purposes. This source is located about one mile northerly from Simpson Spring No. 2. In addition to the above, Mr. Hunter is the owner of certain irrigation and stockwatering rights on Simpson Creek.

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

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

Respectfully submitted,



Hugh A. Shamberger,
Assistant State Engineer

Dated December 22, 1943.



ALFRED MERRITT SMITH
STATE ENGINEER

STATE OF NEVADA
OFFICE OF STATE ENGINEER
CARSON CITY

HUGH A. SHAMBERGER
ASSISTANT

August 4, 1944

IN YOUR REPLY REFER TO NO. 10967

Mr. James Hunter
Bar C. Ranch
Eureka, Nevada

Dear Mr. Hunter:

This will acknowledge receipt on July 31 of the following submitted by you under your permit No. 10967:

1. Affidavit of Commencement of Work
2. Affidavit of Completion of Work
3. Proof of Application of water to Beneficial Use
4. Your check in the sum of \$3.00 filing fees on the above instruments.

The proof of application of water to beneficial use is returned to you herewith with the request that you answer question No. 19, stating therein the kind and number of stock watered. For your information the permit was granted for 200 head of cattle.

Under question No. 9, definitely state the exact period of the year the water is used. In this connection the permit was granted for year round use. The other papers and your check will be held in abeyance pending the return to us of the proof of beneficial use.

Very truly yours,

ALFRED MERRITT SMITH
State Engineer

By: *Edmund Muth*
Edmund Muth
Deputy State Engineer

FND:at
encl.



ALFRED MERRITT SMITH
STATE ENGINEER
C. E. THIEX
CHIEF CLERK

HUGH A. SHAMBERGER
ASSISTANT STATE ENGINEER
EDMUND MUTH
DEPUTY STATE ENGINEER
F. N. DONDERO
OFFICE ENGINEER

STATE OF NEVADA
OFFICE OF STATE ENGINEER
CARSON CITY, NEVADA



ADDRESS ALL COMMUNICATIONS
TO THE STATE ENGINEER

September 8, 1947

IN YOUR REPLY REFER TO NO. 02324, 02325, 02326 and 10967

Mr. James Hunter
Bar C. Ranch
Eureka, Nevada

Dear Mr. Hunter:

Reference is made to your letter of August 21. We have made a search of our records relative to the check for thirty dollars dated March 21, 1944 which you submitted with your letter, as as near as we can determine the check was submitted as the filing fees on three proofs of appropriation of water, submitted by you under your letter of March 27, 1944. The check and proofs were returned to you with our letter of April 8, 1944 in order that the proofs be corrected. The corrected proofs Numbers 02324, 02325 and 02326 covering the waters from Wood Trough Spring, Green Spring and Simpson Number 1 Spring respectively, all for stockwatering purposes, were filed June 7, 1944. The fees for this were paid at the time of filing.

No 1 Spring is Wood Spring

As to Simpson Number 2 Spring on which you make inquiry, will state that your permit for the waters from this spring was perfected and on October 28, 1944 we mailed to you the certificate bearing our serial Number 2810. This certificate was recorded October 26, 1944 in book "B" of Water Locations, Eureka County Records.

Other matters on which you make inquiry will be discussed with you on our next trip to Eureka, which we feel will be more satisfactory to you.

Your check for \$30.00, of March 21, 1944, and our letter of April 8, 1944 are returned to you herewith.

With kind regards,

Very truly yours,

ALFRED MERRITT SMITH
State Engineer

FND/sh

By *Edmund Muth*
EDMUND MUTH
Deputy State Engineer