

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 Canal and two ditches hereinafter described
Name of ditch, flume, or pipe line.

and called Italian Ranch Ditches, the undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Frank Pastorina predecessor in title 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 Antonio Jognoni
 Address Eureka, County of Eureka,
 State of Nevada

(2) The means of diversion employed two ditches, each of dimensions hereinafter given
Dam and ditch, pipe line, flume, etc.

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

(4) The construction of the ditch or other works was begun about 1877
 and completed about 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) The work of enlargement of the ditch or canal was begun _____
 and completed _____

(8) 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.

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 by patent U.S. land in E 1/2
of SW 1/4 Sec 31 and possession of land in SW 1/4 of SE 1/4 Sec 31 T. 20 N. R. 54 E. and
Desert Land Entry to land in lot 2 of Sec 6 T. 19 N. R. 54 E.

(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 March 1st to October 31st
Day of month. Day of month.
 of each year.

(13) The water was first used for irrigation by claimant or his grantors in the year 1877
 when 35 acres were irrigated in the E 1/2 of SW 1/4 of Sec. 31,
 T. 20, R. 54 E., and in SW 1/4 of SE 1/4 of Sec 31 in said
 Township and in lot 2 Sec, 6 T. 19 N. R. 54 E.

Antonio Jognoni
 Deponent

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

Water Right
Map

Year	8.64	acres in the	NE 1/4 of SW 1/4	of Sec. 31	T. 20N	R. 54	E.
	21.02	acres in the	SE 1/4 of SW 1/4	of Sec. "	T. "	R. "	E.
	6.84	acres in the	S. W 1/4 of SE 1/4	of Sec. "	T. "	R. "	E.
	8.64	acres in the	SW 1/4 of NE 1/4	of Sec. 6	T. 19N	R. 54	E.
	44.79	acres in the		of Sec.	T.	R.	E.
		acres in the		of Sec.	T.	R.	E.
		acres in the		of Sec.	T.	R.	E.
		acres in the		of Sec.	T.	R.	E.
		acres in the		of Sec.	T.	R.	E.
		acres in the		of Sec.	T.	R.	E.
		acres in the		of Sec.	T.	R.	E.
		acres in the		of Sec.	T.	R.	E.
		acres in the		of Sec.	T.	R.	E.
		acres in the		of Sec.	T.	R.	E.
		acres in the		of Sec.	T.	R.	E.

Remarks: _____
Append a sheet of 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) X The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of Emery County, ~~and~~ 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: _____

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).

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 since 1877.*

(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 of 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 owned by said Pastorini was sub-divided so that the upper sub-division said ranch became entitled to the use of all of said water for one day of the time formerly the same was 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 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 the 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 continued for each irrigating season until and including the date hereinafter mentioned. In other words, the owners of the sub-divided ranch succeeded to the right of said Frank Pastorini in and to the use of said water.

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Filing Serial No. 01086

STATE OF NEVADA

Proof of Appropriation of

Water for Irrigation

Water Source Simpson-Creek

ranch

Through Italian/ditches

Claimant Antonio Tognoni

Filed in State Engineer's Office on

April 10th, 1912

State Engineer.

Certificate No. _____ issued hereunder

_____, 19____