4/5/12

No. 01124

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

From Water Canyon Springs
Name of natural water source.
Through Natural Channel, Water Canyon Springs Ditch
Name of ditch, pipe line, etc.
Constructed by John Edera, thence into Reservoir, the undersigned, being first duly sworn, deposes and says that the statements herein contained relative to the appropriation of water by B. Cerutti 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 B. Cerutti
Address Antelope Valley, County of Eureka,
State of Nevada, via Eureka, Eureka Co. Nevada.

(2) The means of diversion employed is natural channel, small ditch and reservoir
Dam and ditch, pipe line, flume, etc.

(3) The water is impounded in Reservoir, a natural depression in the surface
Troughs, reservoirs, tanks, etc.

(4) The construction of the ditch or other works was begun 1882 by me
and completed the same year, and reconstructed by John Edera about 1894

(5) The nature of the claimant's title to the land upon which the works are located is possessory
in so far as title to land is necessary to the appropriation and use of Spring for Stock purposes

(6) The claimant's water right ~~was~~ was not recorded in the office of the County Recorder of
Eureka County, ~~at page~~ ~~of Book~~ ~~of~~

(7) The approximate number of animals watered by the claimant during the first year was 100
and said watering was conducted for an approximate period of all of the days during each
of the following months, to wit, January until December
inclusive of each year succeeding

(8) The approximate number of animals watered by claimant in subsequent years was as follows:
From 1882 until 1890 inclusive on an average of 100 head
From 1891 until 1900 inclusive on an average of 300 head
From 1901 until 1912 inclusive on an average of 400 head

(Note by St Eng) Priority determined as 1905 at hearing from evidence

(9) The amount of water which it has been necessary to divert for the said purpose has been about 4000 gallons per day for the past 12 years ~~cubic feet per second~~. Map shows S 5°-19' E 16917 from ~~Sec~~ 35-36 on 3rd St Parallel T 16 N R 50 E

40 miners inches equals 1 cubic foot per second

(10) The water is diverted from its source at Point A. 4°41' W. 16,720 feet

True bearing to nearest 5 minutes distance

from the ..... corner of Sections 35 & 36, T. 16, R. 50,

E., Mount Diablo Base and Meridian.

NOTE—Information under (10) must invariably be given when a public corner is within 6 miles, unless the State Engineer consents to some other form of description.

(11) The works are located at above described place

Describe as within a 40 acre subdivision of public survey or by a tie in same manner as under (10)

Remarks: There are two Springs the waters of which commingle. The upper Spring is located about 60 feet distant from the lower. The waters flow ~~S~~ E. into natural reservoir and there collect, and, are used by cattle. Last October (about) the lower Spring was fenced in by Wm Blair, after it had been used by affiant for nearly 30 years for stock purposes. Immediately, I applied for permit, being uninformed of my right to make proof of appropriation and user for stock purposes. The upper Spring goes dry every year; the lower Spring always has sufficient water for stock purposes. The combined waters at all times are insufficient for practical irrigation. The land on which the Springs are located belongs to the United States. Until October 1911, there was no fence enclosing springs, but the same were open to all cattle and horses on the range; and said Springs are essential to cattle and horses on that range. Without being useful for irrigation purposes, the waters of springs, if lost for stock purposes, would render useless many square miles of good range.

B. Cherutti

Subscribed and sworn to before me this 1st day of August 1912.

R. McCharles, County Clerk,

And ex-officio Clerk of the District Court, Eureka County,

~~Notary Public~~ in and for the County of .....

My Commission expires ....., 191...

This part of form to be left blank by claimant

Filing Serial No. 01124

STATE OF NEVADA

Proof of Appropriation of

Water for Stock Purposes

Water Source Water Canon Springs

Through Chan nel & Reservoir

Claimant B Cerutti

Filed in State Engineer's Office on

August 6th. 1912, *191*

W.M.Kearney

State Engineer

Certificate No. ..... *issued hereunder*

....., *191*

Form No. Aa 500—1-21-1911