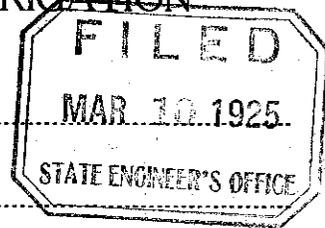


THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION



From Continuation of the Sewer.
Name of natural water source

Through Sewr Ditch.
Name of ditch, flume, or pipe line

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

Frank Simoni are full and correct to the best of his
knowledge and belief.

Frank Simoni is claimant.

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 Frank Simoni
Address Virginia City, County of Storey .
State of Nevada

(2) The means of diversion employed Ditch
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was No former survey.
Survey to be made at once.

(4) The construction of the ditch or other works was begun about fifty years ago. It was
never in dispute as it is the continuation of the sewer and was
always used for irrigation purposes.

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 12 inches to
24 inches and was naturally made by water and not constructed.
feet, width on top 2 feet, depth 2 feet, on a grade of 75 feet per thousand feet.

(6) The conduit has (has not) been enlarged. No Conduit.
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 Not enlarged only by water
and is a bed caused by the flow of the sewer water.
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 ~~(owner)~~ an owner in the above-described conduit.
He has always claimed the water as he holds the land in fee.
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 Fee Simple.

(11) Crops of Hay and was formerly the Chinese Garden and they paid 1400.00
have been grown upon the land irrigated. per annum rent and used water from sewer.

(12) The water has been used for irrigation from 1875 to 1925 inclusive.
of each year. And is being used from the first day of May, to Oct. 31 each year.
Day of month Day of month

(13) The water was first used for irrigation by ~~#####~~ his grantors in the year 1875
when two or three were irrigated in the Virginia City of Sec. 29 -
T. 17, R. 21 East

(14) ⁷⁰ ~~The~~ additional number of acres ^{well} first irrigated in subsequent years was as follows:

Year ~~1900~~ acres in the ~~Virginia City~~ Sec. ~~29~~, T. ~~17~~, R. ~~21~~ E.

~~1901~~ acres in the _____ of Sec. _____, T. _____, R. _____ E.

_____ acres in the _____ of Sec. _____, T. _____, R. _____ E.

_____ acres in the _____ of Sec. _____, T. _____, R. _____ E.

2.31 acres in the ^{SE 1/4 NE 1/4} of Sec. 29, T. 17N, R. 21 E.

2.8 acres in the ^{NW 1/4 W 1/4} of Sec. 28, T. 17N, R. 21 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: Two acres enclosed and one and one half acre outside fence.
Append a sheet if necessary

(15) The Maximum Acreage irrigated in any year. 5.11 acres

(15) The maximum acreage irrigated in any year was ~~three and one half~~ 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. ^{The water was always used without}
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
^{reserve by petition as it is waste sewer water.}

(18) The claimant's water right ~~was~~ ^{was} recorded in the office of the County Recorder of _____ County, said record being at page 213 of Book 59 of _____ and being a claim for ~~one and one half~~ ^{all} _____ of water for the irrigation of _____ acres of land in the following legal subdivisions:

SE 1/4 NE 1/4 Sec. 29. T. 17N R. 21 E. Cont.
N. W. 1/4 S. W. 1/4 " 28 T. 17N R. 21. E.

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:

Used by Frank Simoni on his land for irrigation only

(21) The character of the soil is *Loam* (Sandy, gravelly, loam) The soil needs _____ acre-feet per annum to properly irrigate the crops. A continuous flow of _____ cubic feet of water per second, during the irrigation season of _____ months, is needed to irrigate each 100 acres of land.

(22) Remarks: *Used all the process of sewer and did not have sufficient*

water. Last (1924) the creek below was furnished with water from the Ophir Mill after it had been used in the Ophir Mill. The mill in 1924 was moved away and constituted a shortage of water for those who had used the Ophir Mill water further down the creek. The sewer water was never demanded for milling purposes until the Ophir Mill closed down and then the Mining Companies resorted to the sewer water.

Frank Simoni has the only original and primary claim to the water and purchased the land with water rights and claims that even now insufficient water flows from sewer upon his land to irrigate same.

Frank Simoni

Subscribed and sworn to before me this *third* day of *February*, 19*25*
William D. Boyle

Notary Public in and for the County of *Storey*
My commission expires *January 1, 1927*

Changes Ratified by Frank Simoni.

Changes Made in Red Ink.
MARCH 20, 1925

Signatures Ratified by FRANK SIMONI - Before Notary.

Subscribed and sworn to before me this
20th day of *May*, 19*25*
William D. Boyle
Notary Public
County of *Storey*, State of Nevada

This part of form to be left blank by claimant.

Filing Serial No. **Q1875**

STATE OF NEVADA

PROOF OF APPROPRIATION OF
WATER FOR IRRIGATION

Water Source: *SEWER of VIRGINIA CITY.*
(SEWER)
East Part of Virginia City.
Through *Line of City*

Claimant **Frank Stinson**

Filed in the office of the State Engineer on

, 192

State Engineer.

Certificate No. issued hereunder

, 192