

THE STATE OF NEVADA  
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source McAfee Creek  
Name of natural water source

The water is diverted from its source Bar 99 Ranch Rock and Flume Pipeline  
Name of ditch, flume or pipe line

at the following point(s) in NW 1/4 NW 1/4 of Section 2, T. 4 S., R. 35 E., MDB&M,  
List all points of diversion from this source, appending a sheet if necessary

or at point from which the North quarter corner of said Section 2  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed  
bears N. 58°59' E., 2664.4 feet.  
land, it should be stated

(1) Name of claimant PETE BRUINSMA and GERTRUDE BRUINSMA  
Tonopah  
Address Fish Lake Valley, via / , County of Esmeralda  
State of Nevada

(2) The means of diversion employed rock and concrete flume; ditches, reservoir and  
Dam and ditch, pipe line, flume, etc. sprinkler system.

(3) The date of the survey of ditch, canal, or pipe line was October 4, 1971

(4) The construction of the ditch or other works was begun December 25, 1865  
and completed unknown, but we believe well before the turn of the century.  
Some additional work of improvement was done in 1917.

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 5 feet  
feet, width on top 5 feet, depth 3 feet, on a grade of / feet per thousand feet  
averages 3% with consid-  
erable variation.

(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 Not Applicable  
and completed Not Applicable

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom Not Applicable feet, width on  
top Not Applicable feet, depth Not Applicable feet, on a grade of Not Applicable feet per thousand feet.

(9) The claimant is ~~(is not)~~ an owner in the above-described conduit. Fee owner. A portion of  
~~the rock and concrete flume crosses fee owned lands of claimant. The remainder~~  
is situate on U.S. BLM lands for which easement has been obtained from the U.S.  
Dept. of Interior. 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  
Fee simple, public domain, etc.

(11) Crops of alfalfa and wild hay; hay.  
have been grown upon the land irrigated.

(12) The water has been used for irrigation from January 1 to December 31  
of each year. Day of month Day of month

(13) List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with corresponding subdivisions, appending extra sheets if necessary.

SEE RIDER \_\_\_\_\_ acres in the \_\_\_\_\_ of Sec. \_\_\_\_\_, T. \_\_\_\_\_, R. \_\_\_\_\_ E.

SECTION	SUBDIVISION	TOWNSHIP	RANGE	CULTIVATED ACREAGE	DATE
26	SE 1/4 NW 1/4	3 S	35 E	40	Dec. 25, 1865
"	NE 1/4 SW 1/4	" "	" "	40	" " "
"	NE 1/4 NW 1/4	" "	" "	36	" " "
"	NE 1/4 NW 1/4	" "	" "	4	" " "
"	NW 1/4 NE 1/4	" "	" "	31	" " "
"	NW 1/4 NE 1/4	" "	" "	9	" " "
"	SW 1/4 NE 1/4	" "	" "	40	" " "
"	NE 1/4 NE 1/4	" "	" "	12.2	1. 2 strip
"	SE 1/4 NE 1/4	" "	" "	33	11. 0 strip
"	NW 1/4 SE 1/4	" "	" "	40	" " "
"	NE 1/4 SE 1/4	" "	" "	38	7. 6 strip
24	SW 1/4 NW 1/4	" "	" "	10	" " "
"	SE 1/4 NW 1/4	" "	" "	20	" " "
"	NE 1/4 SW 1/4	" "	" "	40	" " "
"	SW 1/4 SW 1/4	" "	" "	14	" " "
"	SE 1/4 SW 1/4	" "	" "	40	" " "
"	SW 1/4 SE 1/4	" "	" "	14	" " "
25	NW 1/4 NW 1/4	" "	" "	25	" " "
"	NE 1/4 NW 1/4	" "	" "	40	" " "
"	NW 1/4 NE 1/4	" "	" "	16	" " "
"	SW 1/4 NW 1/4	" "	" "	27.5	" " "
"	SE 1/4 NW 1/4	" "	" "	40	" " "
"	SW 1/4 NE 1/4	" "	" "	30.25	" " "
"	NW 1/4 SW 1/4	" "	" "	25.4	" " "
"	NW 1/4 SE 1/4	" "	" "	26	1. 0 stripped
"	SW 1/4 SW 1/4	" "	" "	29	18. stripped
"	SE 1/4 SW 1/4	" "	" "	40	" " "
"	SW 1/4 SE 1/4	" "	" "	27	" " "
"	NE 1/4 SE 1/4	" "	" "	40	" " "

2501 A 14 539 chgs 300

\_\_\_\_\_ acres in the \_\_\_\_\_ of Sec. \_\_\_\_\_, T. \_\_\_\_\_, R. \_\_\_\_\_ E.

\_\_\_\_\_ acres in the \_\_\_\_\_ of Sec. \_\_\_\_\_, T. \_\_\_\_\_, R. \_\_\_\_\_ E.

(14) The maximum acreage irrigated in any year was 827.1 acres.

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

(16) The years during which no water was used for irrigation or during which the full water right was not used were all available water from this source has been used for the Bar 99 Ranch since the right was initiated. 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

(17) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of \_\_\_\_\_ County, said record being at page \_\_\_\_\_ of Book \_\_\_\_\_ of \_\_\_\_\_, and being a claim for \_\_\_\_\_ of water for the irrigation of \_\_\_\_\_

\_\_\_\_\_ 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 (17)

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation: Stock water and domestic.

(19) The character of the soil is sandy loam acre-feet per acre per annum have been used to irrigate the crops. A continuous flow of 5 cubic feet of water per second has been used to irrigate 100 acres of land.  
(Sandy, gravelly, loam)

(20) Remarks: To the knowledge of all persons in the Fish Lake Valley area, all of the flow of McAfee Creek to the full extent available has been diverted onto the lands of the ranch, or used for stock water since the ranch was first initiated in 1865.

This ranch maintains up to 1,000 head of cattle. Cattle drink from the rock and concrete flume and from the reservoir and ditches on the ranch proper. This stock water right is a vested right because the cattle have used those sources of water for drinking since the ranch began on the date which we believe to be December 25, 1865. A separate Proof of Vested Right for Stockwatering purposes is being filed contemporaneously herewith for the remainder of the vested stockwatering right wherein cattle drink from the natural channel of McAfee Creek all along its course from the points above and below the point of diversion for the rock and concrete flume.

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

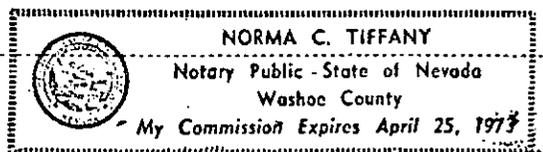
claimant

*Pete Bruinsma*  
Pete Bruinsma  
*Gertrude Bruinsma*  
Gertrude Bruinsma

Subscribed and sworn to before me this 19<sup>th</sup> day of April, 19 72.

*Norma C. Tiffany*  
Notary Public in and for the County of \_\_\_\_\_

My commission expires \_\_\_\_\_



**\$10 FILING FEE MUST ACCOMPANY PROOF**

THE STATE OF NEVADA  
 PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

**FILED**  
 MAR 1 1972  
 STATE ENGINEER'S OFFICE

Source McAfee Creek  
Name of natural water source  
 The water is diverted from its source Bar 99 Ranch Rock and Flume Pipeline  
In Name of ditch, flume or pipe line  
 at the following point/ NW $\frac{1}{2}$  NW Quarter of Section 2, T. 4 S., R. 35 E.,  
M.D.B. & M., or at point from which the North quarter corner of  
 Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,  
said Section 2 bears N. 58°59' E., 2664.4 feet.  
 it should be stated

(1) Name of claimant PETE BRUINSMA and GERTRUDE BRUINSMA  
Fish Lake Valley  
 Address via Tonopah, County of Esmeralda  
 State of Nevada

(2) The means of diversion employed rock and concrete flume ; ditches, reservoir and  
Dam and ditch, pipe line, flume, etc. sprinkler system

(3) The date of the survey of ditch, canal, or pipe line was October 4, 1971

(4) The construction of the ditch or other works was begun December 25, 1865  
 and completed unknown, but we believe well before the turn of the century.  
 Some additional work of improvement was done in 1917.

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 5 ft.  
averages 3% with consider-  
feet, width on top 5 ft. feet, depth 3 feet, on a grade of (/) ~~feet per thousand feet~~ able  
not variation

(6) The conduit has ~~been~~ 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 Not Applicable  
 and completed Not Applicable

(8) The dimensions of the ditch or canal as enlarged are: /Width on bottom Not Applicable feet, width on  
 top Not Applicable feet, depth Not Applicable feet, on a grade of Not Applicable feet per thousand feet.

(9) The claimant is ~~is not~~ an owner in the above-described conduit. Fee owner. A portion of the  
rock and concrete flume crosses fee owned lands of claimant. The re-  
mainder is situate on US BLM lands for which easement has been obtained  
from the US Dept. of Interior.

(10) The nature of the title to the land for which the water right is claimed is Fee

(11) Crops of alfalfa and wild hay; hay.  
 have been grown upon the land irrigated.

(12) The water has been used for irrigation from January 1 to December 31  
Day of month Day of month  
 of each year.

(13) The water was first used for irrigation by claimant or their grantors in the year 1865  
 when 98.22 acres were irrigated in the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec NE $\frac{1}{4}$  of the SW $\frac{1}{4}$ ,  
~~of~~ ~~of~~ ~~of~~ and Lot 1 of SW $\frac{1}{4}$  of Section 26, Township 3-  
South, Range 35 East, M.D.B. & M.

(14) The date of culture, number of acres and legal description of the land irrigated in subsequent years:

December 25, 1865	80	acres in the	S $\frac{1}{2}$ SE $\frac{1}{2}$	of Sec. 26	T. 35	R. 35	E.
" " " "	40	acres in the	SW $\frac{1}{2}$ SE $\frac{1}{2}$	of Sec. 23	T. 35	R. 35	E.
" " " "	40	acres in the	SE $\frac{1}{2}$ SE $\frac{1}{2}$	of Sec. 23	T. 35	R. 35	E.
" " " "	40	acres in the	Lot 2	of Sec. 26	T. 35	R. 35	E.
" " " "	40	acres in the	NE $\frac{1}{2}$ SE $\frac{1}{2}$	of Sec. 23	T. 35	R. 35	E.
" " " "	40	acres in the	SE $\frac{1}{2}$ NE $\frac{1}{2}$	of Sec. 23	T. 35	R. 35	E.
	40	acres in the	SW $\frac{1}{2}$ SE $\frac{1}{2}$	of Sec. 23	T. 35	R. 35	E.
	40	acres in the	SE $\frac{1}{2}$ SE $\frac{1}{2}$	of Sec. 23	T. 35	R. 35	E.
(SEE RIDER)		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.

(15) The maximum acreage irrigated in any year was ~~INDICATED~~ 1280.32 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 all available water from this source has been used for the Bar 99 Ranch since the right was initiated.  
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 of necessary

(18) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of \_\_\_\_\_ County, said record being at page \_\_\_\_\_ of Book \_\_\_\_\_ of \_\_\_\_\_, and being a claim for \_\_\_\_\_ of water for the irrigation of \_\_\_\_\_

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)

SECTION	SUB-DIVISION	TWNSHIP	RANGE	CULTIVATED ACREAGE	DATE
26	NE $\frac{1}{2}$ NW $\frac{1}{2}$	3 S	35 E	36	12/25/
"	" "	" "	" "	4	1865
"	NW $\frac{1}{2}$ NE $\frac{1}{2}$	" "	" "	31	"
"	" "	" "	" "	9	"
"	SW $\frac{1}{2}$ NE $\frac{1}{2}$	" "	" "	40	"
"	NE $\frac{1}{2}$ NE $\frac{1}{2}$	" "	" "	12.2	"
"	SE $\frac{1}{2}$ NE $\frac{1}{2}$	" "	" "	33	"
"	<del>SE <math>\frac{1}{2}</math> SW <math>\frac{1}{2}</math></del>	" "	" "	<del>35</del>	"
"	NW $\frac{1}{2}$ SE $\frac{1}{2}$	" "	" "	40	"
"	NE $\frac{1}{2}$ SE $\frac{1}{2}$	" "	" "	38	"
"	<del>SW <math>\frac{1}{2}</math> SE <math>\frac{1}{2}</math></del>	" "	" "	<del>37</del>	"
"	<del>SE <math>\frac{1}{2}</math> SE <math>\frac{1}{2}</math></del>	" "	" "	<del>3</del>	"
24	SW $\frac{1}{2}$ NW $\frac{1}{2}$	" "	" "	10	"
"	SE $\frac{1}{2}$ NW $\frac{1}{2}$	" "	" "	20	"
"	NE $\frac{1}{2}$ SW $\frac{1}{2}$	" "	" "	40	"
"	SW $\frac{1}{2}$ SW $\frac{1}{2}$	" "	" "	14	"
"	SE $\frac{1}{2}$ SW $\frac{1}{2}$	" "	" "	40	"
"	SW $\frac{1}{2}$ SE $\frac{1}{2}$	" "	" "	14	"
25	NW $\frac{1}{2}$ NW $\frac{1}{2}$	" "	" "	25	"
"	NE $\frac{1}{2}$ NW $\frac{1}{2}$	" "	" "	40	"
"	NW $\frac{1}{2}$ NE $\frac{1}{2}$	" "	" "	16	"
"	SW $\frac{1}{2}$ NW $\frac{1}{2}$	" "	" "	27.5	"
"	SE $\frac{1}{2}$ NW $\frac{1}{2}$	" "	" "	40	"
"	SW $\frac{1}{2}$ NE $\frac{1}{2}$	" "	" "	30	"
"	NW $\frac{1}{2}$ SW $\frac{1}{2}$	" "	" "	25.4	"
"	<del>NW <math>\frac{1}{2}</math> SE <math>\frac{1}{2}</math></del>	" "	" "	<del>26</del>	"
"	<del>SW <math>\frac{1}{2}</math> SW <math>\frac{1}{2}</math></del>	" "	" "	<del>29</del> <sup>18</sup>	"
"	<del>SE <math>\frac{1}{2}</math> SW <math>\frac{1}{2}</math></del>	" "	" "	<del>40</del>	"
"	<del>SW <math>\frac{1}{2}</math> SE <math>\frac{1}{2}</math></del>	" "	" "	<del>27</del>	"
"	NE $\frac{1}{2}$ SW $\frac{1}{2}$	" "	" "	40	" 18M4 22DP

(19) Water from the source given and through the works described is also used for the following purposes other than irrigation: Stock water and domestic.

(20) The character of the soil is sandy loam The soil needs          acre-feet  
(Sandy, gravelly, loam)  
per annum to properly irrigate the crops. A continuous flow of 5 cubic feet of water per second, during the irrigation season of          months, is needed to irrigate each 100 acres of land.

(21) Remarks: To the knowledge of all persons in the Fish Lake Valley area, all of the flow of McAfee Creek to the full extent available has been diverted onto the lands of the ranch, or used for stock water since the ranch was first initiated in 1865.

This ranch maintains up to 1,000 head of cattle. Cattle drink from the rock and concrete flume and from the reservoir and ditches on the ranch proper. This stock water right is a vested right because the cattle have used those sources of water for drinking since the ranch began on the date which we believe to be December 25, 1865. A separate Proof of Vested Right for Stockwatering purposes is being filed contemporaneously herewith for the remainder of the vested stockwatering right wherein cattle drink from the natural channel of McAfee Creek all along its course from the points above and below the point of diversion for the rock and concrete flume.

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

By Pete Bruinsma  
Pete Bruinsma  
By Gertrude Bruinsma  
Gertrude Bruinsma

Subscribed and sworn to before me this 11 day of December, 1971

Arthur H. Koskey

Notary Public in and for the County of         

My commission expires         

