

THE STATE OF NEVADA  
PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Yankee Bill Creek and Springs and tributaries  
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Unnamed Ditch  
Name of ditch, flume or pipe line

at the following point(s) NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> Section 2, T. <sup>46</sup>~~47~~ N., R. 54 E., MDM (unsurveyed), at a point from  
List all points of diversion from this source, appending a sheet if necessary

which the SE corner of Section 31, T. 47 N., R. 54<sup>1</sup>/<sub>2</sub> E., MDM, bears N. 89°26' E., 14,583 feet.  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed

land, it should be stated

(1) Name of claimant Simplot Livestock Company  
Address HC 85, Box 275, County of Owyhee  
State of Grandview, Idaho 83624

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

(3) The date of the survey of ditch, canal, or pipe line was 1994

(4) The construction of the ditch or other works was begun 1902  
and completed 1902

Basin 38  
EL

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

(6) The conduit 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 unknown feet, width on top \_\_\_\_\_ feet, depth \_\_\_\_\_ feet, on a grade of \_\_\_\_\_ feet per thousand feet.

(9) The claimant is an owner in the above-described conduit.

100%  
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 \_\_\_\_\_  
Deeded  
Fee simple, public domain, etc.

(11) Crops of Meadow hay have been grown upon the land irrigated. (e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture).

(12) The water has been used for irrigation from April 1st to October 31st 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.

<u>SEC.</u>	<u>1/4 1/4</u>	<u>T. N.</u>	<u>R. E.</u>	<u>ACRES</u>	<u>TYPE OF CULTURE</u>	<u>DATE OF CULTURE</u>
35	H.E.S. #67	47	54	20.33	Meadow Hay	1902

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

(15) The water claimed has (has not) 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 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

(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: \_\_\_\_\_

See attached Affidavit by William I. Tindall

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: Stockwater and domestic

(19) The character of the soil is loam. A continuous flow of 2 1/2 cubic  
(Sandy, gravelly, loam)

feet of water per second has been used to irrigate 100 acres of land and 4.0

acre-feet per acre per annum have been used to irrigate the crops.

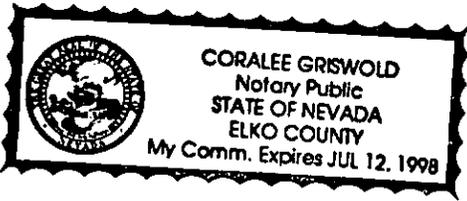
(20) Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Simplot Livestock Company are full and correct to the best of his knowledge and belief The undersigned deponent is acting as agent for the claimant - Simplot Livestock Company  
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

William A. Fisset agent  
421 Court Street, Elko, NV 89801

Subscribed and sworn to before me this 31 day of October, 19 94

Coralee Griswold



Notary Public in and for the County of Elko

My commission expires July 12, 1998

**\$100 FILING FEE MUST ACCOMPANY PROOF**

Original Filed under Merritt Creek

To Whom it may concern:

I, William I. Tindall, a rancher, was born in Grasmere, Idaho on March 21, 1916. I presently operate ranches in Grasmere and Merritt Mountain areas. My Father was Chester Tindall and my Grandfather, William J. Tindall. My Grandfather came to Grasmere, Idaho area in 1885 and started in the sheep business. He purchased some two to three thousand sheep from Mr. O.F. Bacon. He told me that he grazed his sheep in the Spring, Summer, and Fall in a big circle, up Sheep Creek, Salmon Creek, Merritt Creek, Willis Creek, Rain Creek, Merritt Mountain, west and north through Indian Hay Meadows, down the Mary Creek area and back to Grasmere area for the winter. In about 1900 my Grandfather went out of the sheep business; that same year he and my father started in the cattle business. They continued to run their cattle in the same areas as my Grandfather had run his sheep.

My Grandfather and Father told me that at the same time that they started in the cattle business (1900), and a couple of years after that, people began to settle along Merritt and Sheep Creeks and the tributaries. The homesteaders began to irrigate from the same areas. Some were the McCray's, Turner's, Helms, Kunz's, Well's and Frank (Fatty) Barton.

In 1925, my Father, his brother, and relatives started buying some of the homesteads to protect their range.

There is also the following references:

The Tindall Ranch  
 Owyhee Outpost #16  
 Owyhee County Historical Society  
 The Sherman Family - Merritt Mountain  
 Northeastern Nevada Historical Society

I freely and willing submit this information as a matter of public record.

*William I. Tindall*

William I. Tindall

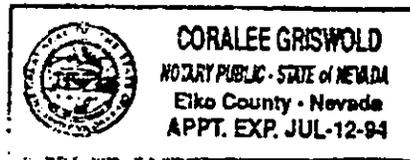
1  
 State of Nevada)  
 ) SS.  
 County of Elko )

On this 16 day of October, 1992, personally appeared before me, William A. Tindall, who acknowledged that he executed the above instrument.

*Coralee Griswold*  
Notary Public

10-16-92  
Date

7-12-94  
Commission Expires



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STATE ENGINEERS OFF.

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