

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

From Simpson Creek and its sources Simpson Springs
Name of natural water source

Through Simpson Creek and two ditches herein after described and
Name of ditch, flume, or pipe line

Called Italian Ranch Ditches, the undersigned, being first
duly sworn, deposes and says that the facts relative to the appropriation of water by Frank Poo-
toris a predecessor of this claimant 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

(1) Name of claimant Pete Edera
Address Eureka, County of Eureka
State of Nevada

(2) The means of diversion employed two ditches each of the dimension herein after given
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was about the year 1877

(4) The construction of the ditch or other works was begun about the year 1877
and completed about the year 1877

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 2 1/2
feet, width on top 2 1/2 feet, depth 2 feet, on a grade of 50 feet per thousand feet.

(6) The conduit ~~has~~ (has not) been enlarged.
Note—If enlargement or extension of ditch was made, supply information under (7) and (8)

(7) ~~X~~ The work of enlargement of the ditch or canal was begun
and completed

(8) ~~X~~ The dimensions of the ditch or canal as enlarged are: Width on bottom _____ feet, width on
top _____ feet, depth _____ feet, on a grade of _____ feet per thousand feet.

(9) The claimant is (~~is not~~) an owner in the above-described conduit, and owns an
undivided one-third thereof
If claimant is an owner in the conduit, state interest held on this line

(10) The nature of the title to the land for which the water right is claimed is W.S. Patent
and is in fee simple

(11) Crops of alfalfa, hay, grain, fruit and vegetables
have been grown upon the land irrigated.

(12) The water has been used for irrigation from First March to First of November
of each year. Day of month Day of month

(13) The water was first used for irrigation by claimant or his grantors in the year 1877 (about)
when 35 acres were irrigated in the NW 1/4 of SW 1/4 of Sec. 31,
T. 20, R. 54 E., and in the SW 1/4 of the NW 1/4 of said section
and lot 4 of said section

Certificate issued according to the usage shown by the map.
H. P. [Signature]

(14) The additional number of acres first irrigated in subsequent years was as follows:

Table from map

Year	18.26	acres in the	SW ¹ / ₄ of NW ¹ / ₄	of Sec. 31	T. 20N	R. 54E
	17.23	acres in the	NW ¹ / ₄ of SW ¹ / ₄	of Sec. 31	T. 20N	R. 54E
	.50	acres in the	SW ¹ / ₄ of SW ¹ / ₄	of Sec. 31	T. 20N	R. 54E
	35.99	acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
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		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.
		acres in the		of Sec.	T.	R.

Remarks:

Append a sheet if necessary

(15) The maximum acreage irrigated in any year was 35 acres.

(16) The water claimed has (~~has not~~) been used for irrigation each and every year since the right was initiated. Strike out one not wanted

(17) The years during which no water was used for irrigation or during which the full water right was not used were none

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

(18) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of Esireka County, ~~said record being at page~~ of Book of

X _____, and being a claim for

X _____ of water for the irrigation of

X acres of land in the following legal subdivisions:

X _____

NOTE—Failure to record in the county in no way invalidates a water right, but if ditch or right was so recorded, supply full information under (19)

(19) The map provided by the State Engineer and attached hereto as a part of this proof is hereby accepted as correctly showing the ditch lines or irrigation works diverting or conveying the water claimed and the lands irrigated.

(20) Water from the source given and through the works described is also used for the following purposes other than irrigation: *for domestic and stock purposes throughout the whole of each year*

(21) Remarks:

Frank Pastorini owned formerly the lands now owned by John Venturino, Antonio Tognoni and Pete Edera, and, one Dominico Depoali was then the owner of an upper ranch, now called the Depoali Ranch and which remains intact. The said owners of these ranches in 1877, appropriated all of the waters of Simpson Springs and Simpson Creek for use on said ranches, and apportioned the same so that each year commencing about March 1st, the upper, or Depoali Ranch, used all of said water for three successive days, *and then, the lower or Pastorini Ranch used the same for three successive days.* Each owner of the use of the water for said times, was required to do the labor of diverting the water for his use. The returning point to Simpson Creek is on the Depoali Ranch.

Subsequently, the Pastorini Ranch was sub-divided and finally became three ranches which are owned at the present time by John Venturino, Antonio Tognoni and Pete Edera. This claimant is the owner of one of the sub-divisions of said Pastorini Ranch. The water right for said lands so owned by said Pastorini was sub-divided so that the upper sub-division of said ranch became entitled to the use of all of said water for one day of the time formerly the same as used by Frank Pastorini; the next sub-division became entitled to the use of all of the water for the second day of the time the same was used by said Pastorini; and the third sub-division became entitled to the use of all of the water for the third day of the time the same was used by the said Pastorini. Each right appurtenant to said lands so sub-divided, rotated so that the user thereof for the first day became entitled ~~the~~ to the use for the third of the next succeeding year, the second was advanced to the first day, and the third user was advanced to the ^{second} ~~first~~ day. Each day commenced at the hour of 6 o'clock P.M., and continued for the full 24 hours. After the use of all of the said water by the owners of said Pastorini lands, so sub-divided, for three days, the use of said water was returned to the Depoali Ranch for the next following three days, and then in turn to the lower ranches, and, so continued for each irrigating season until and including the date hereof. In other words, the owners of the sub-divided ranch succeeded to the rights of said Frank Pastorini in and to the use of said water.

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Filing Serial No. 01085

STATE OF NEVADA

Proof of Appropriation of
Water for Irrigation

Water Source Simpson Creek

Through Italian Creek ditches

Claimant Pete Edera

Filed in the Office of the State Engineer on

April 10th, 1912

State Engineer

Certificate No. issued hereunder

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