

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	<input type="checkbox"/>	Stock water	<input checked="" type="checkbox"/>	Mining and Milling	<input type="checkbox"/>	Domestic	<input type="checkbox"/>
Municipal	<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Quasi-Municipal	<input type="checkbox"/>	Commercial	<input type="checkbox"/>
Federal Reserved Right	<input type="checkbox"/>	Other (OTH) _____					

Secondary (Select all that may be applicable):

Stock water	<input checked="" type="checkbox"/>	Domestic	<input checked="" type="checkbox"/>
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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 Hornitos 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 Dam  
Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):  
NW1/4NW1/4 of Sec. 29, T.19N; R54E (Unsurveyed)  
GPS Location in WGS 84: Long. -115.921000 Lat. 39.492200

(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 Pre 1900  
and completed Specific dates are unknown for work completed prior to 1905.

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 in the 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  
0.0044 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):

Within Sec. NW1/4NW1/4 of Sec. 29, T.19N; R.54E

GPS Location in WGS 84: Longitude -115.921000 Latitude 39.492200

(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, each year

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 Pools  
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 \_\_\_\_\_

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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.

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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)	

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 OFFICE OF THE SECRETARY

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

This spring has been used continuously since 1866 to water the cattle owned by all of the previous owners and the current owners of this ranch.

Support documents for the chain of title and historic and current use of the range in which this spring is appurtenant for Simpson Creek Ranch/James E. & Vera L. Baumann are provided in the document, Volume #1 of the Water Filings for Simpson Creek Ranch/James & Vera L. Baumann, already filed with the Nevada Division of Water Resources.

No prior filings for this spring have been found.

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

James E. & Vera L. Baumann

(Name)

are full and correct to the best of their knowledge and belief.

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  
(Please type or print name)

Signature

*James E. Baumann*  
(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

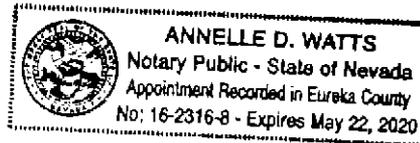
State of Nevada

County of Eureka

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

by *James E. Baumann*  
*Annelle D. Watts*

Signature of Notary Public Required



Notary Stamp or Seal Required

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**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.**