

STATE OF NEVADA

**PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING
OR WILDLIFE PURPOSES**

(1) Name of claimant M W Cattle Co.
HC 62 Box 62311 of Eureka
Street Address or PO Box City or Town
Nevada 89316
State and ZIP Code

(2) Source of water Spring no. 1 Section 34
Name of natural water source

(3) The water is diverted by:
Natural channel

Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s):
NW¼ SE¼ Section 34, T. 22 N., R 48 E., M. D. B. & M.

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29 APR 11 11:41
COUNTY CLERK'S OFFICE
EUREKA

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. Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such.

(5) The water is impounded in Natural pool at spring
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun 1898
and completed 1904
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is:
Partly patented and partly possessory. Cattle and sheep used the range while ranching activities took place on the nearby Tonkin, Three Bars, Sante Fe, and Ferguson Ranches

Patented, deeded, public domain with grazing permit, etc.

(8) The claimant's water right was not recorded in the office of the County Recorder of
Eureka 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 1898
was 500 cattle horses 2000 sheep or wildlife (describe)
Date

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

Kobeh Valley
10 - 139
EU

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:
500 cattle and 2,000 sheep. Numbers varied from year to year depending on economics and availability of water.

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.

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

0.03 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second

(12) The works are located at:

NW 1/4 SE 1/4 Section 34, T. 22 N., R 48 E., M. D. B. & M.

Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Remarks

Attached Affidavits and historical documentation show the Damele, Pieretti, Ferguson and Etchegaray families started ranching (cattle and sheep) and farming activities on the Tonkin, Santa Fe, Ferguson, and Three Bars ranches circa 1898. Also see information provided on Proof V-01769-filed by Maurice Pieretti filed in 1925).

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by
MW Cattle Co. are full and correct to the best of his/her knowledge and belief.

The agent, Sam E. Monteleone, is authorized (by Claimant) to file this Amended Proof of Appropriation (Stockwater).

If proof is not made by claimant, deponent should state on this line by virtue of what authority he/she represents the claimant.

MW Cattle Co.

Name of Claimant

By

Sam E. Monteleone
Sam E. Monteleone

Telephone No. (775) 385-8411

State of Nevada

2426 Haida Court

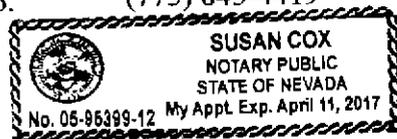
County of Carson City

Reno, Nevada 89506-9118

Subscribed and sworn to before me on July 29, 2014

Telephone No. (775) 843-4419

by Sam E. Monteleone



Susan Cox

Signature of Notary Public Required

Notary Stamp or Seal Required

State of Nevada
County of Eureka

Signed and sworn to before me on 10-16-01
by Mary Jean Etcheagaray
Vera Baumann
Notary

Oct 25 - 2000



To whom it may Concern

This document is my declaration of proof that the Santa Fe, Ferguson ranches have used all springs and water sources as defined by the Cultural map and Original Bureau of Land Management Adjudication, for grazing purposes for cattle and sheep, with only livestock drift from other ranches from 1905 until this present date.

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OCT 29 11:41
COUNTY OF EUREKA

past owner operator
past owner operator
past owner operator

Signed
Betrinadamele Etcheagaray
LeRoy W. Etcheagaray
Mary Jean Etcheagaray

State of Nevada
County of Eureka

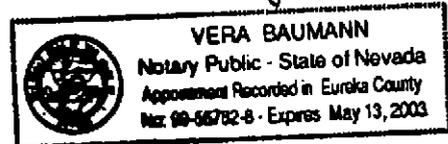
On 10/16/01, LeRoy Etcheagaray personally appeared before me, whom I know to be the person who signed this jurat of a subscribing witness while under oath, and swears that he was present and witnessed Rietana Etcheagaray sign the above document.

Signed and sworn before me on 10/16/01 by LeRoy Etcheagaray
Vera Baumann
Notary



State of Nevada
County of Eureka

Signed and sworn to before me on 10-16-01
by LeRoy Etcheagaray
Vera Baumann
Notary



Jan. 19, 2001

To whom it may concern.

This document is to show a chain of titles, from John Damele, to his daughter and son-in-law, Margaret and Marizo Pieretti, also known as Maurice Pieretti, of Eureka County, Eureka Nevada.

Since, there is no known deed to show such a transaction, Pietrina Margaret Damele Etchegaray, born March 17th 1904 and age 96 at the present date, as their oldest surviving relative, hereby states that John or Giovanni Damele owned, and operated both the Santa Fe and Three Bars ranches together from 1907, until his death Aug. 9, 1909.

To Pietrina Damele Etchegaray's, knowledge, Santa Fe was then operated a while, with the Three Bars ranches, until, Margaret Damele and Maurice Pieretti were married, in Elko, Nev., Jan 7, 1914. at approximately that date, the Santa Fe ranch was transferred to Margaret and Marizo Pieretti. (Margaret Damele, was, Giovanni's daughter.)

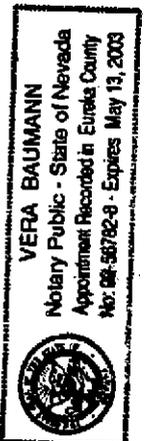
The Santa Fe Ranch remained in the same possession, until sale to Pietrina Damele Etchegaray and her husband Jean Fred Etchegaray bought, Santa Fe.

Signed Jan. 19, 2001.
Pietrina Margaret Damele Etchegaray

State of Nevada
County of Eureka

On 10/16/01, Re Roy Etchegaray personally appeared before me, whom I know to be the person who signed this jurat of a subscribing witness while under oath, and swears that he was present and witnessed Pietrina Etchegaray signed the above document.

Vera Baumann (over)



2001 JAN 29 11:11 AM
EUREKA COUNTY

Notary Public - State of Nevada
Appointment Recorded in Eureka County
#20-007524 - Expires May 13, 2009



Notary

On 10/16/01, Debra E. Schlegel
personally appeared before
me, whom I know to be the person who signed this jurat of a subscribing
witness while under oath, and swears that he was present and witnessed
sign the above document.
Debra E. Schlegel
Signed and sworn before me on 10/16/01 by Debra E. Schlegel
Vera Baumann

State of Nevada
County of Eureka



Notary Public - State of Nevada
Appointment Recorded in Eureka County
#20-007524 - Expires May 13, 2009

Re: M.W. Cattle Co.
Proof Submittals (19)

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Great Basin Curly Horse Buckaroos
The Dameles ←

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History

Eureka, Nevada, first settled in 1864, is located in the heart of wild horse country in central Nevada. This town is called the home of the American Curly Horse as a breed. This remote ranching and mining town is also named the Loneliest Town

on the Loneliest Road in America, U.S. Highway 50. The surrounding Great Basin countryside is a high-altitude cold dominated by sagebrush flats and surrounded by steep mountains. Only the strongest people and animals survive in this harsh environment. However, there has always been a lure of adventure about this remote region. Perhaps this is what brought Giovanni (later called John) Damele to Eureka.

John Damele arrived in Eureka from Genoa, Italy in 1879. He worked as a woodcutter for 11 years, helping provide fuel for the charcoal ovens that fueled smelter furnaces for the local silver and lead mines. John saved up enough money to bring his wife and three children from Italy to join him in Eureka.

John Damele and his family made a down payment on the Three Bar Ranch northwest of Eureka near the Roberts Creek Mountains. The Damele family began raising cattle and horses. He and his two boys while riding, saw horses with "curly hair" running with the mustang wild horse herds. The sight of horses with long curly hair was not easily forgotten. Wild horses in Nevada originated from several sources, primarily from animals that were released by or escaped from Spanish explorers, ranchers, miners, the U.S. Cavalry, and American Indians. Around 1880, the Dameles caught a Curly horse out of the mustangs. They took this horse back to the ranch, broke the horse to ride and later sold it. According to Damele family history, this was their first experience with handling and training Curly



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In 1932 there was a devastating winter in the Three Bar Ranch country. Deep snow and bitter cold hung on for months. When spring came and the ranch horses were gathered from where they had "wintered out," the only horses the Damele boys could find alive

were the Curly horses. All of the non-Curly horses had perished in this hard winter. No one needed to tell the Dameles what they had witnessed. This was a real turning point in their thinking. True stockman that they were, they realized that "curlies" could be broken to ride and turned into cow horses, they certainly could be relied upon to stay alive when other horses perished in the harsh winters of Central Nevada.

In 1942 Peter L. Damele, John's son, his wife and two sons, Peter J. and Benny bought and moved to the Dry Creek Ranch that lays 25 miles southwest of the Three Bar Ranch. This ranch is on the Pony Express trail. A Pony Express horse-changing station was located near the Dry Creek Ranch headquarters during 1860 and 1861. They also purchased the Ackerman Ranch, which lays 12 miles north of Dry Creek.

The Dameles registered the 3D brand. This brand is placed on the left thigh on horses and left hip on cattle. This 3D brand is still used on horses and cattle on the Dry Creek and Ackerman ranches which the Dameles own today.

The winter of 1951 and 1952 was another brutal, cold winter with deep snow. When spring came, once again, the only horses left alive were the Curlies. The Dameles decided to start breeding Curly horses in earnest that spring. Before the Curlies had just been around in the horse herd. They caught their first Curly horse stud out of a herd of mustangs, named Jim Copper D, and broke to him ride as a two-year old.

The Horses

The Dameles bred the Curly horses and raised cattle on the Dry Creek and Ackerman Ranches. At one time, they had hundreds of brood mares running out in "stud bands. A single stallion

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could cover about thirty mares outside. So there was a need for quite a few studs in this big open country. To handle these big numbers of horses on the open range, you needed to have good hands on horseback. The Damele boys were among

Running these horses and catching them in different ways occupied much of their time.



The Dameles were not as concerned with the Curly horse as a pure breed. They had specific needs for their horses and also had certain ideas about what they wanted their horses to look like. When the Dameles first began catching Curly horses out of the Mustang herds, they were big coarse-looking horses with non-refined heads, bodies, and legs.



The country around the Dry Creek and Ackerman Ranches is steep and rocky on the East Slope of the Simpson Park Range. Dameles wanted their horses be able to handle steep mountains, to be good in the rocks, stay sound, live through winters, take the "big outside circle" on the flats, drag calves to the fire, and be gentle. They wanted to breed a ranch horse that could do it all. They soon found out that the Curly horse could do all of this and maybe more.



Dameles purchased many different studs over the years to be used on their "outside" brood mares. Some of the better-known studs were: a registered Morgan Stud, Ruby Red; a registered Arabian stallion, Nevada Red; and an American Appaloosa stallion.



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The more famous American Curly Horse studs were: Peacock D, Grulla D, Dixie D, Dusty D, and the most famous Damele Curly Horse stud Copper D. Damele horses with the 3D brand started showing up in several states after people purchased horses from them. The Curly horse gene is reportedly dominant in breeding. Many of the Curly horses around the world today go back to the Curly horse stud



Copper D.



In 1971 a big change took place for the Dameles and other ranchers in the Great Basin. The Congress of The United States passed the Wild Free-Roaming Horse and Burro Act. Wild mustang herds on Nevada rangelands began to be managed by the Bureau of Land Management and the U.S. Forest Service. Nevada is home to more than one-half of the nation's wild horses. Herd Management areas were drawn up and monitored by the Bureau of Land Management and U.S. Forest Service. The days of ranchers running their outside mares with studs on Federal lands was drastically reduced.



You may ask yourself after reading this Damele/ Nevada Curly Horse history, "How did these horses get to Nevada in the beginning?" So far, to my knowledge, no one has proven where these Eureka County "Curlies" came from, but there are several theories concerning this issue, including:



1. The horses came across the Bering Strait before the last ice age;



2. Russian settlers brought Curly horses to America from Russia



3. An Irishman named Tom Dixon imported curly horses to the Eureka area. Dixon imported two pregnant Curly mares and a Curly stud from India and turned them loose with the mustangs in the 1880s.



4. The horses are native born mutations.



5. The horses are remnants of pre-Spanish horses.



There are still reports by the ranchers and Bureau of Land Management employees that Curly horses have been observed running with the mustangs in Eureka County, Nevada.



Breed Characteristics

The coat of a Curly horse is the most distinguishing

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feature that sets it aside from other breeds of horses. In the winter, their coat displays long curls. Often they shed most of the long curly hair in the summer. The mane and tail hair is curly. There is also another interesting characteristic of this horse. The Curly horse

is reported to be hypoallergenic. Which means that people that are allergic to horses can tolerate Curlies with reduced or non-allergic reactions.

Curly Horses are intelligent, calm natured, and, when handled correctly, are not flighty and are easily trained. Curly Horses share many physical characteristics with primitive horses, including wide-set eyes and strong canon bones. Curly Horses have particularly tough hooves that are almost perfectly round in shape. That makes them very good in rocky country. Some owners compare Curlies to mules because they think things out rather than panic.



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Today
The Damele family is still at the Dry Creek and Ackerman Ranches. They still use Curly horses for working cattle. Tom and Peter Damele are raising Curlies and had two "stud bunches" on their ranch this past summer. For information

concerning Damele Curly horses for sale, contact Tom Damele at 775-964-1253 or Peter Damele at 775-964-2585 .
Mailing address: P.O. Box 104, Eureka, Nevada 89316.

The Damele family is well respected as stockmen who survived many hard times and carved out a name in Nevada ranching history. The Dameles and the American Curly Horse will always be linked together. As they should be!

On October 10-11, 2003, the International Curly Horse Organization held a convention at the Opera House in Eureka Nevada and made a field trip to the Damele Dry Creek ranch. Curly Horse owners from several states and from Norway, Sweden and Germany were in attendance. This writer was invited to attend their meeting and found it to be very informative.

For more information concerning the American Curly Horse as a breed, contact the International Curly Horse Organization, <http://www.curlyhorses.org> (<http://www.curlyhorses.org/>) - 2690 Carpenter Road, Jamestown, Ohio 45335, telephone 937-453-9629 . E-mail office@curlyhorses.org ([mailto:office@curlyhorses.org?subject=Cowboy Showcase](mailto:office@curlyhorses.org?subject=CowboyShowcase)).

The American Bashkir Curly Horse Registry is the other major Curly breed registry. This registry has closed their web books in order to contain their gene pool, and move toward bloodline preservation and breed status requirements. Their web site is <http://www.abcregistry.org> (<http://www.abcregistry.org/>). Telephone 775-289-4999 .

Article by
Mike Laughlin

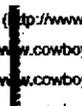
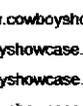
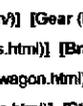
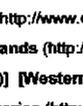
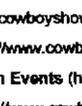
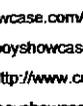
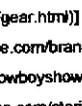
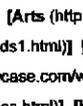
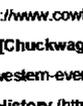
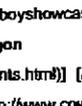
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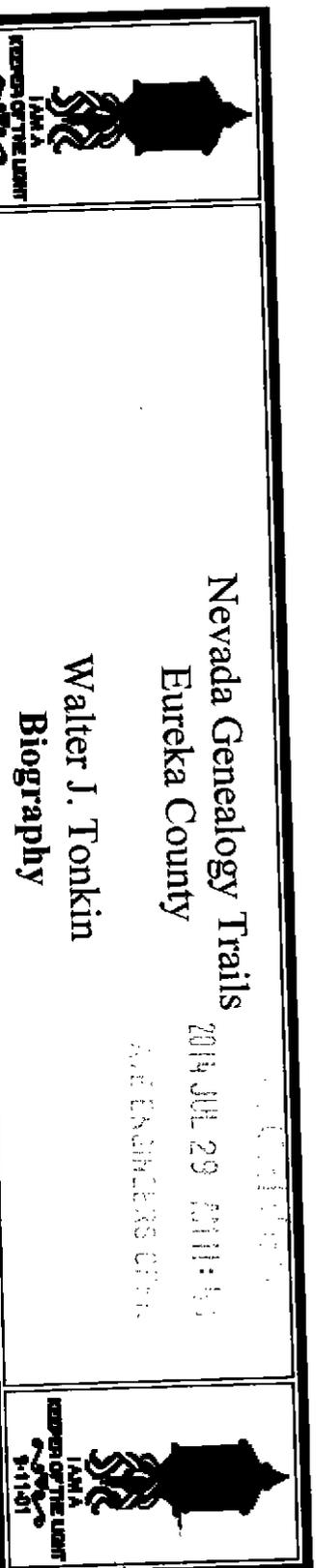
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 THE DAMELES AND THE CURLY HORSE



Walter J. Tonkin
Biography

HON. WALTER J. TONKIN, a leading merchant and business man of Eureka, first came to Nevada in 1875, and has been engaged in various lines of commercial and industrial activity ever since. Merchandising has been the occupation in which he has made his principal success, but he has also mined and been interested in stock-raising. Besides his respected position in business circles, he stands as high in Masonic honors as any other man in the state, and is foremost in the beneficent work of this ancient order.

Mr. Tonkin was born in Cornwall, England, January 29, 1854, and was educated in that country. He was twenty-one years old when he came to the United States, in 1875, and his first destination was Virginia City, Nevada, which was at that time in the height of its prosperous development. He had learned merchandising in his native country, but on his arrival here he got a place in the mines at four dollars a day. He was already somewhat familiar with mining operations, for he had come from the mining center of England, and he was on sure ground when he came to the mining regions of the west. From Virginia City he went to Bodie, California, and was appointed night foreman of the Noonday mine, having full charge of it during the night. Mr. Tonkin came to Eureka on September 18, 1880, and opened a stock of liquors, which business he carried on successfully for ten years. He then sold out and opened a dry goods and clothing store on March 4, 1801. He has a large trade in this line of merchandising and has been applying all his energy to building up the business, with gratifying results. In 1887 he began stock-raising in Eureka county with his brother, John G. Tonkin, as partner. They had a ranch of six hundred and forty acres, on which they kept as high as six hundred cattle, but he has since sold these interests in order to devote himself unreservedly to his principal work.

Mr. Tonkin has the honor of having been made a Master Mason in One and All Lodge, No. 330, F. & A. M., at Bodmin, England, and he received the Royal Arch degrees in Bodmin Chapter, and was made a Sir Knight Templar in Eureka Commandery No. 2. He has also received all the Scottish Rite degrees including the thirty-second. He affiliates with all the lodges in Eureka, is a member of the Reno Consistory, and his standing as a Mason in Nevada is equal to the best. Mr. Tonkin has been a consistent adherent of the Republican principles since coming to this country, but gave his vote and influence to the cause of silver.

On December 16, 1889, he married Miss Rebecca Crombie. Her father, John C. Crombie, was born at New Boston, New Hampshire. January 10, 1834, and married Miss Elizabeth Lee. He came to Nevada in 1864, and has been one of the most enterprising of the state's mining men. He is still owner of valuable gold and copper mining property, and has done much for the

development and prosperity of his state. His pioneer wife also survives. Mr. and Mrs. Tonkin have two children, both born in Eureka, Walter Crombie and Celia Allene. They have one of the nice homes of Eureka, cheerful and bright in all its comforts and surroundings, and he also owns his store building. They are Episcopalians in religious faith, and are popular members of the society of the county seat of Eureka county.

Source:

A History of the State of Nevada: Its Resources and People
By Thomas Wren, Lewis Publishing Company
Published by The Lewis publishing company, 1904

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