

STATE OF NEVADA  
**PROOF OF APPROPRIATION OF WATER**

(Statutory vested water rights are those with a priority date prior to: March 1, 1905 for All Surface Sources; March 22, 1913 for Underground Artesian Waters; March 25, 1939 for Underground Percolating Water)

USE(S):

Primary (Please select only one):

Irrigation  Stock water  Mining and Milling  Domestic   
Municipal  Industrial  Quasi-Municipal  Commercial   
Federal Reserved Right  Other (OTH) \_\_\_\_\_

Secondary (Select all that may be applicable):

Stock water  Domestic

NAME OF CLAIMANT James E. & Vera L. Baumann  
Address PO Box 308 City of Eureka County of Eureka  
State of Nevada Telephone No. 775-237-5452 Email Address simpsoncreekranch@gmail.com

1. Source of water Milk Ranch Spring  
Name of natural water source (use separate proofs for each major source such as a spring, creek, river or underground)

2. The means of diversion Spring box into pipeline that flows to reservoir below spring.  
Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):  
SW1/4 SE1/4 of Sec. 030, T19N, R54E (Unsurveyed)  
GPS location in WGS 84: Longitude -115.933337 Latitude 39.483620

(List all points of diversion from the source, attaching a sheet if necessary. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner for any other use than stock water. If on unsurveyed land, it should be stated.)

4. The date of construction of the ditch or other works was begun \_\_\_\_\_  
and completed specific dates unknown but use began in 1866

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:  
Public domain with grazing permit. Located in Shannon Station/Spanish Gulch allotment.  
Patented, deeded, public domain with grazing permit, etc.

6. The claimant's water right was / (was not) recorded in the office of the County Recorder of  
(circle one)  
\_\_\_\_\_ County, at Page \_\_\_\_\_ of Book \_\_\_\_\_ of \_\_\_\_\_

7. The amount of water diverted for the claim's purpose has been measured at  
0.10 cubic feet per second.  
448.83 gallons per minute equals 1 cubic feet per second

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8. The place of use location (For Irrigation, skip question #8 and proceed to Question #12):

Spring is piped from the spring box to a reservoir. There is some overflow and pooling at the spring source. Water is utilized in the natural channel and pools at the spring source in SW1/4 SE1/4 of Sec. 30, T19N, R54E (Unsurveyed) and the reservoir located in SE1/4 SW1/4 of Sec. 30, T19N, R54E (Unsurveyed).

(List all places of use for the primary and any secondary purposes being claimed, attaching additional sheet(s) as needed. Describe them as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated. If the watering of livestock is accomplished by utilizing the natural stream channel, then describe the 40-acre legal subdivision at the beginning (upstream point) and the legal subdivision at the end of the stream reach.)

**QUESTIONS REGARDING WATERING OF LIVESTOCK**

9. The approximate number of animals watered by the claimant during the first year of 1866 was \_\_\_\_\_ Year  
300 cattle \_\_\_\_\_ horses \_\_\_\_\_ sheep \_\_\_\_\_ other (describe in remarks)

The watering was conducted during each of the following months: January 1 through December 31

10. The approximate number of animals watered by the claimant in subsequent years was:  
300 cattle \_\_\_\_\_ horses \_\_\_\_\_ sheep \_\_\_\_\_ other (describe in remarks)

11. The water is impounded in Natural channel, pools, and reservoir.  
Trough(s), tank(s), pool(s), reservoir, natural channel, etc.

**QUESTIONS WITH REGARD TO IRRIGATION**

12. The date of survey of ditch, canal, or pipe line was \_\_\_\_\_

13. The dimensions of the ditch or canal as originally constructed were: Width on bottom \_\_\_\_\_ feet, width on top \_\_\_\_\_ feet, depth \_\_\_\_\_ feet, for \_\_\_\_\_ lineal feet of improvement, on a grade of \_\_\_\_\_ feet per thousand feet. If conduit has been since enlarged, complete questions 16 & 17.

14. The dimensions and type of pipeline as originally constructed were: Diameter of \_\_\_\_\_ inches with a type of pipe of \_\_\_\_\_ for \_\_\_\_\_ feet in length.  
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

If conduit has been since enlarged, complete questions 16 & 17.

15. The conduit has / has not been enlarged.  
(circle one)

16. The work of enlargement of the ditch, canal or pipeline commenced \_\_\_\_\_ and completed \_\_\_\_\_

17. The dimensions of the enlarged ditch or canal are: Width on bottom \_\_\_\_\_ feet, width on top \_\_\_\_\_ feet, depth \_\_\_\_\_ feet, for \_\_\_\_\_ lineal feet of improvement, on a grade of \_\_\_\_\_ feet per thousand feet.

18. The dimensions of the enlarged pipeline are: Diameter of \_\_\_\_\_ inches with a type of pipe of \_\_\_\_\_ for \_\_\_\_\_ lineal feet in length.  
Examples: Corrugated Metal Pipe, Riveted Iron Pipe or Wrapped Wooden Pipe

19. The claimant is / is not the owner in the above-described conduit.  
(circle one)

\_\_\_\_\_  
If claimant is an owner in the conduit, state interest held on this line.

20. Crop(s) of \_\_\_\_\_  
(e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)  
have been grown upon the land(s) irrigated.

21. The season of use for irrigation is typically from \_\_\_\_\_ to \_\_\_\_\_ of each year. The average number of cuttings in a year is typically \_\_\_\_\_ cuttings and the maximum number of cuttings in a year is \_\_\_\_\_ cuttings.

22. The water claimed has / has not been used for irrigation each and every year since the right was initiated.  
(circle one)

23. The years during which no water was used for irrigation or during which the full water right was not used were (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):  
\_\_\_\_\_

24. The characteristics of the soil are \_\_\_\_\_  
Sandy, gravelly, loam

25. The minimum flow needed to push the diverted water over the claimed place of use in an average year is \_\_\_\_\_ cubic feet per second. The quantity of water used to irrigate the claimed place of use during an average irrigation season is \_\_\_\_\_ acre-feet per annum.

26. The maximum flow diverted to the claimed place of use in an irrigation season is \_\_\_\_\_ cubic feet per second.

27. List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with their corresponding subdivision. (Attach additional sheets as needed.)

Date	Acres	Quarter-Quarter	Section	Township	Range
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)
_____	_____	acres in the _____ of Sec.	_____, T.	_____ (N./S.), R.	_____ E. (circle one)

**ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING**

This is filed to amend previously filed claim V-09768. V-09768 incorrectly described the point of diversion at the location where water discharges from the pipeline to the reservoir. This amended claim correctly describes the spring as being piped from the spring source in SW1/4 SE1/4 of Sec. 30, T19N, R54E (Unsurveyed) to a reservoir in SE1/4 SW1/4 of Sec. 30, T19N, R54E (Unsurveyed). This amendment also adds add domestic as a secondary use and increase the claimed number of livestock watered.

All other previous remarks on claim V-09768 still apply.

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

James E. & Vera L. Baumann are full and correct to the best of their knowledge and belief.  
(Name)

If proof is not made by the claimant, deponent shall state on this line by virtue of what authority they represent the claimant.

Name James E. Baumann Signature James E. Baumann  
(Please type or print name) (Please sign in the presence of a Notary Public)

Address PO Box 308, Eureka State of Nevada ZIP Code 89316

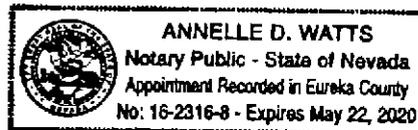
Telephone Number 775-237-5452 Email Address simpsoncreekranch@gmail.com

State of Nevada

County of Eureka

Subscribed and sworn to before me on 5-24-2016  
(Date)

by James E. Baumann  
Annel D. Watts  
Signature of Notary Public Required



Notary Stamp or Seal Required

**THE FILING FEE IS \$120 FOR FILING EACH PROOF OF APPROPRIATION FORM, WITH THE EXCEPTION OF THE EXCLUSIVE FILING FOR A STOCK WATER CLAIM, WHICH HAS A \$60 FILING FEE.**

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09768

Serial No. ....

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant James E. & Vera L. Baumann P.O. Box 308 of Eureka Nevada 89316

(2) Source of water Milk Ranch Spring

(3) The water is diverted by Spring Box into Pipe to Reservoir below Spring

(4) The water is diverted at the following point(s) SE 1/4 of SW 1/4 Sec: 30 Twp: 19N. Rng: 54E.

(5) The water is impounded in Reservoir

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

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is Public domain with grazing permit Located in the Shannon Station and Spanish Gulch allotments

(8) The claimant's water right was (was not) recorded in the office of the County Recorder of County, at Page of Book of

NOTE - Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

(9) The approximate number of animals watered by the claimant during the first year ~~1866~~ 1866  
Date  
was 200 cattle \_\_\_\_\_ horses \_\_\_\_\_ sheep or wildlife (describe) \_\_\_\_\_

The watering was conducted during each of the following months January 1st  
December 31st  
Other \_\_\_\_\_

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:

about 200 hd of cattle more or less  
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.  
over the years; but this spring  
has been <sup>used</sup> continuously since 1866

(11) The amount of water which has been necessary to be diverted for this purpose has been

1/20 cubic feet per second.  
448.83 gallons per minute equals 1 cubic feet per second.

(12) The works are located at SE 1/4 of SW 1/4 Sec. 30 T2N R19N  
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

Range 54E  
land, it should be stated.

Remarks Support documents for chain of title  
for Simpson Creek Ranch/James E. & Vera L.  
Baumann provided in Water Rights Documents  
Vol I filed with Nevada Division of Water  
Resources

Support documents for Milk Ranch Spring  
are provided in Vol. II also filed with  
Nevada Division of Water Resources

Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by James E. & Vera L Baumann 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.

James E. Baumann Vera L. Baumann  
Claimant  
Telephone No. (725) 237 5452

By \_\_\_\_\_  
Street and No., or P.O. Box No. \_\_\_\_\_  
City, State, Zip Code No. \_\_\_\_\_  
Telephone No. ( \_\_\_\_ ) \_\_\_\_\_

Subscribed and sworn to before me this seventh day of September, 2008



Maryjo Castaneda  
Notary Public in and for the County of Eureka

My commission expires June 25, 2009

**\$50 FILING FEE MUST ACCOMPANY PROOF**

2008 SEP 11 PM 3:37

