

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 simpsoncreek ranch@gmail.com

1. Source of water Pinto Pass 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 Trough

Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):

SW1/4NW1/4 of Sec. 26, T.19N; R.54E  
GPS Location in WGS 84: Long. -115.869680 Lat. 39.490811

(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 Pre 1900.

and completed Specific dates are unknown for work completed prior to 1905.

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 in the Shannon Station 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

0.0044 cubic feet per second.

448.83 gallons per minute equals 1 cubic feet per second

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10-15-01

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

Within SW1/4NW1/4 of Sec. 26, T.19N; R.54E  
GPS Location in WGS 84: Longitude -115.869680 Latitude 39.490811

(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 of each year

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 Pipe to Trough  
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.

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SHEEP HORNERS OFFICE

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  | Acre  | 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)      |          |

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 DEPARTMENT OF AGRICULTURE  
 WASHINGTON, D.C.

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

This spring has been used continuously since 1866 to water the cattle owned by all of the previous owners and the current owners of this ranch.

Support documents for the chain of title and historic and current use of the range in which this spring is appurtenant to the operation of Simpson Creek Ranch/James E. and Vera L. Baumann, are provided in the document of Volume #1 of the Water Filings for Simpson Creek Ranch/James E. & Vera L. Baumann, already filed in the Nevada Division of Water Resources.

No prior filings for this spring have been found.

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

James E. & Vera L. Baumann  
(Name)

are full and correct to the best of their knowledge and belief.

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  
(Please type or print name)

Signature

[Handwritten Signature]  
(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 [Handwritten Signature]  
[Handwritten Signature]



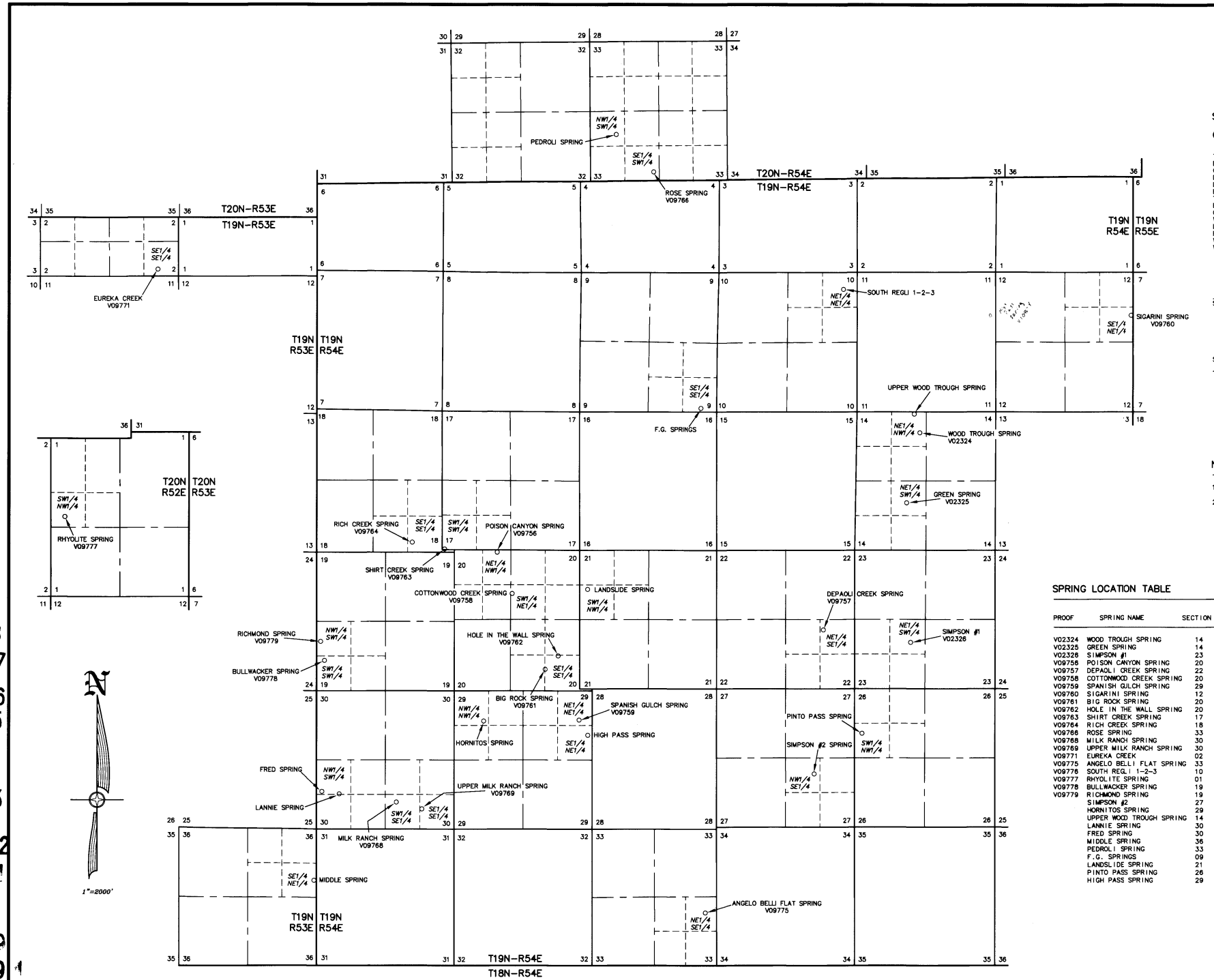
Signature of Notary Public Required

Notary Stamp or Seal Required

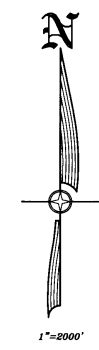
**THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM, WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.**

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

W216014



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- V09771
- V09769



1"=2000'

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. THIS MAP TRULY AND CORRECTLY REPRESENTS THE PROPOSED LOCATION AND EXTENT OF THE WORKS USED TO DIVERT WATER FROM SPRINGS IN EUREKA COUNTY, NEVADA, BY JAMES E. BAUMANN AND VERA L. BAUMANN, FOR STOCK WATER PURPOSES; THAT THE PROPOSED POINT OF DIVERSION, THE APPROXIMATE LOCATION AND SIZE OF THE DIVERTING CHANNEL OR OTHER CONDUIT, THE PLACE AND MANNER OF USE, AND THE LOCATION AND NAMES OF ALL OTHER WORKS OR STREAMS WHICH ARE CROSSED BY, OR CONNECTED WITH THE SAID WORKS, ARE FULLY AND CORRECTLY DESIGNATED THEREON.

ROBERT E. MORLEY  
 STATE WATER RIGHT SURVEYOR NO. 668  
 Exp. 12-31-17  
 No. 6203

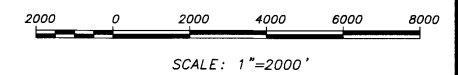
SUBSCRIBED AND SWORN TO BEFORE ME  
 THIS 24th DAY OF May, 2016.  
 CHARLENE A. JONES  
 NOTARY PUBLIC IN AND FOR THE STATE OF NEVADA  
 MY COMMISSION EXPIRES Feb. 8, 2018

NOTES

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

SPRING LOCATION TABLE

| PROF   | SPRING NAME              | SECTION | DIVISION    | TOWNSHIP  | RANGE       | LATITUDE      | LONGITUDE |
|--------|--------------------------|---------|-------------|-----------|-------------|---------------|-----------|
| V02324 | WOOD TROUGH SPRING       | 14      | NE1/4 NW1/4 | T19N R54E | 39.522369 N | 115.862093 W  |           |
| V02325 | GREEN SPRING             | 14      | NE1/4 SW1/4 | T19N R54E | 39.515113 N | 115.863875 W  |           |
| V02326 | SIMPSON #1               | 23      | NE1/4 SW1/4 | T19N R54E | 39.5003 N   | 115.863 W     |           |
| 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 | 39.501571 N | 115.874839 W  |           |
| V09758 | COTTONWOOD CREEK SPRING  | 20      | SW1/4 NE1/4 | T19N R54E | 39.505255 N | 115.917338 W  |           |
| V09759 | SPANISH GULCH SPRING     | 29      | NE1/4 NE1/4 | T19N R54E | 39.492274 N | 115.908187 W  |           |
| V09780 | SIGARINI SPRING          | 12      | SE1/4 NE1/4 | T19N R54E | 39.5343 N   | 115.834 W     |           |
| V09781 | BIG ROCK SPRING          | 20      | SE1/4 SE1/4 | T19N R54E | 39.4974 N   | 115.913 W     |           |
| V09782 | HOLE IN THE WALL SPRING  | 20      | SE1/4 SE1/4 | T19N R54E | 39.498794 N | 115.91215 W   |           |
| V09783 | SHIRT CREEK SPRING       | 17      | SW1/4 SW1/4 | T19N R54E | 39.509928 N | 115.928263 W  |           |
| V09784 | RICH CREEK SPRING        | 18      | SE1/4 SE1/4 | T19N R54E | 39.51077 N  | 115.93057 W   |           |
| V09785 | ROSE SPRING              | 33      | SE1/4 SW1/4 | T20N R54E | 39.548632 N | 115.898125 W  |           |
| V09786 | MILK RANCH SPRING        | 30      | SW1/4 SE1/4 | T19N R54E | 39.48362 N  | 115.933337 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 | 39.538628 N | 115.965614 W  |           |
| V09775 | ANGELO BELLI FLAT SPRING | 33      | NE1/4 SE1/4 | T19N R54E | 39.472288 N | 115.891017 W  |           |
| V09776 | SOUTH REGU 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 | 39.628254 N | 116.087534 W  |           |
| V09778 | BULLWACKER SPRING        | 19      | SW1/4 SW1/4 | T19N R54E | 39.498914 N | 115.942826 W  |           |
| V09779 | RICHMOND SPRING          | 19      | NW1/4 SW1/4 | T19N R54E | 39.500647 N | 115.943388 W  |           |
| V09772 | SIMPSON #2               | 27      | NW1/4 SE1/4 | T19N R54E | 39.485882 N | 115.876004 W  |           |
| V09788 | HORNITOS SPRING          | 29      | NW1/4 NW1/4 | T19N R54E | 39.4922 N   | 115.921 W     |           |
| V09787 | UPPER WOOD TROUGH SPRING | 14      | NE1/4 NW1/4 | T19N R54E | 39.524297 N | 115.862967 W  |           |
| V09789 | LANNIE SPRING            | 30      | NW1/4 SW1/4 | T19N R54E | 39.484386 N | 115.941172 W  |           |
| V09783 | FRED SPRING              | 30      | NW1/4 SW1/4 | T19N R54E | 39.484559 N | 115.943679 W  |           |
| V09784 | MIDDLE SPRING            | 36      | SE1/4 NE1/4 | T19N R53E | 39.47521 N  | 115.944456 W  |           |
| V09785 | PEDROLI SPRING           | 33      | NW1/4 SW1/4 | T20N R54E | 39.553644 N | 115.903179 W  |           |
| V09786 | F.G. SPRINGS             | 09      | SE1/4 SE1/4 | T19N R54E | 39.525102 N | 115.891431 W  |           |
| V09787 | LANDSLIDE SPRING         | 21      | SW1/4 NW1/4 | T19N R54E | 39.50582 N  | 115.908959 W  |           |
| V09788 | PINTO PASS SPRING        | 26      | SW1/4 NW1/4 | T19N R54E | 39.490811 N | 115.86988 W   |           |
| V09789 | HIGH PASS SPRING         | 29      | SE1/4 NE1/4 | T19N R54E | 39.490811 N | 115.908959 W  |           |



SCALE: 1"=2000'

STATE ENGINEERS USE

V-09756-77

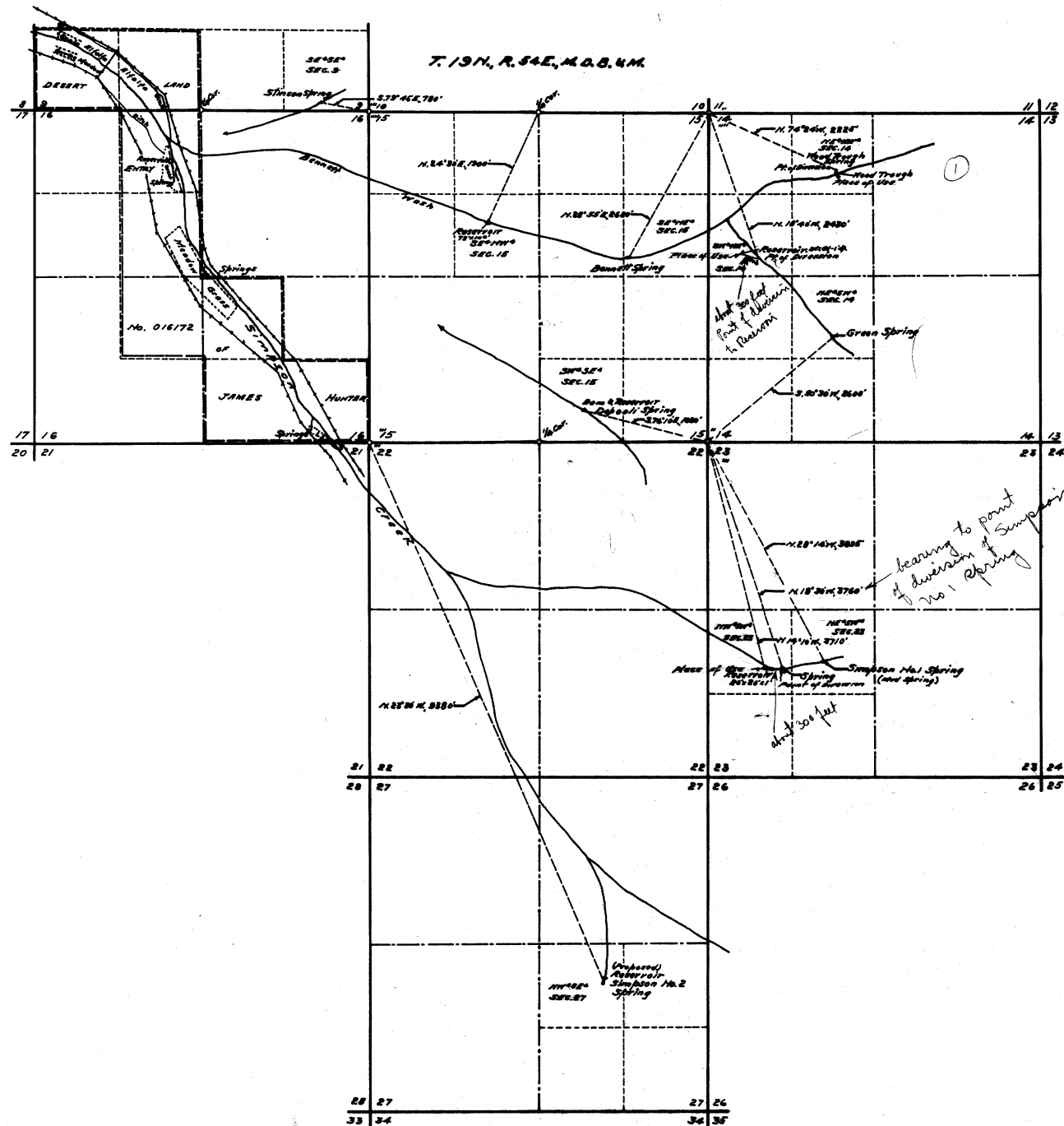
EXHIBIT

MAY 27 2016

ST. CLAYTONS 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 } ss.  
 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 29th day of June, 1943.

*H. G. ...*  
 Notary Public in and for White Pine County, Nevada.  
 My Commission expires Jan 6, 1946

0 500 1000 2000  
 SCALE 1 IN. = 1000 FT.

FILED  
 June 7, 1944  
 STATE WATER RIGHTS DIVISION

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,  
 SURV. NEVADA.

02324-02325-02326