

**IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA**

DCNR/DWR/SNBO
RECEIVED
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IN THE MATTER OF THE
DETERMINATION OF THE RELATIVE
RIGHTS IN AND TO ALL WATERS OF
DIAMOND VALLEY, HYDROGRAPHIC
BASIN NO. 10-153, ELKO AND EUREKA
COUNTIES, NEVADA

**CLAIMANT
ARC DOME PARTNERS, LLC**

**OBJECTIONS TO PRELIMINARY
ORDER OF DETERMINATION**

OBJECTIONS

COMES NOW, Claimant Arc Dome Partners, LLC ("Claimant" or "Arc Dome"), by and through Managing Member Robert F. Beck and hereby files, pursuant to NRS 533.145, the following Objections to the Preliminary Order of Determination, issued in this matter of the Determination of the Relative Rights in and to all Waters of Diamond Valley, Hydrographic Basin No-153, Elko and Eureka Counties, Nevada, by the State Engineer and Nevada Division of Water Resources ("NDWR"). The following Objections are hereby verified by *Affidavit of Robert Beck in Support of Claimant Arc Dome Objections to Preliminary Order of Determination*, under separate cover, and incorporated herewith.

I. PROCEDURE

On August 26, 1976, United Dressed Beef, Inc. filed Proof of Appropriation V-02889 for Stock Watering purposes with NDWR and subsequently assigned to Beck Properties a principle of which is the Managing Member of Arc Dome ("Proof V-02889").¹

On October 16, 2015, the State Engineer issued Order 1266, Notice of Order for Resumption of Taking Proofs in the Matter of the Determination of the Relative Rights in and to all Waters, Both Surface and Underground, Located within Diamond Valley, Hydrographic Basin No. 10-153 were to file their Proofs of Appropriation with the State Engineer by May 31, 2016.

¹ United Dressed Beef, Inc. Proof V-02889, with Beck Properties assignment letter attached as Exhibit 1.

On May 9, 2016, Arc Dome filed Proof of Appropriation V-10856 for Stock Watering Purposes with NDWR ("Proof V-10856").²

On August 30, 2018, the State Engineer issued a Preliminary Order of Determination to all the waters of Diamond Valley, Hydrographic Basin No. 10-153, Elko and Eureka Counties, Nevada ("Preliminary Order").³

II. OBJECTIONS

A. Arc Dome Objections

Arc Dome makes the following objections to the Preliminary Order appurtenant to Proof V-10856 pursuant to the information contained within the Arc Dome Proof and supplemental evidence contained within the Affidavit of Robert F. Beck, Managing Member of Arc Dome filed in conjunction herewith. The Order of Determination should be amended to increase Arc Dome's authorized animal numbers and priority date pursuant to historic use.

1. Arc Dome objects to the inclusion of proofs V-01316, V-01327, V-01329, V-02889, V-10809, V-10810, V-10811, V-10812, V-10813, V-10814, V-10815, V-10816, V-10817, V-10818, V-10857, V-10858, V-10859, V-10860 and V-10861 filed by Beck Properties and the Beck Family Trust dated 4-19-2005 being included as a part of the Findings of the State Engineer on Non-Reserve Right Claims appurtenant to Arc Dome with the understanding that Arc Dome reserves the right to use any and all information appurtenant to any and all proofs filed by Beck Properties and the Beck Family Trust dated 4-19-2005 which supports the claim to the use of water appurtenant to any and all proofs filed by Arc Dome.

The Order of Determination should be amended to include individual and independent Findings of the State Engineer appurtenant to Beck Properties, the Beck Family Trust dated 4-19-2005 and Arc Dome Partners, LLC.

² Arc Dome Proof V-10856 attached as Exhibit 2.

³ Portions of Preliminary Order relevant to Arc Dome attached as Exhibit 3.

2. Proof V-02889 held in the name of Beck Properties claims a right to water from Bank Ranch Stock Water via pools and natural channel and claims a use to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. Exhibit 3 at 18. In the Preliminary Order, the State Engineer determined that Bank Ranch Stock Water is the same spring as Banks Ranch Spring filed under proof V-10816. The State Engineer further determined that proof V-02889 is a duplicate filing of proof V-10816 and was therefore rejected. Exhibit 3 at 28.

Beck Properties a principle of whom is a Managing Members of Arc Dome concurred with proof V-02889 being rejected, with the understanding that Beck Properties on behalf of Arc Dome reserves the right to use any and all information appurtenant to proof V-02889 which supports the claims to the use of water appurtenant to any and all proofs filed by Beck Properties, the Beck Family Trust, dated 4-19-2005 and Arc Dome Partners, LLC.

3. Proof V-10856 claims a right to divert water from Cottonwood Creek via a ditch and the natural channel and claims a use to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. Exhibit 3 at 23. In the Preliminary Order, the State Engineer granted Arc Dome's proof for a reduced allocation being 50 cattle and horses, with a priority date of 1886. Exhibit 3 at 26. Arc Dome objects to the number of animals authorized by the State Engineer in the Preliminary Order and the Order of Determination should be amended to increase Arc Dome's authorized animal numbers pursuant to historic use.

4. Arc Dome objects to Reserved Claims R-04233, R-04236, R-04237, R-04238, R-04239, R-04243, R-04244, R-04249 through R-04264, R-04270, R-04271, R-04277 and R-04520 filed by the BLM in and to the detrimental effects these claims may have with regards to the rights of Arc Dome.

B. Vested Right Perfected at Time of Use

"Vested Rights" are rights that existed under Nevada's common law before the provisions currently codified in NRS Chapter 533 were enacted in 1913. *Andersen Family Assocs. v. Ricci*, 124 Nev. 182, 188 (2008). As provided under NRS 533.085, the enactment of statutory water law in the State of Nevada did not "impair the vested right of any person to the use of water, nor shall the right of any person to take and use water be impaired or affected by any of the provisions of this

chapter where appropriations have been initiated in accordance with law prior to March 22, 1913." See also *In re Manse Spring and Its Tributaries*, 60 Nev. 280, 288-289 (1940).

In the context of Nevada water law a "Vested Right" has been defined by the court as "a right to use water has become fixed either by actual diversion and application to beneficial use or by appropriation, according to the manner provided by the water law, and is a right which is regarded and protected as property." *Application of Filippini*, 66 Nev. 17, 22 (1949).

In *Waters of Horse Springs v. State Engineer*, 99 Nev. 776-778 (1983), the court stated "[i]t is not always essential, however, that the water actually be diverted to constitute an appropriation ... where it could be put to a beneficial use without such diversion, where there was a practice of appropriating the waters of the streams to a beneficial use without such diversion, ..." when citing *Steptoe Livestock Co. v. Gulley*, 53 Nev. 163, 173, 295 P. 772, 775 (1931). The court further stated "The utilization of water by grazing livestock, therefore, constitutes sufficient appropriation to establish a vested water right." *Id.*

Accordingly, the basis and measure of a vested right does not stem from the date of adjudication, rather, it stems from the point in time the water was put to beneficial use or placed under appropriation. *Application of Filippini*, 66 Nev. 17 at 22. Therefore, the use of water under a claim of vested right was perfected when the State of Nevada Legislature enacted statutory water law during the 1913 legislative session. See NRS 533.085.

As stated in Arc Dome's Proof V-10856 and as confirmed by the State Engineer, the Preliminary Order establishes pre-statutory proof for the Arc Dome proof. See Exhibit 3. As stated in the Preliminary Order the diversion rate and year of priority of the Arc Dome proof must stem from the pre-statutory historic use, not from unreliable tax statements.

C. Presumption of Use in Favor of Claimant

Unlike other States, the State of Nevada does not have a statute or regulation which establishes the level of proof required of a Claimant to establish the validity of their proof or proofs. Historically, the Nevada State Engineer had used an unwritten standard of Presumption in Favor of Claimant. Recently however, without a change in statute, regulation or a written policy the State Engineer has used an unknown, unwritten and unpublished higher standard of proof.

As stated previously Vested Rights are rights that existed under Nevada's common law before the provisions currently codified in NRS Chapter 533 were enacted in 1913. *Andersen*

Family Assocs. v. Ricci, 124 Nev. 182, 188 (2008). The first Federal effort to regulate grazing on public lands occurred in 1934 when the U.S. federal legislation enacted the Taylor Grazing Act, Title 43 USC 315 - 315r. From the time the State of Nevada was created on October 31, 1864 until the Taylor Grazing Act was enacted in 1934, a period of 70 years, there were no official records appurtenant to the number of livestock being grazed upon Nevada lands. Currently, approximately eighty (80) percent of the State of Nevada is public land; therefore it is reasonable to assume that the percentage of public land at the time the Taylor Grazing Act was enacted in 1934 the percentage was even higher. From the time the State of Nevada was created in 1864 and the provisions currently codified in NRS Chapter 533 were enacted in 1913 there is a span of nearly 50 years for which there are no official records appurtenant to the number of livestock being grazed and watered upon Nevada public lands, which at the time was essentially the entire State of Nevada.

Within the State of Nevada, regardless of what point in time a claimant files a claim of vested right, the claimant is describing the vested rights as they existed in the year 1905 or prior. This results in a “Time Gap” and the vested rights as they existed in 1905 may not reflect the way the water is used in present time. In the State of Montana, Vested Rights are rights that existed pre-1973. During a 2015 interview for a Wyoming Law Review article, Bruce Loble, retired Chief Judge Montana Water Court stated “Because Water court decrees focus primarily on uses as they existed in 1973, evidence is becoming increasingly difficult to obtain as witnesses with historical knowledge pass away.”⁴

Due to the lack of historical records and the “Time Gap” between the validity date of a claim of vested right and when an adjudication process begins, other states have had the foresight to establish the level of proof required for establishing a claim of vested right. For instance, claims filed in the State of Montana for pre-1973 vested rights are considered prima facie proof of the water right.⁵ The claim is thus accepted as true unless other contradictory evidence proves otherwise. Objectors carry the burden of overcoming this proof by a “preponderance of the evidence.”⁶ Prior to 1979, any party asserting a water right in Montana had the burden of proving every element of their water right claim. See case 40G-2. Recognizing the evidentiary difficulty in

⁴ Michelle Bryan, *At the End of the Day: Are the West's General Stream Adjudications Relevant to Modern Water Rights Administration?*, 15 Wyo. L. Rev. 462 (2015)

⁵ Mont. Code Ann § 85-2-227 (2013)

⁶ Mont. Code Ann § 85-2-248 (2013)

proving up elements of historical water rights when all witnesses to the original appropriations have long since died, the 1979 Legislature enacted the prima facie proof statute.⁷ Similar to Montana, the state of Utah claims of vested rights are deemed “competent evidence of the facts stated therein unless the same are put to issue”⁸ and the state of Arizona has established a standard of proof that if the court finds a water right attribute is “clearly erroneous” the court shall determine the attribute”.⁹

The State Engineer issued Order 802 on November 18, 1982 for the taking of Proofs to Determine Water Rights within Diamond Valley. On January 25, 1985, the State Engineer extended the period of time to submit proofs, to August 12, 1985. After the State Engineer extended the period of time for all claimants to submit proofs in support of their claims, the State Engineer took no action until 30 years later when on August 21, 2015 the State Engineer issued Order 1263, effectively reinitiating previous Order 801.

The initial Time Gap when Order 802 was issued was approximately 80 years and due to the State Engineer’s lack of action following the August 12, 1985 deadline the Time Gap has increased to over 110 years. Retired Montana Water Court Chief Judge Bruce Loble was concerned that evidence for pre 1973 vested rights, a time gap of only 45 years, was becoming increasingly difficult to obtain as witnesses with historical knowledge pass away.” This Time Gap problem increases exponentially when a claimant is filing a pre 1905 claim of vested right in the year 2016.

While the State of Nevada does not have a statute or regulation which establishes the level of proof required of a claimant, given the evidentiary difficulty in proving up elements of historical water rights and the passing of witnesses it is reasonable that the presumption of accuracy of the claim favors the claimant, as the State Engineer has historically considered claims of vested rights prima facie proof of the water right, a presumption similar to the presumptions given to claimants in other western states such as Montana, Utah and Arizona.

⁷ Mont. Code Ann § 85-2-227

⁸ Utah Code Ann. § 73-4-14 (2014)

⁹ ARS § 45 – 261 (5)

D. State Engineer Ignores the Documented History of Diamond Valley

In determining the validity of claims of vested rights appurtenant to the Diamond Valley Adjudication, the State Engineer has evaluated each claim through a prism of the present and ignored the vast history of Diamond Valley and the people who settled, built and labored in Diamond Valley during the late 19th century and the very early 20th century, which are the periods of time appurtenant to the adjudication.

The town of Eureka is the largest settlement in Diamond Valley and in 1878 Eureka was the second largest town in Nevada with a population of about 9,000. Like many settlements in the west, the town of Eureka has struggled to survive and in Eureka's early years the mining camp was twice ravaged by floods, suffered through a small pox epidemic and two devastating fires. While the town of Eureka was mainly a mining town along with the nearby mining districts, the vast surrounding areas of public land were extensively used for the grazing of sheep, cattle and horses with the emphasis in numbers mainly on sheep.

Public records indicate that from 1896 to 1905 as many as 17,000 sheep and other livestock were grazing and watering within Diamond Valley.¹⁰ From 1896 to 1905 there were no grazing laws or restrictions on where or when livestock was grazed, which often resulted in Range War's over control of "open range", or range land freely used for grazing of livestock. The lack of grazing laws and open range, resulted in sheep and other livestock for that matter being grazed and watered throughout Diamond Valley wherever suitable range feed and water were available.

While there is substantial evidence that from at least the year 1896 there was at a minimum 17,000 sheep and other livestock grazing and watering within Diamond Valley, the State Engineer is either unaware or has ignored this fact and unjustly reduced most claims of vested rights resulting in the State Engineer recognizing a grand total of **only 2,000 sheep** from all pre statutory submitted claims of vested rights appurtenant to the Diamond Valley Adjudication. There is clearly a disconnect between what is known to have historically happened in Diamond Valley and what the State Engineer has determined to be valid with regards to the number of livestock known to have historically grazed and watered in Diamond Valley. This disconnect is the very reason that other states recognize claims of vested rights as being prima facie proof of the water right.

¹⁰ Eureka County Tax Assessment records for the years 1896, 1902-1905 attached as Exhibit 4.

E. Use of Private Property Tax Rolls Unreliable in Determination of the Number of Livestock Grazing on Public Property

The Arambel Grazing allotment covers an area of approximately 47,170 acres and encompasses a large portion of the southern portion of Diamond Valley hydrographic basin No. 153. The State Engineer's use of County Tax Records appurtenant to private property, when the vast majority of the land within Diamond Valley was public land prior to the provisions currently codified in NRS Chapter 533 were enacted in 1913, can be misleading, unreliable and result in false negatives.

For instance, on July 18, 1918 Marcos Legarra filed application 5160¹¹ for stock water use and on October 19, 1925 Mr. Legarra also filed applications 7548¹² and 7549¹³ for stock water use. These applications were permitted and the State Engineer subsequently issued certificate 1012 on March 31, 1924 under permit 5160 for the watering of 2,000 head of sheep, certificate 1471 on December 21, 1928 under permit 7548 for the watering of 4,000 head of sheep and certificate 1472 on December 21, 1928 under permit 7549 for the watering of 4,000 head of sheep. These three certificates were and are still located on public land, within the Black Point grazing allotment and are currently held in the name of Beck Properties owned and controlled by the Managing Member of Arc Dome. While there is clear and convincing evidence that there was beneficial use for the watering of up to 4,000 head of sheep under permits 5160, 7548 and 7549 from the described Springs, there is no indication on the County Tax Records for the years 1920 through 1928, the years for which the proof of beneficial use were established under said permits, that Marcos Legarra owned livestock of any kind.¹⁴ Therefore, had the State Engineer solely relied on the use of County Tax Records to determine the Beneficial Use of the springs appurtenant to permits 5160, 7548 and 7549, the applications for Proof of Beneficial Use appurtenant to said permits would have been denied.

The reliability of the County Tax Records is further reduced as the accuracy, standards and reporting requirements used to develop and prepare County Tax Records are unknown. As demonstrated above, County Tax Records are not always accurate with regards to livestock and can be misleading, unreliable and result in false negatives.

¹¹ State Engineer Water Right File 5160 attached as Exhibit 5.

¹² State Engineer Water Right File 7548 attached as Exhibit 6.

¹³ State Engineer Water Right File 7549 attached as Exhibit 7.

¹⁴ Marcos Legarra Tax Records 1920 to 1928, Exhibit 8.

Additionally, in accordance with NRS 533.125 a person is not required to submit a claim. Nevada Revised Statute 533.125 (2) states:

“Upon neglect or refusal of any person to make proof of his or her claim or rights in or to the waters of such stream system, as required by this chapter, prior to the expiration of the period fixed by the State Engineer during which proofs may be filed, the State Engineer shall determine the right of such person from such evidence as the State Engineer may obtain or may have on file in the Office of the State Engineer in the way of maps, plats, surveys and transcripts, and exceptions to such determination may be filed in court, as provided in this chapter.”

Nevada Revised Statute 533.125 (2) identifies a number of items being “maps, plats, surveys and transcripts” that the State Engineer can use to determine the rights of a person who neglects or refuses to make a proof of his or her claim or rights, as required by chapter 533. Even though NRS 533.125 was recently amended during the 2017 legislative session, notably missing from NRS 533.125 (2) in the material to be used by the State Engineer in the determination of a person’s claim or rights is the inclusion of “County Tax Records”. The amendments to NRS 533.125 made during the 2017 legislative session were the first amendments made to NRS 533.125 in almost 100 years. The amendments to NRS 533.125 among other changes to the statutes appurtenant to the Adjudication of Vested Rights were substantially written by the State Engineers office with additional testimony by the State Engineer, or representative, in support of the proposed changes.

With the extensive amendments made to the statutes appurtenant to the Adjudication of Vested Rights neither the State Engineer nor the Legislature saw a reason to add the use of “County Tax Records” to NRS 533.125 (2) to determine the rights of a person who neglects or refuses to make a proof of his or her claim or rights by the State Engineer.

Due to the unknown accuracy, standards and reporting requirements coupled with the known inaccuracies of the County Tax Records, the use of County Tax Records as clear and convincing evidence to determine the validity of a proof does not meet the standard of substantial evidence, which is defined by the Nevada Supreme Court as “that which a reasonable mind might accept as adequate to support a conclusion.” *State Employee Sec. Dept. V Hilton Hotels Corp.*, 102 Nev. 606, 608, 729 P.2d 496, 498 (1986) (citing *Richardson v. Perales*, 402 U.S. 389 (1971)). The use of County Tax Records to substantially reduce a claimants allocation when these same records

do not meet the standard of substantial evidence and are not even approved for use by the State Engineer to determine the rights of a person who neglects or refuses to make a proof of his or her claim or rights in or to the waters as required by NRS Chapter 533, is unreasonable and without basis.

F. Historic Use of Water and Validity of Claims

In support of Arc Dome's Proof, significant historical research was conducted by Dixon Hydrologic, PLCC ("Dixon Hydrologic") to substantiate Arc Dome's proof. Dixon Hydrologic submitted a report demonstrating the significant use of various water sources for multiple claims of vested rights appurtenant to private land within the Black Point Grazing Allotment located adjacent to the Arambel Grazing Allotment. In addition to the significant historical research conducted by Dixon Hydrologic and initially submitted with the Arc Dome proof, Dixon Hydrologic conducted additional historical research in support of these objections.

In the Preliminary Order, to ascertain the valid number of animals appurtenant to each proof filed by Arc Dome, the State Engineer relied solely on the submittal of County Tax Records filed in support of proofs filed for irrigation purposes on private land. There was no pre statutory requirement that an owner of livestock must own private land or have a possessory interest in land during which the owner of the livestock grazed and watered said livestock. The sole reliance on unreliable County Tax Records as clear and convincing evidence to determine the validity of a proof does not meet the standard of substantial evidence. This action was also improper as it failed to recognize the history of Diamond Valley, the validity of the submitted proof as a sworn affidavit and a presumption of use in favor of the clamant due to the lack of historical records to substantiate use, coupled with the passing of people with historical knowledge of the pre statutory use of water.

1) Proof V-10856 was filed on May 9, 2016 and claims a right to divert water from Cottonwood Creek via a ditch and the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. Exhibit 3 at 23. In the Preliminary Order, the State Engineer granted Arc Dome's proof V-10856 for a reduced allocation being 50 cattle and horses, with a priority date of 1886. Exhibit 3 at 26.

Proof V-02889 was filed on August 26, 1976 and claims to have diverted water from Bank Ranch Stock Water via pool and natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. Exhibit 1 at 6-8. It was determined by the State Engineer that proof V-10816, a sister proof to proof V-10856, is a duplicate of proof V-02889 and proof V-02889 was therefore rejected on this basis. As stated above, Beck Properties on behalf of Arc Dome has reserved the right to use any and all information submitted with rejected proof V-02889 in support of any and all proofs filed by Arc Dome.

Proof V-02889 contains statements which support a use greater than the use granted in the Preliminary Order as proof V-02889 states the following:

“This spring has been used for domestic, irrigation and stockwater for over 90 years. A garden was grown there, and holding areas for sheep were built. An old stone house still stands on the spring site, dating back to the 1880’s. It has been an operating ranch since that time.” and

“The approximate number of animals watered by the clamant during the first year 1886, was 100 cattle ____ horses 500 sheep” and

“100 head of cattle and 500 sheep”¹⁵

Proof V-02889 was filed in 1976, therefore when the claimant makes a reference to “for over 90 years” the claimant is referring to a period dating back to approximately 1886. The claimant further states twice in proof V-02889 that the number of animals watered were “The approximate number of animals watered by the clamant during the first year 1886 was 100 cattle ____ horses 500 sheep” and “100 head of cattle and 500 sheep”. Exhibit 1 at 7.

In addition to the affidavit of proof V-02889 being signed by Donald Eldridge, there is also a signed and notarized affidavit included with proof V-02889 dated September 22, 1976 by Raymond Labarry. This affidavit states that the waters have been used “for at least ninety (90) years prior to, and since, my acquisition of the property described in the Proof...”. Exhibit 1 at 9. Proof V-02889 was filed in 1976, therefore, the “at least ninety (90) years prior” statement by Mr. Labarry, refers to a priority date of 1886.

Included with the filing of Proof V-10856 as Exhibit 2 are copies of permits 8813, 8814 and 8815 filed on January 17, 1929. Exhibit 2 at 20-25. These applications were filed by the Handley Brothers who were a predecessor to property owned by Arc Dome Partners, LLC, an

¹⁵ Exhibit 1 at 7.

entity owned and controlled by the principles of Beck Properties, Eureka County APN 007-350-02¹⁶ and requested permission to water up to 150 head of cattle and 6,000 sheep. As part of the original application the applicants state:

“Applicants and their predecessors have used water from this source, together with the range territory in the vicinity thereof, for many years prior to 1905 and claim a vested right thereby, which right is not waived by virtue of the filing of this application.”¹⁷

Also included with the filing of Proof V-10856 as Exhibit 4 is a copy of permit 8995 filed on July 20, 1929. Exhibit 2 at 31-32. This application was also filed by the Handley Brothers and requested permission to water up to 150 head of cattle and 6,000 sheep. As part of the original application the applicants state:

“Applicants and their predecessors have used water from this spring for many years prior to 1905, and ranged stock in the vicinity thereof, and claim a vested right thereby. Which right is not waived by virtue of the filing of this application.”¹⁸

These applications were filed almost 90 years ago and acknowledge that claims of vested rights existed on the sources and that livestock grazed on the range territory in the vicinity for many years prior to 1905.

In preparing the Preliminary Order appurtenant to the proofs filed by Beck Properties, Beck Family Trust dated 4-19-2005 and Arc Dome Partners, LLC the State Engineer used County Tax Records for private property located in some cases in excess of 10 miles from the appurtenant proof. Using the standards set by the State Engineer, when the applicants of 8813, 8814, 8815 and 8995 state “Applicants and their predecessors have used water from this source, together with the range territory in the vicinity thereof, for many years prior to 1905...” and “Applicants and their predecessors have used water from this spring for many years prior to 1905, and ranged stock in the vicinity thereof...” they are affirming the claim that livestock were grazed and watered in the vicinity of V-10856 for many years prior to 1905.

¹⁶ Eureka County Tax records for the years 1913-1921 and 1924-1930 and 2018 parcel detail, attached as Exhibit 9. Note: Research was unable to locate tax records appurtenant to the Handley Brothers for the years 1922 and 1923.

¹⁷ Exhibit 2 at 20-25.

¹⁸ Exhibit 2 at 31-32.

The applicants of permits 8813, 8814, 8815 and 8995 do not specifically state the numbers of livestock watered prior to 1905 and unfortunately the applicants are no longer available to provide clarity with regards to the number of livestock watered. However, it is known historically that in excess of 17,000 sheep and livestock were grazed and watered within Diamond Valley prior to 1905 and as far back as 1896. Exhibit 4 at 1-10.

Proof V-02889 and proof V-10856 are located in proximity to each other. As was done historically and is still done present day, livestock are moved by herders and ranch hands and then left to free range on their own. Therefore, livestock utilized water sources wherever and whenever available throughout the area of the Arc Dome proof. Given the number of livestock known to have historically been in Diamond Valley pre 1905 the claim of 100 head of cattle and 500 sheep being watered under proofs V-02889 and V-10856, most likely understates the number of cattle and/or sheep that actually watered at the sources during any one year period prior to 1905.

As previously demonstrated the County Tax Records are not always accurate with regards to livestock and can be misleading, unreliable and result in false negatives. Due to the unknown accuracy, standards and reporting requirements coupled with the known inaccuracies of the County Tax Records, the use of County Tax Records as clear and convincing evidence to determine the validity of a proof does not meet the standard of substantial evidence, which is defined by the Nevada Supreme Court as "that which a reasonable mind might accept as adequate to support a conclusion." *State Employee Sec. Dept. V Hilton Hotels Corp.*, 102 Nev. 606, 608, 729 P.2d 496, 498 (1986) (citing *Richardson v. Perales*, 402 U.S. 389 (1971)).

Therefore, the use of County Tax Records as clear and convincing evidence to discredit the validity of proof V-02889, which is a proof filed more than 40 years ago, in the form of a sworn affidavit is unreasonable and without any basis. Great deference should be given to proof V-02889 as submitted, as the proof is a sworn affidavit of the actual persons who were using the water over 40 years ago and who had knowledge of the pre statutory use of the described waters by their predecessors. Absent the ability to be able to interview the claimant and Mr. Labarry in person, their sworn affidavits are tantamount to their in person sworn testimony.

For the reasons discussed above the presumption of a claim favors the claimant and is prima facie proof of their content. However, in this case the evidence with regards to the validity of proof V-10856 is clear and convincing. Proof V-02889 is a 40 year old sworn affidavit from the claimant who filed said proof and had knowledge of the pre statutory use of the described waters

by his predecessors for the use and watering of 100 head of cattle and 500 sheep within the vicinity of proof V-10856. Permits 8813, 8814 8815 and 8995 were filed by a predecessor of Arc Dome Partners, LLC, an entity owned and controlled by the principles of Beck Properties, and the applicants under said permits made multiple statements regarding the ranging and watering of stock in the area of proof V-10856 for many years prior to 1905.

The substantial evidence that predecessors of Arc Dome grazed and watered livestock in the vicinity of proof V-10856, a 40 year old sworn affidavit from the claimant who filed proof V-02889 and had knowledge of the pre statutory use of the described waters by his predecessors for the use and watering of 100 head of cattle and 500 sheep within the vicinity of proof V-10856 validate said proof. This validation coupled with the premise that proofs are prima facie proof of content meet the standard of proof with regards to the watering of 100 head of cattle and 500 sheep with an 1886 priority date.

G. Current Use of Water and Authorized Grazing and Actual Grazing Use Reports

The Taylor Grazing Act is U.S. federal legislation enacted in 1934 under Title 43 USC 315 - 315r. This Act was the first federal effort to regulate grazing on federal public lands. The Act establishes grazing districts and uses a permitting system to manage livestock grazing in the districts in order to improve rangeland conditions and regulate their use.

Under the Taylor Grazing Act preference is given in the issuance of grazing permits to those within or near a district who are landowners engaged in the livestock business, bona fide occupants or settlers, or owners of water or water rights, as may be necessary to permit the proper use of lands, water or water rights owned, occupied, or leased by them, provisions of § 315(b).

Current grazing permit No. 10031 appurtenant to the Arambel Grazing Allotment authorizes 983 sheep, with a season of use from April 15th to May 15th and 950 sheep, with a season of use from May 1st to October 31st of each year. Additionally, the Arambel Grazing Allotment permit 10031 authorizes a total grazing preference of 1,349 AUMs. As a further example of animal numbers authorized on the Arambel Grazing Allotment the BLM periodically requests Actual Grazing Use Reports to demonstrate animal numbers used in the allotment during a given season. In 2017, 983 sheep and 950 sheep were turned into the various pastures of the Arambel Grazing Allotment.¹⁹

¹⁹ Black Point grazing allotment permit and grazing use report attached as Exhibit 10.

While the present day grazing and watering of cattle does not prove the pre statutory use of water, it does however, as was done by the State Engineer in using post statutory aerial photos and field investigations, give a understanding of what potentially could have pre statutorily occurred. Present day, the BLM has determined that the Arambel Grazing Allotment which is the grazing allotment that the Arc Dome proof is located, has a minimum carrying capacity of 950 sheep. However, during the lawless and unregulated era pre 1905, it is highly likely that the number of livestock grazing and watering within the Arambel Grazing Allotment far exceeded the current number permitted by the BLM.

III. CONCLUSION

The limitation of water use under Proof V-10856 as was done within the Preliminary Order, will severely limit the full extent of Arc Dome's use of the Arambel Grazing Allotment.

The submittal of the initial claims of vested rights by the original Claimants and Arc Dome in the form of sworn affidavits while being prima facie proof of their content, coupled with the known historical watering and grazing of at least 17,000 sheep and livestock prior to 1905 within Diamond Valley and additional evidence submitted through these objections sufficiently establishes a level of "clear and convincing evidence" that the Order of Determination for Proof V-10856 should be amended with the terms as submitted and described below.

1) Proof V-10856 - Approve a vested right to divert water from Cottonwood Creek via a ditch and the natural channel, when it is available, for the stock watering of 100 head of cattle and 500 sheep from January 1 through December 31 with a priority date of 1886.

DATED this 29th day of October, 2018.

ARC DOME PARTNERS, LLC



Robert F. Beck, Managing Member
289 La Costa Avenue
Dayton, Nevada 89403

PROOF OF APPROPRIATION FOR

Stock Water

PURPOSES

File No. **02889**

INDEXED UNDER

Name of claimant	x
Map	
Stream	x
Township <u>20N, R. 54E.</u>	x

Eureka County
BASIN NO. 10-153
DIAMOND VALLEY

Name of claimant United Dressed Beef, Inc. **ASSIGNED**Source of water claimed Bank Ranch Stock WaterDate of filing proof August 26, 1976

Date of filing map

Description of point of diversion NW 1/4 SE 1/4 Section 28, T. 20N, R. 54E, M.D.B.M.

REMARKS

KEEP AT TOP OF FILE

Application No: V02889

Owner(s) of Record:

Beck Properties
289 La Costa Avenue
Dayton, NV 89403
Last updated: 11/04/2015

Send Correspondence To:

American Agcredit, FLCA/ Fallon (BENEFICIARY)
Scott S. McKinley
P.O. Box 1708
Fallon, NV 89407
Last updated: 02/25/2016

Hydrotech Consulting Services, LLC (AGENT)
4280 North Tioga Way
Las Vegas, NV 89129
Last updated: 03/22/2017

STATE OF NEVADA
DIVISION OF WATER RESOURCES

SUMMARY OF OWNERSHIP

Please retain this sheet on top of file

1 OF 1
UNITS
UNITS

Page
600

DUTY: --- AFA
DUTY: --- AFA

USE: ---
ISSUED: ---

PROOF: V02889
CERTIFICATE: ---

REVIEW

DATE: 6/30/1999
LAST

BY: HCS

SUPPLEMENTAL TO:

UPDATE: 11/25/2015

BY: RDM

DUTY

CHANGED BY:

REFERENCED

DOCUMENTS

STATUS

UNITS

AFA

CFS

OWNER

DESCRIPTION

100
cattle
500
sheep

Reconveyance

Received Date 5-24-17
Filed Under 1937

1-5

Beck Properties, a California general
partnership, Trustor

ENCUMBERED

Reconveyance

Received Date 12-28-17
Filed Under 2789

ENCUMBRANCE(S) : YES () NO (X)

BRIAN SANDOVAL
Governor

STATE OF NEVADA



LEO DROZDOFF
Director

JASON KING, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002
Carson City, Nevada 89701-5250
(775) 684-2800 • Fax (775) 684-2811

<http://water.nv.gov>

December 24, 2015

Mr. Robert Coache, P.E.
Hydrotech Consulting Services, LLC
4280 North Tioga Way
Las Vegas, NV 89129

RE: Permits 2789 (Cert. 307), 2855 (Cert. 308), 5160 (Cert. 1012), 5837 (Cert. 717),
7548 (Cert. 1471), 7605 (Cert. 1640), 8339 (Cert. 1639), 13198 (Cert. 4145),
13200 (Cert. 4146), 13580 (Cert. 4147), Proofs V02888, V02889 and V09333

Dear Mr. Coache:

Please be advised that your *Reports of Conveyance* received on May 29, 2015, are hereby confirmed to update ownership of all of the Permits 2789 (Cert. 307), 2855 (Cert. 308), 5160 (Cert. 1012), 5837 (Cert. 717), 7548 (Cert. 1471), 7605 (Cert. 1640), 8339 (Cert. 1639), 13198 (Cert. 4145), 13200 (Cert. 4146), 13580 (Cert. 4147) and Proof V02889 in the name of Beck Properties, a California general partnership as listed in the table below. Details of the above permit(s), including the current ownership, can be viewed online. First, click on "Water Rights Database"; then "Permit Search".

Proof/Permit/Certificate	Diversion Rate (cfs)	Duty (AFA/AFS)	Acres/Units
2789/307	0.025	---	---
2855/308	0.025	---	---
5160/1012	0.0125	---	2000 sheep
5837/717	0.015	---	2500 sheep
7548/1471	0.025	---	4000 sheep
7605/1640	0.016	---	2500 sheep
8339/1639	0.016	---	2500 sheep
13198/4145	0.036	---	4500 sheep/250 cattle
13200/4146	0.036	---	4500 sheep/250 cattle
13580/4147	0.035	---	4500 sheep/250 cattle
V02889	---	---	100 cattle/500 sheep

Robert Coache, P.E.
Hydrotech Consulting Services, LLC
December 24, 2015
RE: Permit 2789+
Page 2 of 2

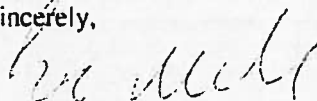
Please be advised that your *Reports of Conveyance* received on May 29, 2015, are hereby confirmed to update ownership of all of **Proofs V02889 and V09333** in the name of **Beck Family Trust** dated **April 19, 2005** as listed in the table below.

Proof	Diversion Rate (cfs)	Duty (AFA/AFS)	Acres/Units
V02888	1.16	414.0 AFS	138.0
V09333	5.0	---	---

Also be advised that according to NRS 533.386 (2.), this confirmation of your Report of Conveyance does not guarantee that a) the water right is in good standing with the office of the State Engineer; or b) the amount of water referenced in the notice or in the report of conveyance is the actual amount of water that a person is entitled to use; and c) this is not a determination of ownership and that only a court of competent jurisdiction may adjudicate conflicting claims to ownership of a water right.

This confirmation reflects only the information that has been filed with this office and may be subject to amendment upon receipt of additional documentation. The owner is responsible for notifying the State Engineer's office of any change of address in writing. If you have any questions, please contact me directly at (775) 684-2830.

Sincerely,



Roy Mickle
Engineering Technician III

RDM/sgc
cc: Beck Properties
Beck Family Trust

Serial No. 02889

THE STATE OF NEVADA
PROOF OF APPROPRIATION OF WATER FOR
STOCK WATERING PURPOSES

(1) Name of claimant United Assessed B f, I c.
of Eureka
Street and No. or P. O. Box No. City or town
Nevada
State and Zip Code No.

(2) Source of water Bank Ranch Stock water
Name of natural source.

(3) The water is diverted by not diverted
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) not diverted
Describe as being within 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 section corner for both the beginning and end of each
reach.

(5) The water is impounded in Pool and natural channels
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun no diverted
Date
and completed 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 Deeded Land.
Patented, deeded, public domain with grazing permit, etc.

(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 any way invalidates a water right, but if water right was recorded, supply full information in (19)

FILED
Aug. 26, 1976
Doris E. RINEHART, Register

1286

- 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 104

- 10 ead of cat and 50 heep
- If water was not used, used in reduced quantity at any time full information as to causes and duration of non-use should be given.

- | | |
|----------------------------|---------------------|
| 448.83 gal. per min. equiv | big foot per second |
|----------------------------|---------------------|

-

[illegible]

Remarks This land has an application for patent ate of 94 by Jo H neo k
recorded at the division of State Land Office in C C ty, N da

The undersigned, being first duly sworn, deposes and says that the acts relative to the appropri-
ation of water by United Dressed Beef, Inc.
are full and correct to the best of his knowledge and belief

Donald D. Eldridge - Agent

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

United Dressed Beef, Inc.

Claimant

By Donald D. Eldridge

an or P Box

City State, Zip Code No

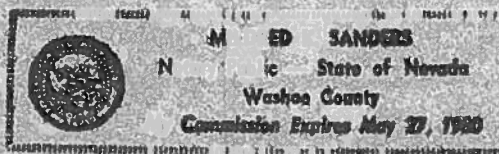
Subscribed and sworn to before me this 2nd day of August 1976

Notary Public in and for the County of

My commission expires

Washoe County State of Nevada

May 3, 1980



\$10 FILING FEE MUST ACCOMPANY PROOF

A F F I D A V I T

I, RAYMOND LABARRY, JR., being first duly sworn, depose and say:

THAT the following statements are full and correct to the best of my knowledge and belief:

The waters of Torre Creek (Old Ardan Ranch), Hildebrand Creek, Mau Creek, North Creek, Sadler Creek, Barrel Spring, Beck Spring, Four Eyed Nicks Springs, Sand Springs, Sulphur Spring, Eldridge Ranch Stock Ponds, ^{11 (Prisacker)} Held Spring - No. 1, Held Spring - No. 2, Held Spring - No. 3, Held Spring - No. 4, Held Spring - No. 5, Held Springs - No. 6, Held Spring - No. 7, Held Spring - No. 8, and Held Springs - No. 9 have been used for irrigation and/or stock watering purposes for at least ninety (90) years prior to, and since, my acquisition of the property described in the Proofs of Appropriation attached hereto.

DATED Sept 22, 1976.

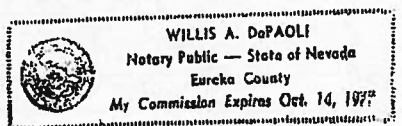
Raymond Labarry, Jr.
RAYMOND LABARRY, JR.

SUBSCRIBED AND SWORN TO before me,

this 22 day of Sept,

1976, by _____.

Willis A. DePaoli
Notary Public





WESTERN FARM MANAGEMENT COMPANY

P.O. BOX 320 RENO, NEVADA 89501
450 MARSH AVENUE RENO, NEVADA 89501 (702) 329-8483

October 8, 1976

Mr. L. Edward Parmenter
Division of Water Resources
201 South Fall Street
Carson City, Nevada 89710

Re: Water Rights - LaBarry-Harris - United Dressed Beef Inc.
No. 02884 thru 02903, inclusive

Dear Sir:

Your letter dated September 14 asks about the year of priority of First Beneficial Use. I assumed the claimant, in article 9, was United Dressed Beef, Inc., and ~~that~~ with this in mind I used the current year. If this is incorrect, I would appreciate the date being changed to conform with the rest of the information provided.

I am also enclosing an affidavit from Raymond LaBarry stating these waters have been used by the ranch for at least the last 90 years. Please file this original copy with the above list of proofs.

The Quit Claim Deed accompanying this letter should be sufficient to transfer ownership of that list of waters to United Dressed Beef, Inc. The Deed has been recorded and a certified copy is enclosed. Contact us when the transfer has been made.

If I can be of further assistance, do not hesitate to let us know.

Thank you.

Sincerely,

Western Farm Management Company

John B. Parker

jbp/ms
encl.

ELMO J. DERICCO
Director

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

ROLAND D. WESTERGARD
State Engineer

201 South Fall Street, Carson City, Nevada 89710

In reply refer to
No. 02884 thru 02903, inclusive

Address All Communications to
the State Engineer, Division
of Water Resources
Telephone (702) 835-4380

September 14, 1976

Mr. John B. Parker
Western Farm Management
P. O. Box 320
Reno, Nevada 89501

Dear Mr. Parker:

This office is in receipt of five Proofs of Appropriation of Water for irrigation and stockwatering purposes and fifteen Proofs of Appropriation for Stockwatering purposes - all in the name of United Dressed Beef, Inc. together with the statutory fees. Our serial numbers assigned to the Proofs of Appropriation are as follows:

Proof No. 02884 - Irrigation and Stockwater
Hildebrand Canyon Creek

Proof No. 02885 - Irrigation and Stockwater
Mau Creek

Proof No. 02886 - Irrigation and Stockwater
North Creek

Proof No. 02887 - Irrigation and Stockwater
Sadler Canyon Creek

Proof No. 02888 - Irrigation and Stockwater
Torre Creek

Proof No. 02889 - Stockwater
Bank Ranch Stock Water

Proof No. 02890 - Stockwater
Barrel Spring

Proof No. 02891 - Stockwater
Beck Spring

Proof No. 02892 - Stockwater
Eldridge Ranch Stock Ponds

September 14, 1976

Proof No. 02893 - Stockwater
Four Eyed Nicks Springs

Proof No. 02894 - Stockwater
Sand Springs

Proof No. 02895 - Stockwater
Sulphur Spring

Proof No. 02896 - Stockwater
Held Spring No. 1

Proof No. 02897 - Stockwater
Held Spring No. 2

Proof No. 02898 - Stockwater
Held Spring No. 3

Proof No. 02899 - Stockwater
Held Spring No. 4

Proof No. 02900 - Stockwater
Held Spring No. 5

Proof No. 02901 - Stockwater
Held Springs No. 6

Proof No. 02902 - Stockwater
Held Spring No. 8

Proof No. 02903 - Stockwater
Held Springs No. 9

In each of the fifteen Proofs for Stockwater, under Article 9, the year of priority of first beneficial use is 1975. This date should be a specific year sometime before 1905. Under Remarks in each Proof, information indicates that water was beneficially used over 90 years ago.

Please consider this point of information and advise this office by letter to change the date from 1975 to an earlier priority date relevant to each proof of appropriation. All of the above mentioned proofs have been reviewed and indexed on our office records.

Mr. John B. Parker

- 3 -

September 14, 1976

An early reply to the above mattter will be appreciated.

Sincerely yours,

L. Edward Parmenter
Adjudication Engineer

By: L. Edward Parmenter ^{SA}

LEP:sk

Certified Mail No. 572429



WESTERN FARM MANAGEMENT COMPANY

P.O. BOX 320 RENO, NEVADA 89501
450 MARSH AVENUE RENO, NEVADA 89501 (702) 329-8483

August 25, 1976

State Engineer
Division of Water Resources
201 South Fall Street
Carson City, Nevada 89710

Dear Sir:

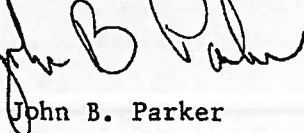
Enclosed is five (5) Proof of Appropriation of water for irrigation and fifteen (15) Proof of Appropriation of water for stock watering purposes. Also, \$200 filing fee, \$10 for each Proof, accompanies the Proof of Appropriation.

Please notify both Don Eldridge in Eureka, and myself, when the process of filing is complete and the serial numbers assigned to the water sources.

Should any problems arise, please do not hesitate to contact me.

Thank you.

Sincerely,



John B. Parker

jbp/ms

encl.

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 Arc Dome Partners, LLC

Address 289 La Costa Avenue City of Dayton County of Lyon
State of Nevada Telephone No. 775-346-0572 Email Address rbecknet@gmail.com

1. Source of water Cottonwood Creek

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 is by ditch from the natural creek channel

Dam and ditch, pipeline, flume, natural channel, underground, etc.

3. The water is diverted from the following point(s):

Within the NW¼ SW¼ of Section 05, Township 20 North, Range 54 East M.D.M., at a point from which the Southwest corner of said Section 05 bears South 41° 27' 36" West a distance of 1,988 feet.

(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 Unknown

and completed _____

5. The nature of the claimant's title to the land upon which the source of water and place of use is located:

Possessory interest prior to land being patented and then subsequently deeded to current owner.

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

6. The claimant's water right was (circle one) was not recorded in the office of the County Recorder of

_____ County, at Page _____ of Book _____ of _____.

7. The amount of water diverted for the claim's purpose has been measured at

not measured _____ cubic feet per second.

448.83 gallons per minute equals 1 cubic feet per second

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

Stock water use occurs within the NW¼ SW¼ and the SW¼ SW¼ of Section 05, Township 20 North, Range 54 East M.D.M.

(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 1886, see remarks was

					Year
100	cattle	horses	500	sheep	other (describe in remarks)

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

10. The approximate number of animals watered by the claimant in subsequent years was:

** cattle	horses	** sheep	other (describe in remarks)

11. The water is impounded in Ditch and natural creek channel

Trough(s), tank(s)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	Acre	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)	
_____	_____	acres in the _____ of Sec. _____, T. _____	(N./S.), R. _____ E.	(circle one)	

ADDITIONAL SUPPORTING REMARKS REGARDING THIS PROOF'S FILING

For the 1886 priority claimed under question 9, see attached supporting remarks for exhibit 1 and exhibit 1 which establishes a 1886 priority for the watering of 100 head of cattle and 500 head of sheep.

****Response to Question No. 10**

See attached supporting remarks for exhibit 2 through 5. For 1887 through the years prior to 1905 (see exhibits 2 through 5) for the watering of 100 head of cattle and 4,000 head of sheep. For the years 1905 to about 1987 (see exhibits 2 through 5) for the watering of 100 head of cattle and 4,000 head of sheep. For the years 1988 to present the use has been for the watering of approximately 350 head of cattle and 1,900 head of sheep.

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

Arc Dome Partners, LLC 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 Robert Beck, Managing Member Signature [Signature]
(Please type or print name) (Please sign in the presence of a Notary Public)

Address 289 La Costa Avenue State of NV ZIP Code 89403

Telephone Number 775-346-0572 Email Address rbecknet@gmail.com

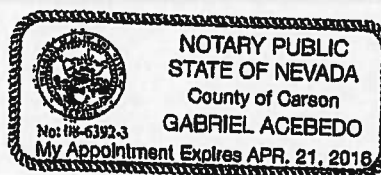
State of Nevada

County of Carson city

Subscribed and sworn to before me on 4/21/16
(Date)

by Robert Beck

[Signature]
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.

Additional supporting remarks regarding this Proof's filing:

Exhibit No. 1. Copy of claim of vested right V-02889 with affidavit, claiming sufficient water for 100 head of cattle and 500 head of sheep. The spring appurtenant to claim V-02889 is located in proximity to this claim and is appurtenant to the same historical ranching operation currently owned and operated by the party filing this claim.

Exhibit No. 2. Copies of applications 8813, 8814 and 8815 filed on January 17, 1929, requesting sufficient water for 150 head of cattle and 6,000 head of sheep and stating that the predecessors have used the source appurtenant to applications 8813, 8814 and 8815 which are in the vicinity of the source appurtenant to this claim, for many years prior to 1905 and claimed a vested right.

Exhibit No. 3. Copies of certificates 2021, 2022 and 2022 issued under permits 8813, 8814 and 8815 respectfully, for the watering of 100 head of cattle and 4,000 head of sheep. The springs appurtenant to certificates 2021, 2022 and 2022 are located in proximity to the source identified in this claim and are appurtenant to the same historical ranching operation currently owned and operated by the party filing this claim.

Exhibit No. 4. Copy of application 8995, filed on July 20, 1929, requesting sufficient water for 150 head of cattle and 6,000 head of sheep and stating that the predecessors have used the source appurtenant to application 8995, which is in the vicinity of the source appurtenant to this claim, for many years prior to 1905 and claimed a vested right.

Exhibit No. 5. Copy of certificate 2024 issued under permit 8995 for the watering of 100 head of cattle and 4,000 head of sheep. The spring appurtenant to certificate 2024 is located in proximity to the source identified in this claim and is appurtenant to the same historical ranching operation currently owned and operated by the party filing this claim.

ARC DOME PARTNERS, LLC

Business Entity Information			
Status:	Active	File Date:	02/07/2013
Type:	Domestic Limited-Liability Company	Entity Number:	E0085202013-0
Qualifying State:	NV	List of Officers Due:	02/28/2017
Managed By:	Managers	Expiration Date:	
Foreign Name:		On Admin Hold:	No
NV Business ID:	NV20131079760	Business License Exp:	02/28/2017

Additional Information	
	Central Index Key

Registered Agent Information			
Name:	ROBERT F. BECK	Address 1:	610 COUNTRY ROAD, #101
Address 2:		City:	EUREKA
State:	NV	Zip Code:	89316
Phone:		Fax:	
Mailing Address 1:	HC62 BOX 62626	Mailing Address 2:	
Mailing City:	EUREKA	Mailing State:	NV
Mailing Zip Code:	89316		
Agent Type:	Noncommercial Registered Agent		
View all business entities under this registered agent ()			

Officers		<input type="checkbox"/> Include Inactive Officers	
Manager - ROBERT F BECK			
Address 1:	289 LA COSTA AVE.	Address 2:	
City:	DAYTON	State:	NV
Zip Code:	89403	Country:	USA
Status:	Active	Email:	

Actions/Amendments
Click here to view 5 actions/amendments associated with this company ()

Supported Internet Browser versions or above: Apple iOS 9, Internet Explorer 11, FireFox 45, Google Chrome 49

Disclaimer

Nevada Division of Water Resources Memorandum

Date: July 26, 2018

To: Diamond Valley Adjudication Files

From: Tony Eng, Water Resource Specialist

RE: V-10856/(App 86199 IRR) and V-10857, Cottonwood Creek, Arc Dome & Beck Properties (respectively) Stock Claims; Eureka County, NV

Inspection Date(s)
4/9/2017; 5/21/2017

Flow Measurement	Method	Quality
~2½ cfs on 4/9/2017; ~1½ cfs on 5/21/2017	visual	poor

Lat of FM site	Long of FM site
39.62456	115.92021

Remarks/Justification

4/9/2017: all Cottonwood Creek water was flowing below the road crossing and main ditch in an unconfined channel, along the southwest side of a NW-SE oriented fence line; no works of diversion were noted at either location for the claimed stock PODs, just the unconfined channel.

5/21/2017: all Cottonwood Creek water was flowing into a newly backhoe excavated ditch for flood irrigation; the unconfined channel flow along the fence line to the stock PODs observed on 4/9/2017 was blocked off and dry.

The 1894 GLO map shows ~30 acre fenced, irrigated field in this area, along with a structure labeled "House" which substantiates the stock claims.

V10857 + 56 (Stocks from Cottonwood Creek) (Photos # 066-078).
 (Beck Property) (Arc Dome Partly)
 Creek flowing ~ 2-3 cfs at culvert along county road @ ~ 9km; may not be all of flow from CK as topo map shows main channel crosses road, ~ 1/8 mile to north. No real developed diversion structures at claimed PODs, just what looks like active channel, but may have started many years ago as a ditch off of main mapped creek channel, to SE ~ 1/4 mile. PODs plot right along older juniper post fence line; ~ 470 ft apart from each other. V10856 is coincident w/ POD for new IRR App 86199 (RFA, filed 5/9/2016). Pasture south + west of PODs is ~ 60 ± 80 acres & is heavily grazed. ... to access.



Cottonwood Creek – Full creek discharge from main ditch and pipe under the East Foothill County road; flows were estimated at ~2½ and ~1½ cfs on the respective dates; looking SE with Diamond Peak on skyline; the claimed PODs are located about 100 and 250 yards downstream to NW of photo.



Upper Photo: ~120° Panoramic of claimed POU (80 acres, W/2 SW ¼ Sec 5) for V10856 with POD near left side of fence line, looking west with snowcapped Richmond Mtn. & Prospect Peak in left far distance, and Whistler Mtn. right center distance, taken 4/9/2017. The PODs in this area are merely the unconfined outflow channel from the main ditch at the road crossing; the snow-covered land in the middle distance is cleared and heavily grazed; the area on the left side of the fence represents the proposed POU under 86199.

Lower Photo: new backhoe excavated ditch just below (west) of road crossing, with attempt to flood irrigate the cleared land; a portion of this area (~6.5 acres) is the POU of Permit 2157, Certificate 165, and much of the proposed POU of 86199; the ditch here diverted the full flow of Cottonwood Creek; looking west with Whistler Mtn. right center and Devils Gate/Highway 50 the low pass to left. The 1894 GLO map shows ~30 acre fenced, irrigated field here along with a structure labeled "House" which substantiates the stock claims.

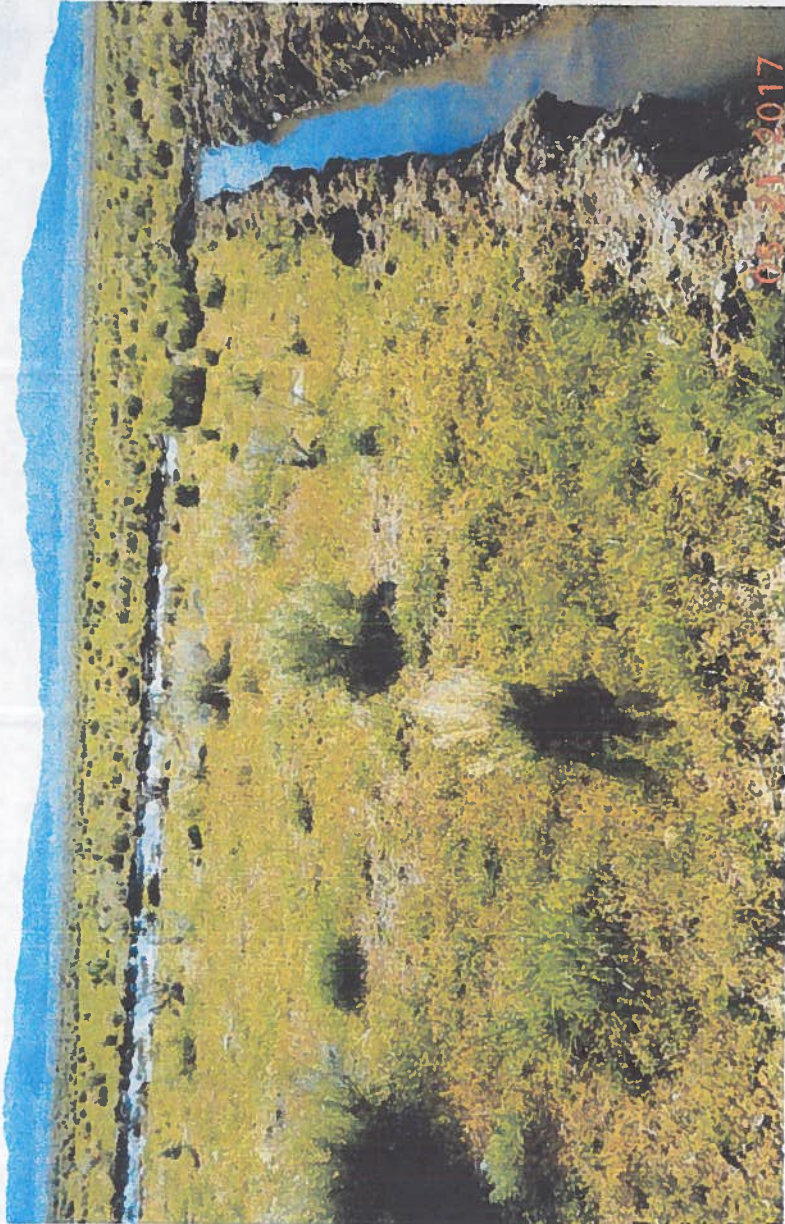


Exhibit – 1

THE STATE OF NEVADA

(1) Name of claimant. United Dressed Beef, Inc.

..... of Eureka

Street and No. or P.O. Box No. City or town

Nevada

State and Zip Code No.

(2) Source of water.....Bank Ranch Stock water
Name of natural water source.

(3) The water is diverted by not diverted
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s). not diverted
 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
 reach.

(5) The water is impounded in..... Pools and natural channels
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun.....not diverted.....
Date
and completed.....
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.....Deeded Land.....
Patented, deeded, public domain with grazing permit, etc.

(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).

Information under (8).
FILED
Aug. 26, 1976
STATE ENGINEER'S OFFICE

See AFFIDAVIT
9/22/76 L.E.F.

1886
Date

(9) The approximate number of animals watered by the claimant during the first year 1975, was 100 cattle horses 500 sheep or Other The watering was conducted during each of the following months all year around

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

100 head of cattle and 500 sheep
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 All the source produces which varies from summer to winter cubic feet per second.
448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located at NW 1/4 of SE 1/4 Section 28 T. 20N. R54E.
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Remarks This spring has been used for domestic, irrigation and stockwater for over 90 years. A garden was grown there, and holding areas for sheep were built. An old stone house still stands on the spring site, dating back to the 1880's. It has been an operating ranch since that time. The spring is cleaned out from time to time, when necessary, by ranch foreman, in order to maintain the flow.

Remarks This land has an application for patent date of 1894 by John Hancock
recorded at the division of State Land Office in Carson City, Nevada.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropri-
ation of water by United Dressed Beef, Inc.

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

Donald D. Eldridge - Agent

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

United Dressed Beef, Inc.
Claimant

By Donald D. Eldridge

Street and No., or P.O. Box No.

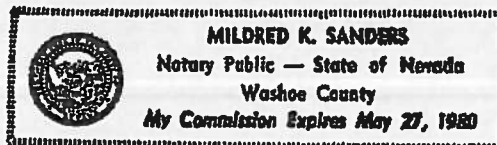
Lincoln, Neb.
City, State, Zip Code No.

Subscribed and sworn to before me this 2nd day of August, 1976

Mildred K. Sanders

Notary Public in and for the County of Washoe, State of Nevada

My commission expires May 27, 1980



\$10 FILING FEE MUST ACCOMPANY PROOF

A F F I D A V I T

I, RAYMOND LABARRY, JR., being first duly sworn, depose and say:

THAT the following statements are full and correct to the best of my knowledge and belief:

The waters of Torre Creek (Old Ardan Ranch), Hildebrand Creek, Mau Creek, North Creek, Sadler Creek, Barrel Spring, Beck Spring, Four Eyed Nicks Springs, Sand Springs, Sulphur Spring, Eldridge Ranch Stock Ponds, ^{11 Brinker} Held Spring - No. 1, Held Spring - No. 2, Held Spring - No. 3, Held Spring - No. 4, Held Spring - No. 5, Held Springs - No. 6, Held Spring - No. 7, Held Spring - No. 8, and Held Springs - No. 9 have been used for irrigation and/or stock watering purposes for at least ninety (90) years prior to, and since, my acquisition of the property described in the Proofs of Appropriation attached hereto.

DATED: Sept 22, 1976.

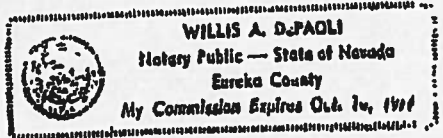
Raymond Labarry, Jr.
RAYMOND LABARRY, JR.

SUBSCRIBED AND SWORN TO before me,

this 22 day of Sept,

1976, by _____

Willis A. DePaoli
Notary Public





WESTERN FARM MANAGEMENT COMPANY

P.O. BOX 320 RENO, NEVADA 89501
450 MARSH AVENUE RENO, NEVADA 89501 (702) 329-8483

October 8, 1976

Mr. L. Edward Parmenter
Division of Water Resources
201 South Fall Street
Carson City, Nevada 89710

Re: . Water Rights - LaBarry-Harris - United Dressed Beef Inc.
No. 02884 thru 02903, inclusive

Dear Sir:

Your letter dated September 14 asks about the year of priority of First Beneficial Use. I assumed the claimant, in article 9, was United Dressed Beef, Inc., and ~~that~~ with this in mind used the current year. If this is incorrect, I would appreciate the date being changed to conform with the rest of the information provided.

I am also enclosing an affidavit from Raymond LaBarry stating these waters have been used by the ranch for at least the last 90 years. Please file this original copy with the above list of proofs.

The Quit Claim Deed accompanying this letter should be sufficient to transfer ownership of that list of waters to United Dressed Beef, Inc. The Deed has been recorded and a certified copy is enclosed. Contact us when the transfer has been made.

If I can be of further assistance, do not hesitate to let us know.

Thank you.

Sincerely,

Western Farm Management Company

John B. Parker

jbp/ms
encl.

Exhibit – 2

AMENDED
APPLICATION FOR PERMIT

ASSIGNED
Serial No. 8813

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA.

Date of first receipt and filing in State Engineer's office, JAN 12 1929
Returned to applicant for correction
Corrected application filed AUG 22 1929

The undersigned Handley Brothers
Name of applicant
of Eureka, County of Eureka
State of Nevada, hereby make application for
permission to appropriate the public waters of the State of Nevada, as
hereinafter stated. (If applicant is a corporation, give date and place
of incorporation.)

1. The source of the proposed appropriation is Cottonwood Canyon
Name of stream, lake, or other source
Springs and Creek (No. 2 or South Branch).
2. The amount of water applied for is one-fourth second-foot.
One-second-foot equals 40 minims' inches
3. The water to be used for Stockwatering and domestic purposes.
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:
At a point in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 13, T. 20 N; R. 54 E., which bears
Describe as being within a 40-acre subdivision of public survey, or to course and distance to a section-corner. If on unsurveyed land, it should be so stated.
S. 39° 37' E., 2708.31 ft. from the E. corner on the W. boundary of
said Sec. 13.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is _____
- (b) Description of land to be irrigated _____
Describe by legal subdivision, or if on unsurveyed land it should
be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

- (c) Use will begin about _____ and end about _____, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE
FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
- (e) Works to be located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 13, T. 20 N; R. 54 E.
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.
- (f) Point of return of water to stream _____
Describe in same manner as point of diversion.
- (g) State number and kinds of animals to be watered 150 cattle and
6000 sheep.
- (h) Use will begin about April 1 and end about Oct. 1, of each year.
Month Month
- (i) Remarks Applicants and their predecessors have used water from
this source, together with the range territory in the vicinity thereof,
for many years prior to 1805 and claim a vested right thereby, which
right is not waived by virtue of the filing of this application.

8813

DESCRIPTION OF PROPOSED WORKS

Dams and reservoirs

State manner in which water is to be diverted, whether by dam or other work, whether through pipes, ditches, tunnels, or other conduits. If water

is to be stored in reservoir, it should be so stated and the location of the reservoir should be given with reference to the local subdivisions.

5. Estimated cost of works \$200.00
6. Estimated time required to construct works Works already completed
7. Remarks For use of applicant

HANDLEY BROTHERS Applicant.

By Harvey M. Payne

Compared M.E.-C.T.

This sheet inspected _____, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This Permit is issued subject to all prior rights on the source. The State reserves the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed .042 or sufficient to water 6000 sheep, 150 head of cattle, cubic feet per second.

Actual construction work shall begin on or before Oct. 1, 1930

Proof of commencement of work shall be filed before Nov. 1, 1930

Work must be prosecuted with reasonable diligence and be completed on or before Oct. 1, 1931

Proof of completion of work shall be filed before Nov. 1, 1931

Application of water to beneficial use shall be made on or before

Oct. 1, 1933. Proof of the application of water to beneficial use must be filed with State Engineer on or before Nov. 1, 1933

Map filed Aug. 22, 1929

Proof of labor filed - 10-23-30

Proof of completion of work filed - 10-9-31

Proof of beneficial use filed NOV 21 1933

Certificate No. 1021-10000-11121-23

Recorded By _____

County Records

WITNESS MY HAND AND SEAL this 30th day

of April 1930

State Engineer.

By _____

AMENDED
APPLICATION FOR PERMIT

ASSIGNED
Serial No. 8814

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JAN 17 1929
Returned to applicant for correction
Corrected application filed AUG 22 1929

The undersigned Handley Brothers
Name of applicant
of Eureka, County of Eureka
State of Nevada, hereby make application for
permission to appropriate the public waters of the State of Nevada, and
hereinafter stated. (If applicant is a corporation, give date and place
of incorporation.)

1. The source of the proposed appropriation is Saw Mill Spring and Creek.
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-foot.
One-second-foot equals 40 miners' inches

3. The water to be used for Stockwatering and domestic purposes
Irrigation, power, mining, manufacturing, domestic, or other use

4. The water is to be diverted from its source at the following point:
At a point in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 13, T. 20 N.; R. 54 E., which bears N.
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section-corner. If on unsurveyed land, it should be so stated.
S 82° 12' 42" E. 4446.90 feet from the corner on the West boundary
of said Sec. 13.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is
(b) Description of land to be irrigated

Describe by legal subdivision, or if on unsurveyed land it should

be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

(c) Use will begin about _____ and end about _____, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE
FOLLOWING INFORMATION:

(d) Power to be developed is _____ horsepower.

(e) Works to be located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13 T. 20 N; R. 54 E.
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.

(f) Point of return of water to stream
Describe in same manner as point of diversion.

(g) State number and kinds of animals to be watered 150 cattle and
6000 sheep.

(h) Use will begin about Apr. 1 and end about Oct. 1, of each year.
Month Month

(i) Remarks Applicants and their predecessors have used water from this
source, together with the range territory in the vicinity thereof,
for many years prior to 1905 and claim a vested right thereby which
right is not waived by virtue of the filing of this application.

DESCRIPTION OF PROPOSED WORKS

Reservoirs and Ditches

State manner in which water is to be diverted, whether by dam or other work, whether through pipes, ditches, canals, or other conduits. If water

is to be stored in reservoir, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works: \$400.00

6. Estimated time required to construct/works: Additional one year

7. Remarks

For use of applicant

HANDLEY BROTHERS, Applicant.

By: Harvey M. Payne

Compared M.E.-C.T.

This sheet inspected

, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This Permit is issued subject to all prior rights on the source. The State reserves the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 042 or sufficient to water 6000 sheep; 150 head of cattle. cubic feet per second.

Actual construction work shall begin on or before Oct. 1, 1930.

Proof of commencement of work shall be filed before Nov. 1, 1930.

Work must be prosecuted with reasonable diligence and be completed on or before Oct. 1, 1931.

Proof of completion of work shall be filed before Nov. 1, 1931.

Application of water to beneficial use shall be made on or before

Oct. 1, 1933.

Proof of the application of water to beneficial use must be filed with State Engineer on or before Nov. 1, 1933.

Map Filed Aug 22, 1929

Proof of labor filed May 2, 1930

Proof of completion of work filed May 2, 1930

Proof of beneficial use filed NOV 21 1933

Certificate No. 2022 Issued Nov 21 1933

Recorded By Page

County Records

WITNESS MY HAND AND SEAL this 30th day

of 1930

State Engineer

By: Assistant State Engineer

8814

AMENDED
APPLICATION FOR PERMIT

ASSIGNED
Serial No. 8815

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JAN 17 1929
Returned to applicant for correction
Corrected application filed AUG 22 1929

The undersigned Handley Brothers

Name of applicant

of Eureka

County of Eureka

State of Nevada

, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Cottonwood Springs and Creek (No. 1 or main branch).
Name of stream, lake, or other source

2. The amount of water applied for is one-fourth second-foot.
One second-foot equals 40 minims' inches

3. The water to be used for stockwatering and domestic purposes.
Irrigation, power, mining, manufacturing, domestic, or other use

4. The water is to be diverted from its source at the following point:

At a point in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13, T. 20 N; R. 54 E., which bears
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.
S. 61° 27' E., 5298.32 feet from the W. corner of the West boundary
of said Sec. 13.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is _____

(b) Description of land to be irrigated _____

Describe by legal subdivision, or if on unsurveyed land it should

be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

(c) Use will begin about _____ and end about _____ of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is _____ horsepower.

(e) Works to be located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13, T. 20 N; R. 54 E.
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.

(f) Point of return of water to stream _____

Describe in same manner as point of diversion.

(g) State number and kinds of animals to be watered 150 cattle and
6000 sheep.

(h) Use will begin about Apr. 1 and end about Oct. 1 of each year.
Month Month

(i) Remarks Applicants and their predecessors have used water from this source, together with the range territory in the vicinity thereof, for many years prior to 1905 and claim a vested right thereby, which right is not waived by virtue of the filing of this application.

2815

DESCRIPTION OF PROPOSED WORKS

Pipe line and troughs

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water

is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works \$150.00

6. Estimated time required to construct works additional One year.

7. Remarks For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey M. Payne

Compared M.E.-C.T.

This sheet inspected

Engineer:

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This Permit is issued subject to all prior rights on the source. The State reserves the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed .042 cubic feet per second.

Actual construction work shall begin on or before Oct. 1, 1930

Proof of commencement of work shall be filed before Nov. 1, 1930

Work must be prosecuted with reasonable diligence and be completed on or before Oct. 1, 1931

Proof of completion of work shall be filed before Nov. 1, 1931

Application of water to beneficial use shall be made on or before

Oct. 1, 1933, Proof of the application of water to beneficial use must be filed with State Engineer on or before Nov. 1, 1933

Map Filed Aug 28, 1929

Proof of labor filed - 10-30-30

Proof of completion of work filed 10-9-31

Proof of beneficial use filed NOV 21 1933

Certificate No. 70018 Issued Nov 21 1933

Recorded

County Records

WITNESS MY HAND AND SEAL this 30th day of April 1930

State Engineer

By

Exhibit – 3

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Cottonwood Canyon Springs and Creek (South Branch) through Dam and reservoir for Stockwatering and domestic

purpose: The point of diversion of water from the source is as follows: S. 32 S. 37 E. 2708.31 ft. from the Cor. on the W. by. Sec. 13, T. 20 N., R. 54 E., M.D. Sec. 13, or in the SW 1/4 Sec. 13, T. 20 N., R. 54 E., M.D. B.S.M. situated in Eureka County, State of Nevada.

Now Know Ye, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Handley Brothers

Post-office address Eureka, Eureka County, Nevada

Amount of appropriation 9928 cubic foot per second or sufficient to water 4000 sheep and 100 cattle.

Period of use, from April 1st to Nov. 1st of each year

Date of priority of appropriation January 17th, 1929.

Description of works of diversion and use:

Dam of earth and rock 4 to 5 feet high, 12 feet wide and 20 feet long, making reservoir 20 feet in diameter. Place of use is in the SW 1/4 Sec. 13, T. 20 N., R. 54 E., M.D. B.S.M.

The right to water hereby determined is limited to the amount which can be beneficially used; not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

In Testimony Whereof, I, GEO. W. MALONE, State Engineer

of Nevada, have hereunto set my hand and the seal of my office, this

27th day of November, D. 1933

[Signature]
State Engineer.

Recorded 12/1/33 at B Page 83
Eureka County Nevada

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

Whereas H. M. PAWNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from surface water in natural flow through Saw Mill Spring and Creek through pipeline and troughs for stockwatering and domestic

purposes. The point of diversion of water from the source is as follows: N. 82 1/2° E. 1/2 mi. 44 1/2° 20 ft. from the S. cor. on the N. 1/2 Sec. 13, T. 20 N., R. 54 E., M.D.B. & M. or in the S. 1/2 NW 1/4 Sec. 13, T. 20 N., R. 54 E., M.D.B. & M. situated in Eureka County, State of Nevada;

Now Know Ye, That the State Engineer, under the provisions of Section 72, Chapter 240, Statutes of Nevada, as amended, 1913 has determined the date, source, purposed and amount of such appropriation, together with the place to which such water is appropriated, as follows:

Name of appropriator Handley Bros.

Postoffice address Eureka, Eureka County, Nevada

Amount of appropriation 0.025 cubic foot per second or sufficient to water 4000 sheep and 100 cattle.

Period of use, from April 1st to Nov. 1st of each year

Date of priority of appropriation January 17th, 1929

Description of works of diversion and use

About 10 ft. of 2 inch pipe always water from the source to two galvanized iron troughs each 2 ft. wide, 1 foot deep and 16 ft. long. Place of use is in the S. 1/2 NW 1/4 Sec. 13, T. 20 N., R. 54 E., M.D.B. & M.

The right to water hereby determined is limited to the amount which can be beneficially used, and to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

In Testimony Whereof, I, Geo. W. Malone, State Engineer

have hereunto set my hand and the seal of my office, this 27th day of November, A. D. 1933

Eureka County Records
Recorded 12/1/33 By B Page 9A

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Cottonwood Springs and Creek (Main Branch) through pipeline and troughs for stockwatering and domestic purposes. The point of diversion of water from the source is as follows: S. 61° 27' E., 5296.52 ft. from 1/4 Cor. on W. bdy. Sec. 13, T. 20 N. R. 54 E., M.D.B. 834, or in the S. 1/4 Sec. 13, T. 20 N., R. 54 E., M.D.B. 834 situated in Eureka County, State of Nevada.

Now Know Ye, That the State Engineer, under the provisions of Section 172, Chapter 140, Statutes of 1915 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Handley Brothers

Post-office address Eureka, Eureka County, Nevada

Amount of appropriation 0.028 cubic foot per second or sufficient to water 4000 sheep and 400 cattle.

Period of use, from April 1st to Nov. 1st of each year

Date of priority of appropriation January 17th, 1929

Description of works of diversion and use: A reservoir about 10 ft. in diameter and 2 ft. deep has been constructed at the spring and 16 ft. of 1 1/2 inch pipe conveys water from said reservoir to about 20 ft. of semi-circular galvanized iron troughs about 2 ft. wide and 1 foot deep. Place of use is in the S. 1/4 Sec. 13, T. 20 N., R. 54 E., M.D.B. 834.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

In Testimony Whereof, I, Geo. W. Malone, State Engineer

of Nevada, have hereunto set my hand and the seal of my office, this

27th day of November, A. D. 1929

State Engineer.

Exhibit – 4

AMENDED
APPLICATION FOR PERMIT

Assigned
Serial No. 8995

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUL 20 1929
Returned to applicant for correction REC 22 1929
Corrected application filed AUG 22 1929

The undersigned Handley Brothers
of Eureka, County of Eureka
State of Nevada, hereby make application for
permission to appropriate the public waters of the State of Nevada, as
hereinafter stated. (If applicant is a corporation, give date and place
of incorporation.)

1. The source of the proposed appropriation is Dipping Corral Spring
Name of stream, lake, or other source
2. The amount of water applied for is one-fourth second-foot.
One second-foot equals 40 minims inches
3. The water to be used for stockwatering and domestic purposes
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:
NW 1/4 NE 1/4 of Sec. 14, T. 20 N; R. 54 E., at a point which bears N.
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section-corner. If on unsurveyed land, it should be so stated.
46° 24' 34" West, 3247.56 feet from the 1/4 corner on the E. boundary
of said Sec. 14.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is _____
- (b) Description of land to be irrigated: _____
Describe by legal subdivision, or if on unsurveyed land it should

be so stated and a description provided in accordance with special instructions from the State Engineer when application is returned for correction.

- (c) Use will begin about _____ and end about _____, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE
FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
- (e) Works to be located NW 1/4 NE 1/4 Sec. 14, T. 20 N; R. 54 E.
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.
- (f) Point of return of water to stream _____
Describe in same manner as point of diversion.
- (g) State number and kinds of animals to be watered 6000 sheep and 150
cattle
- (h) Use will begin about Jan. 1 and end about Dec. 31, of each year.
Month Month

(i) Remarks Applicants and their predecessors have used water from
this spring for many years prior to 1905, and ranged stock in the vicini-
ty thereof, and claim a vested right thereby, which right is not
waived by virtue of the filing of this application.

8995

DESCRIPTION OF PROPOSED WORKS

Spring has been cleaned out and water stored in a reservoir. It is piped from the reservoir to the dipping tanks and used when needed for that purpose, as well as stockwatering.

5. Estimated cost of works \$200.00
6. Estimated time required to construct works Already completed.
7. Remarks

For use of applicant

HANDLEY BROTHERS, Applicant.

By Harvey M. Payne

Compared M.E.-C.T.

This sheet inspected
Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all prior rights on the source. The State reserves the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed .042 cubic feet per second, or sufficient to water 6000 sheep, 150 head of cattle.

Actual construction work shall begin on or before Oct. 1, 1930

Proof of commencement of work shall be filed before Nov. 1, 1930

Work must be prosecuted with reasonable diligence and be completed on or before Oct. 1, 1931

Proof of completion of work shall be filed before Nov. 1, 1931

Application of water to beneficial use shall be made on or before

Oct. 1, 1933. Proof of the application of water to beneficial

use must be filed with State Engineer on or before Nov. 1, 1933

Map Filed Aug. 22, 1929

Proof of labor filed May 2, 1930

Proof of completion of work filed May 2, 1930

Proof of beneficial use filed Nov 27 1933

Certificate No. 107A Nov 27 1933

Notarized By Page

County Records

WITNESS MY HAND AND SEAL this 30th day

of April 1930

State Engineer

By

ARC Dome Exhibit 2

Exhibit – 5

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

Whereas, H. M. PAYNE FOR HANDLEY BROTHERS has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from about 1 1/2 miles N. of Dipping Corral Spring through Reservoir and pipes for stockwatering and domestic

purpose. This point of diversion of water from the source is as follows: N. 46° 25' W. 3247.56 ft. from a Cor. on H. day. Sec. 14, T. 20 N., R. 54 E., M.D.B. 34, 1st 1/4 of the NW 1/4 Sec. 14, T. 20 N., R. 54 E., M.D.B. 34. situated in Eureka County, State of Nevada.

Now Known As, That the State Engineer, under the provisions of Section 222, Chapter 160, Statutes of 1913, has determined the date, source, purpose and amount of such appropriation together with the place to which such water is appropriated, as follows:

Name of appropriator Handley Brothers
Post-office address Eureka, Eureka County, Nevada
Amount of appropriation 0.028 cubic foot per second or sufficient to water 4000 sheep and 100 cattle.
Period of use from January 1st to December 31st of each year
Date of priority of appropriation July 20th, 1929

Description of works of diversion and use: Small dam at the spring creates a pool about 8 ft. in diam. from which water is conveyed through 6 ft. of 1 inch pipe to the natural channel leading from said spring where it runs about 50 ft. and is then conveyed served in a reservoir about 50 x 100 ft. and 4 ft. deep. Water is also piped from this reservoir through 120 ft. of 2 inch pipe to watering vats and corrals. Place of use in the NW 1/4 Sec. 14, T. 20 N., R. 54 E., M.D.B. 34.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

In Testimony Whereof, I, GEO. H. MATTHEW, State Engineer

of Nevada, have hereunto set my hand and the seal of my office, this

27th day of November, A.D. 1933

State Engineer

12/1/33 B. E. Cole
Eureka

P. H. ...
...

IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

PRELIMINARY ORDER OF DETERMINATION

IN THE MATTER OF THE DETERMINATION OF THE RELATIVE RIGHTS IN
AND TO ALL WATERS OF DIAMOND VALLEY, HYDROGRAPHIC BASIN
NO. 10-153, ELKO AND EUREKA COUNTIES, NEVADA.

J. K. P.E.
JASON KING, P.E.
State Engineer

Dated this 30TH day
of AUGUST, 2018.



CERTIFICATION OF STATE ENGINEER

I, Jason King, P.E., State Engineer of the State of Nevada, duly appointed and qualified, having charge of the records and files of the Office of the State Engineer, do hereby certify that the following is a full, complete and true copy of the Preliminary Order of Determination of the relative rights in and to all waters of Diamond Valley, Hydrographic Basin No. 10-153, Elko and Eureka Counties, Nevada. This Preliminary Order of Determination was prepared and filed in the Office of the State Engineer on the 30th day of AUGUST, 2018.

IN WITNESS THEREOF, I have hereunto set my hand and affixed my seal of office at Carson City, Nevada, this 30th day of AUGUST, 2018.



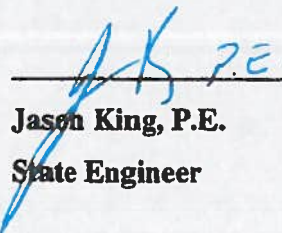
JASON KING, P.E.
State Engineer

ADJUDICATION

DIAMOND VALLEY

ELKO AND EUREKA COUNTIES, NEVADA

Presented herewith is the Preliminary Order of Determination defining the rights in and to all waters of Diamond Valley, Hydrographic Basin No. 10-153, Elko and Eureka Counties, Nevada. This Preliminary Order is prepared under the provisions of Chapter 533 of the Nevada Revised Statutes.



Jason King, P.E.
State Engineer

Made, filed and caused to be entered of
record in the Office of the State Engineer
this 30TH day of AUGUST, 2018.

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I. GENERAL

On October 8, 1982, the State Engineer issued Order 800 entitled *Order Initiating Proceedings* pursuant to NRS § 533.090(2). The *Order* commenced this adjudication to determine the relative rights in and to all waters in the Diamond Valley Hydrographic Basin (10-153), located in Elko and Eureka Counties, Nevada pursuant to the procedure set forth in NRS § 533.087, *et seq.* Also on October 8, 1982, the State Engineer issued Order 801, *Notice of Order and Proceedings*, which underwent publication in the Eureka Sentinel located in Eureka, Nevada, and was served by certified mail to persons identified as owning land within the subject area that could be potential claimants as required by NRS § 533.095.

On November 18, 1982, the State Engineer issued Order 802, *Notice of Order for Taking Proofs to Determine Water Rights*. The *Notice* set forth the requirement that all those making claims to these waters were required to make proof of their claims on or before February 10, 1984. A copy of the *Notice of Order* was served by certified mail on November 18, 1982, to persons identified as owning land within the subject area that could be potential claimants. The *Notice* was published in the Eureka Sentinel located in Eureka, Nevada, pursuant to NRS § 533.110.

On December 23, 1983, the State Engineer extended the period of time for all claimants to submit proofs in support of their claims to February 10, 1985 in response to a request from John Buffham of the Romano Ranch. A copy of the *Notice of Extension of Time* was served by certified mail on December 23, 1983, to persons identified as potential claimants within the adjudication area.

On January 25, 1985, the State Engineer extended the period of time for all claimants to submit proofs in support of their claims, to August 12, 1985 in response to a request from Roy Risi of the Hay Ranch. A copy of the *Notice of Extension of Time* was served by certified mail on January 25, 1985, to persons identified as potential claimants within the adjudication area.

On June 11, 2014, Sadler Ranch, LLC requested that the State Engineer adjudicate the relative rights of Big Shipley Hot Springs and Indian Camp Springs in Eureka County, Nevada. On February 10, 2015, the State Engineer deferred the Sadler Ranch request for adjudication citing a large backlog of prior initiated adjudications and that the Big Shipley Hot Springs and Indian Camp Springs issues had been addressed in State Engineer's Ruling 6290.

On August 21, 2015, the State Engineer issued Order 1263, a *Notice of Order and Proceedings to Determine Water Rights, both Surface and Underground* in the matter of the determination of relative rights in and to all waters in the Diamond Valley Hydrographic Basin (10-153), Elko and Eureka Counties, Nevada. The *Order* effectively reinitiated Order 801, which was issued in 1982. A copy of the *Notice of Order* was served by certified mail on August 21, 2015, to persons identified as owning land within the subject area that could be potential claimants. The *Notice* was published in the Elko Daily Free Press located in Elko, Nevada pursuant to NRS § 533.095.

On October 16, 2015, the State Engineer issued Order 1266, a *Notice of Order for Taking Proofs to Determine Water Rights*. The *Order* reestablished the actions initiated by Order 802, issued in 1982. The *Notice* set forth the requirement that all those making claims to these waters were required to make proof of their claims on or before May 31, 2016. A copy of the *Notice of Order* was served by certified mail on October 16, 2015, to persons identified as owning land within the adjudication area that could be potential claimants. The *Notice* was published in the Elko Daily Free Press located in Elko, Nevada pursuant to NRS § 533.110.

On March 8, 2016, the State Engineer denied a request from the United States of America, Department of the Interior, Bureau of Land Management (BLM) dated February 22, 2016, to extend the period of time for submitting proofs, citing the issuance of the State Engineer's Order 1264¹, which designated the basin as a Critical Management Area (CMA). As a CMA, the majority of the water right holders have ten years to develop a Groundwater

¹ State Engineer's Order No. 1264, dated August 25, 2015, official records in the Office of the State Engineer.

Management Plan. One component of such a plan is the determination of the extent of water rights within the basin's pre-statutory water rights, which are determined via adjudication. Based in part on the amount of time that has passed, the CMA designation and that claims had already been filed by the BLM, the request for an extension was denied.

Pursuant to NRS § 533.140, the State Engineer affixed his signature to the Abstract of Claims on August 30, 2018 and hereby issues this Preliminary Order of Determination.

II. WATER SOURCES AND FLOWS

The sources of water that are the subject of this adjudication are located within Elko and Eureka Counties, Nevada, and consist of groundwater and all streams and springs within the Diamond Valley Hydrographic Area (10-153). Diamond Valley is an inter-mountain valley in east central Nevada. The basin is roughly elliptical in shape, oriented in a generally north-south direction. It is approximately 60 miles long and averages twelve miles in width. The total area of the drainage area is approximately 735 square miles (see Figure 1.).

The basin is bounded on the east by the Diamond Mountains and on the west by the Sulphur Spring Range, Whistler Mountain and the Mountain Boy Range. The southern boundary is formed by the Fish Creek Range.

The lowest part of the valley is the playa at the northern end of the valley at an elevation of about 5,750 feet (1,750 meters). Southward from the playa, the valley floor rises at a gradient of about ten feet per mile. The highest point in the valley is Diamond Peak in the Diamond Range with an elevation of 10,631 feet (3,240.3 meters).²

Present day streams are principally confined to a few of the canyons in the mountains, with discharge onto the alluvial fans and valley floors only occurring during the spring freshet or during storm flash-flood events.

The main areas with substantial irrigation along the west side of the valley include the ranches owned by: Ira R. and Montira Renner; Sadler Ranch, LLC; the Bailey Family Trust; and

² Diamond Peak, Nevada , NGS Datasheet, National Oceanic and Atmospheric Administration, Retrieved June 19, 2017

Kobeh Valley Ranch, LLC. Ranches on the east side of the include those owned by: Milton Thompson, Daniel S. Venturacci, Bar D Land and Livestock, LLC, the Beck Family Trust, the Bingham Revocable Living Trust, Mary Bell Fiorenzi and Pernicea Johnson, Nathan and Pernicea Johnson and James E. and Vera L. Baumann. The majority of the streams and springs support stockwatering. The smaller streams are intermittent and only flow during the spring freshet or during storm events during the rest of the year.

Flow measurements of springs, streams and artesian wells recorded during field investigations by staff of the Office of the State Engineer along with historical reported data are publicly available from the website of the Office of the State Engineer³. Field reports generated from the field investigations are on record within the Diamond Valley Adjudication in the Office of the State Engineer.

³ Nevada Division of Water Resources' Spring and Stream Flow Database, official records in the Office of the State Engineer, available at <http://water.nv.gov/SpringAndStreamFlow.aspx>.

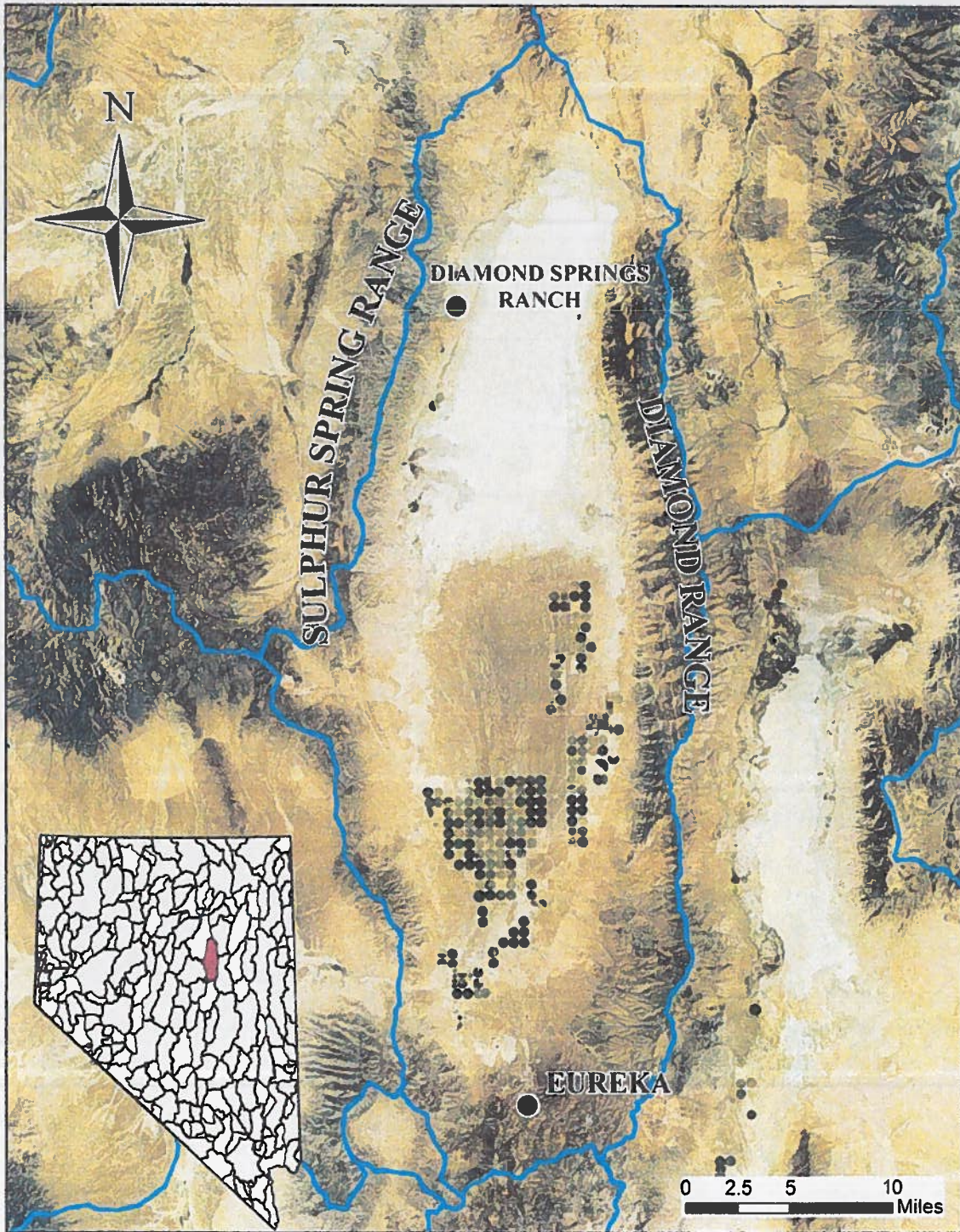


Figure 1. Location map of the Diamond Valley Hydrographic Basin (10-153).

III. DETERMINATION OF RIGHTS TO THE USE OF WATER

Claims to pre-statutory vested water rights on sources of water were established by filing proofs of appropriation in the Office of the State Engineer and submitting evidence to support the claimed date of priority, manner of use, place of use (POU) and the amount of water actually diverted and applied to beneficial use. Evidence is reviewed in conjunction with records such as, but not limited to permits, applications, proofs, maps, reports of conveyance and field investigations conducted by the Office of the State Engineer. Other data available in the public domain such as property records (Government Land Office (GLO) maps/plats/survey notes, land patents, etc.), census data, recent and historical aerial photography and insurance maps to determine the limit and extent of vested water rights claimed in this proceeding are also utilized.

Priority date is established as the year in which a water source was initially diverted and beneficially used. For surface water pre-statutory claims, water must have been diverted and beneficially used prior to March 1, 1905.⁴ For pre-statutory claims to artesian underground sources, prior to March 22, 1913, and prior to March 25, 1939 for percolating underground sources.⁵

The doctrine of relation back may be applicable if the claimant can demonstrate the date at which the diversion of water was commenced and that such work or construction progressed with due and reasonable diligence to completion and beneficial use established (doctrine of "relation back").

As discussed below, the State Engineer describes the reasoning used to determine duty for the use of water for stockwatering. The limit and extent of water rights issued for all manners of use is limited to the quantity of water reasonably necessary for such use, without waste.⁶ The period of use for all manners of use is January 1st to December 31st, unless otherwise specified.

A. Irrigation

Duty for irrigation purposes is determined by the class of culture type, identified as harvest, meadow and diversified pasture, further defined as follows:

Harvest crop areas include all lands devoted to cultivated crops, such as grains,

⁴ 1905 Nev. Stat. ch. 46.

⁵ NRS § 534.080(1).

⁶ NRS § 533.035.

truck farm crops (produce) and orchards, but not limited to them. Also all irrigated native or other grass lands which normally receive sufficient water through a defined irrigation system (ditch and/or sprinkler systems) to produce a crop which will justify utilizing either manual or mechanical methods for cutting hay, although sometimes it may be pastured and not cut.

Meadow/Pasture crop areas are in production with crops of native and/or domesticated grasses with minimal invasion by weeds and brush and may be classified as good pasture but not of sufficient quality or quantity to be cut. Lands are irrigated as long as water is available through a defined irrigation system (ditch and/or sprinkler systems). Volumes of water utilized for irrigation are less than the amount necessary for harvest. Distinction from harvest is that lands in production are precluded from harvesting due to access, topography and/or rocky field conditions preventing the use of manual or mechanical harvesting methods.

Diversified Pasture areas include all grass lands from which brush has not been cleared but which are artificially irrigated by the farmer/rancher to some extent for the production of grasses for pasture. These lands are usually watered only when the stream is in flood stage or when there is excess water above the needs of higher-class culture. In addition, this classification includes those areas in the irrigated fields, which are grown up with willows, and the depression or other areas covered with tule reeds, horsetail rushes and flags (wild iris), if there is grass amongst them. While these latter areas generally receive as much or more water than is required for the higher class of culture, the excess water cannot be considered as being used beneficially, hence the right to divert it should not be recognized.

Water considered drain, waste and/or tail water is defined to be such water that has escaped from the irrigation infrastructure or those waters which have passed from the developed irrigation infrastructure or beneficial use area and is allowed to flow uncontrolled across adjacent ground.

In the Diamond Valley area, the Net Irrigation Water Requirement (NIWR) for alfalfa is 2.5 acre-feet per acre.⁷ The State Engineer finds that the duty of water required to be diverted from the source to grow a full season of harvest crop is 3.0 acre-feet per acre, 2.0 acre-feet per acre for meadow/pasture crop and 0.75 acre-feet per acre for diversified pasture. These duties include the waters that would be consumed during transport (ditch loss). Sources of water that are commingled for irrigation at the same POU are limited to a total combined duty dependent on the crop type. Duty is described as acre-feet per annum (afa) if the period of use is year round, or

⁷ *Evapotranspiration and Net Irrigation Water Requirements for Nevada*, Huntington and Allen, 2010, State of Nevada, Division of Water Resources Publication, pp. 258.

acre-feet per season (afs) if the period of use is less than 365 days per calendar year. In Diamond Valley, the State Engineer has determined that the growing season is established as occurring between April 1 and October 31 of each year unless otherwise noted.

The amount of water herein granted in this adjudication represents the historical usage prior to the statutory water law from the water sources. The State Engineer recognizes that full utilization of the diversion rate and delivery of the associated duty is ultimately limited by water availability at the source, and in many years, water at the source is not sufficient to meet crop water demands. It is understood that no rights in excess of that amount are implied or inferred. Generally, throughout Northern Nevada, early July is the common time for harvesting crops of hay, both native/wild and a mixture of domestic pasture grasses. The reason for this date is two-fold: first, the crop of grass has reached its peak growth for harvest at this time, and second, stream flow has receded to a point where there is no longer a sufficient flow to adequately irrigate the crop for a second harvest. However, water may be available for a second irrigation season of a crop if there is upstream storage in a reservoir or if the water source is a spring that has sufficient flow for a longer period of time during the year. Generally, if it is a good water year, then any bonus flow would be used to grow as much grass as possible to be grazed later in the fall.

The filings by non-federal claimants for irrigation purposes in some instances, have claimed portions of places of use controlled by the federal government. The non-federal claimants in this proceeding are the successors in interest to the original appropriators who diverted and put to beneficial use various streams and springs that existed and crossed the federal public lands. Irrigation occurred on the open public lands even though the claimants had no title to the place of use. The prior appropriation system of acquiring waters rights by those who were early settlers on the public domain is recognized by the State Engineer as a way of establishing vested water rights. These acts of settlement were later codified through legislation by Congress, who recognized appropriations of water on the public range for various purposes including agriculture that had been only tacitly recognized before.⁸ The State Engineer finds that the waters of this adjudication are non-navigable waters and that the Congressional legislation enacted specifically defined irrigation as a right to the use of the water on the public range.

⁸ Mining Act, 14 Stat. 253, § 9 (1866); Homestead Act, 16 Stat. 218 (1870); Desert Land Act, 19 Stat. 377 (1877), 43 U.S.C. § 321 et seq. (1964).

Even though the original settlers were trespassers on the public range, the federal government did not act to evict them. This lack of action allowed for the conveyance of possessory titles to land and water rights acquired transferring from one holder to another. Some of these possessory claims to land eventually came into private ownership through patents that did not necessarily include the entire place of use where historical irrigation was occurring. The conveyance of possessory rights on the public range for irrigation or stockwater would transfer in the same manner as water appurtenant to private lands. A settler in good faith might convey his possessory interest in the land and in the water right appurtenant thereto by voluntary surrender to one who takes possession from him. The transferee became vested with all the right his predecessor had in the premises.⁹ The lands where the possessory claimants and initial appropriators originally irrigated were on unsurveyed public lands and the boundaries of those lands did not necessarily have definite metes and bounds. These appropriations already made on the public lands and recognized by Congress were a confirmation of the right to insist on the use of the waters to the extent necessary for beneficial purposes for the entire place of use before any control of the public domain was exerted by the federal government. The State Engineer previously found that the waters claimed for irrigation are not "federal property." The State Engineer finds that the claims for irrigation wherein portions of the places of use claimed are lands controlled by the federal government are viable claims unless otherwise determined in this Order.

B. Stockwatering

Claims filed for stockwater refer to differing quantities for the type of animals from their earliest date of beneficial use to the present. The State Engineer recognizes that livestock are opportunistic and that the number and type of animals that utilize water from the different sources varies, depending on available feed in different parts of the range at different times of year, the amount of water actually available at the source, and on management practices on the public lands. Stockwater duty is quantified based on the number and type of animals that historically used these water sources. Duty is not a measure of water actually available on a perennial basis.

⁹ Hindman v. Rizer, 21 Oreg. 112, 116-118, 27 Pac. 13 (1891).

C. Abandonment

In Nevada, abandonment of a water right is the voluntary “relinquishment of the right by the owner with the intention to forsake and desert it.” *In re Manse Spring*, 108 P.2d 311, 315 (Nev. 1940). Abandonment requires both action and intent, and under Nevada law is “a question of fact to be determined from all the surrounding circumstances.” *Revert v. Ray*, 95 Nev. 782, 786, 603 P.2d 262, 264 (1979). Under Nevada law, a determination of whether there exists an intent to abandon requires a consideration of all the relevant circumstances. *See Revert*, 603 P.2d at 264; *see also In re Manse Spring*, 108 P.2d at 316 (stating that courts must determine the intent of the claimant to decide whether abandonment has taken place and in this determination may take non-use and other circumstances into consideration).¹⁰ Non-use for a period of time may inferentially be some evidence of intent to abandon.¹¹ Although a prolonged period of non-use may raise an inference of intent to abandon, it does not create a rebuttable presumption.¹² At a minimum, proof of continuous use of the water right should be required to support a finding of lack of intent to abandon.¹³

IV. CLAIMS OF VESTED RIGHT

A. Irrigation

There are 14 different Owners of Record for 51 Proofs of Appropriation of the use of surface water for irrigation, including: the Bailey Family Trust; Bar D Land and Livestock, LLC; James E. and Vera L. Baumann; Beck Family Trust; the Bingham Revocable Living Trust, dated April 8, 1999; Mary Bell Fiorenzi and Pernicea Johnson; Gary and Melody Garaventa; Nathan and Pernicea Johnson; Kobeh Valley Ranch, LLC; Clement Maggini, Ira R. and Montira Renner; Sadler Ranch, LLC; Milton and Olive Thompson; and Daniel S. Venturacci. The original filing of these claims along with subsequent amendments is described in this section. A complete

¹⁰ *U.S. v. Alpine Land & Reservoir Company*, 340 F.3d 903 (9th Cir. 2003).

¹¹ *Franktown Creek Irrigation Co., Inc. v. Marlette Lake Company and the State Engineer of the State of Nevada*, 77 Nev. 348, 354 (1961).

¹² *U.S. v. Orr Water Ditch Company*, 256 F.3d 935, 945 (9th Cir. 2001).

Proof of Appropriation V-01316 was filed by Giulio Minoletti on June 20, 1914, claiming to have diverted approximately 0.25 cfs of water from Rock Spring (POD within the NW¼ SE¼ Section 25, T.21N., R.54E., M.D.B.&M.) via the natural channel to water 40 to 50 cattle with an average of 75 cattle for subsequent years, from April 1 through July 31 with a priority date of 1874. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-01319 was filed by Nels Toft on July 16, 1914, claiming to have diverted one miner's inch (0.025 cfs) of water from Peete Springs (POD within the SE¼ NW¼ Section 31, T.24N., R.55E., M.D.B.&M.) via a pipeline to water 20 cattle from May 1 through October 31 with a priority date of 1901. The current owner of record for this claim is Daniel S. Venturacci.

Proof of Appropriation V-01320 was filed by Jorgan P. Jacobsen on July 16, 1914, claiming to have diverted six miner's inches (0.15 cfs) of water from Crofut Spring (POD within the SW¼ NE¼ Section 36, T.25N., R.54E., M.D.B.&M.) via a small dam to water 50 to 100 cattle with 200 to 300 cattle and horses in subsequent years from April 1 through November 30 with a priority date of 1880. The current owner of record for this claim is Daniel S. Venturacci.

Proof of Appropriation V-01327 was filed by Isaac T. Handley on September 3, 1914, claiming to have diverted water from Munroe Spring (POD within the NE¼ SW¼ Section 13, T.22N., R.54E., M.D.B.&M.) via small dams and the natural channel to water 2,000 sheep from April 1 to October 1 with a priority date of 1899. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-01329 was filed by Giulio Minoletti on September 14, 1914, claiming to have diverted water from Little Willows Spring (POD within the SE¼ SW¼ Section 26, T.21N., R.54E., M.D.B.&M.) via the natural channel to water 50 cattle from April 1 through September 30 with a priority date of 1874. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-01423 was filed by A. C. Florio on September 14, 1915, claiming to have diverted water from Spanish Gulsh Springs (POD within the NE¼ NE¼ Section 29, T.19N., R.54E., M.D.B.&M.) via a pipeline to water 300 head of livestock from April 1 through November 30 with a priority date of 1890. An amended proof was filed by A.C. Florio on July 26, 1937, which further defined the POD as Spanish Gulch, defined the number of

utilize this source as a POD.

Proof of Appropriation V-02281 was filed by Edgar Sadler and Wallace Bailey on September 25, 1934, claiming to have diverted water from Trough Spring (POD within the NW¼ NE¼ Section 14, T.27N., R.53E., M.D.B.&M.) via pipeline and troughs to water 900 cattle from April 1 through October 31 with a priority date of 1887. An amended claim was filed by the Bailey Family Trust and Sadler Ranch, LLC on May 26, 2016, which changed the period of use to April 1 through November 30 and the priority date to 1863. The current owner of record for this claim is Bailey Family Trust and Edgar Sadler.

Proof of Appropriation V-02324 was filed by James Hunter on June 7, 1944, claiming to have diverted 0.05 cfs of water from Wood Trough Spring (POD within NE¼ NW¼ Section 14, T.19N., R.54E., M.D.B.&M.) via pipeline and troughs to water 100 cattle from March 1 through October 31 with a priority date of 1883. The current owner of record for this claim is James E. and Vera L. Baumann.

Proof of Appropriation V-02325 was filed by James Hunter on June 7, 1944, claiming to have diverted 0.05 cfs of water from Green Spring (POD within NE¼ SW¼ Section 14, T.19N., R.54E., M.D.B.&M.) via an unnamed ditch to a reservoir to water 100 cattle from March 1 through October 31 with a priority date of 1883. The current owner of record for this claim is James E. and Vera L. Baumann.

Proof of Appropriation V-02326 was filed by James Hunter on June 7, 1944, claiming to have diverted 0.05 cfs of water from Simpson Number 1 (POD within NE¼ SW¼ Section 23, T.19N., R.54E., M.D.B.&M.) via an unnamed ditch to a reservoir to water 100 cattle from March 1 through October 31 with a priority date of 1883. The current owner of record for this claim is James E. and Vera L. Baumann.

Proof of Appropriation V-02889 was filed by United Dressed Beef, Inc. on August 26, 1976, claiming to have diverted water from Bank Ranch Stock Water (POD within NW¼ SE¼ Section 28, T.20N., R.54E., M.D.B.&M.) via pools and natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. There is not a map filed in the State Engineer's Office in support of this claim. The current owner of record for this claim is Beck Properties. Stockwater Claim V-10816 filed by Beck Properties also utilize this source as a POD.

channel to water 100 cattle from January 1 through December 31 with a priority date of 1866. The proof was amended by James E. and Vera L. Bauman in May 24, 2016, which refined the location of the POD. The current owner of record for this claim is James E. and Vera L. Bauman. Municipal water Claim V-04509 owned by Eureka County also utilize this source as a POD.

Proof of Appropriation V-09779 was filed by James E. and Vera L. Bauman on September 11, 2008, claiming to have diverted 0.05 cfs of water from Richmond Spring (POD within NW¼ SW¼ Section 19, T.19N., R.54E., M.D.B.&M.) via a small pond and the natural channel to water 100 cattle from January 1 through December 31 with a priority date of 1866. The proof was amended by James E. and Vera L. Bauman in May 24, 2016, which refined the location of the POD. The current owner of record for this claim is James E. and Vera L. Bauman. Municipal water Claim V-04510 owned by Eureka County also utilize this source as a POD.

Proof of Appropriation V-10809 was filed by Beck Properties on January 4, 2016, claiming to have diverted 0.03 cfs of water from Pastorino East Spring (POD within SW¼ SW¼ Section 2, T.19N., R.54E., M.D.B.&M.) via collection system, pipelines to troughs and the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by Beck Properties on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is Beck Properties. PWR Claim V-04236 filed by the BLM also utilize this source as a POD.

Proof of Appropriation V-10810 was filed by Beck Properties on January 4, 2016, claiming to have diverted 0.03 cfs of water from Pastorino Middle Spring (POD within SW¼ SW¼ Section 2, T.19N., R.54E., M.D.B.&M.) via collection system, pipelines to troughs and the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by Beck Properties on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10811 was filed by the Beck Family Trust dated 4-19-2005, on January 4, 2016, claiming to have diverted 0.03 cfs of water from Lower Torre Spring (POD within SE¼ NW¼ Section 21, T.20N., R.54E., M.D.B.&M.) via the natural channel to water 100

cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by the Beck Family Trust dated 4-19-2005, on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is the Beck Family Trust dated 4-19-2005.

Proof of Appropriation V-10812 was filed by the Beck Family Trust dated 4-19-2005, on January 4, 2016, claiming to have diverted 0.03 cfs of water from Palmer Ranch Spring (POD within NW¼ SE¼ Section 21, T.20N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by the Beck Family Trust dated 4-19-2005, on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is the Beck Family Trust dated 4-19-2005.

Proof of Appropriation V-10813 was filed by the Beck Family Trust dated 4-19-2005, on January 4, 2016, claiming to have diverted 0.03 cfs of water from Middle Torre Spring (POD within NW¼ NW¼ Section 27, T.20N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by the Beck Family Trust dated 4-19-2005, on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is the Beck Family Trust dated 4-19-2005.

Proof of Appropriation V-10814 was filed by the Beck Family Trust dated 4-19-2005, on January 4, 2016, claiming to have diverted 0.03 cfs of water from Upper Torre SW Spring (POD within NE¼ SW¼ Section 25, T.20N., R.54E., M.D.B.&M.) via collection system, pipelines to troughs and the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by the Beck Family Trust dated 4-19-2005, on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is the Beck Family Trust dated 4-19-2005.

Proof of Appropriation V-10815 was filed by the Beck Family Trust dated 4-19-2005, on January 4, 2016, claiming to have diverted 0.03 cfs of water from Upper Torre SE Spring (POD within SE¼ SW¼ Section 25, T.20N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886.

An amended proof was filed by the Beck Family Trust dated 4-19-2005, on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is the Beck Family Trust dated 4-19-2005.

Proof of Appropriation V-10816 was filed by Beck Properties on January 4, 2016, claiming to have diverted 0.03 cfs of water from Banks Ranch Spring (POD within NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28, T.20N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by Beck Properties on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is Beck Properties. Stockwater Claim V-02889 owned by Beck Properties also utilize this source as a POD.

Proof of Appropriation V-10817 was filed by Beck Properties on January 4, 2016, claiming to have diverted 0.03 cfs of water from Eunice Place Spring (POD within SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28, T.20N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by Beck Properties on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10818 was filed by Beck Properties on January 4, 2016, claiming to have diverted 0.03 cfs of water from Upper Torre NE Spring (POD within NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25, T.20N., R.54E., M.D.B.&M.) via the natural channel and pipeline to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. An amended proof was filed by Beck Properties on April 27, 2016, which supplied additional evidence in support of the claim. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10828 was filed by the Bailey Family Trust, Merkley Ranches, Inc., and Little Paris Sheep Company, LLC, on February 4, 2016, claiming to have diverted 0.0128 cfs of water from Badger Spring (POD within NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, T.27N., R.54E., M.D.B.&M.) via a pipeline to troughs and the natural channel to water 250 cattle and 1,000 sheep from April 1 through October 31 with a priority date of 1895. The current owner of record for this claim is the Bailey Family Trust, Merkley Ranches, Inc., and the Little Paris Sheep Company, LLC.

Proof of Appropriation V-10845 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.0065 cfs of water from Spring Number 1 (POD within Lot 4 (SE¼ NE¼ Section 31, T.26N., R.53E., M.D.B.&M.) via a pipeline to troughs and the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of 1873. The current owner of record for this claim is Ira R. and Montira Renner.

Proof of Appropriation V-10846 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.0156 cfs of water from Spring Number 2 (POD within Lot 9 Section 31, T.26N., R.53E., M.D.B.&M.) via a pipeline to troughs and the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of 1873. The current owner of record for this claim is Ira R. and Montira Renner.

Proof of Appropriation V-10847 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.0156 cfs of water from Spring Number 3 (POD within NE¼ SE¼ Section 31, T.26N., R.53E., M.D.B.&M.) via a pipeline into the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of 1873. The current owner of record for this claim is Ira R. and Montira Renner. Irrigation Claim V-10883 filed by Ira R. and Montira Renner also utilize this source as a POD.

Proof of Appropriation V-10848 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.0156 cfs of water from Spring Number 4 (POD within Lot 9 Section 31, T.26N., R.53E., M.D.B.&M.) via a pipeline into the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of 1873. The current owner of record for this claim is Ira R. and Montira Renner.

Proof of Appropriation V-10849 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.013 cfs of water from Spring Number 5 (POD within NE¼ SE¼ Section 31, T.26N., R.53E., M.D.B.&M.) via a pipeline into the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of 1873. The current owner of record for this claim is Ira R. and Montira Renner.

Proof of Appropriation V-10850 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.0156 cfs of water from Spring Number 6 (POD within SW¼ NE¼ Section 6, T.25N., R.53E., M.D.B.&M.) via a pipeline into troughs and the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of

1873. The current owner of record for this claim is Ira R. and Montira Renner. Irrigation Claim V-10884 filed by Ira R. and Montira Renner also utilize this source as a POD.

Proof of Appropriation V-10851 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.0156 cfs of water from Spring Number 7 (POD within SW¼ NW¼ Section 5, T.25N., R.53E., M.D.B.&M.) via a pond and the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of 1873. The current owner of record for this claim is Ira R. and Montira Renner. Irrigation Claim V-10885 filed by Ira R. and Montira Renner also utilize this source as a POD.

Proof of Appropriation V-10852 was filed by Ira R. and Montira Renner on May 6, 2016, claiming to have diverted 0.0156 cfs of water from Spring Number 8 (POD within SE¼ SW¼ Section 5, T.25N., R.53E., M.D.B.&M.) via a pond and the natural channel to water 150 cattle and 90 horses from January 1 through December 31 with a priority date of 1873. The current owner of record for this claim is Ira R. and Montira Renner. Irrigation Claim V-02432 owned by Ira R. and Montira Renner and irrigation Claim V-10886 filed by Ira R. and Montira Renner also utilize this source as a POD.

Proof of Appropriation V-10856 was filed by Arc Dome Partners, LLC on May 9, 2016, claiming to have diverted water from Cottonwood Creek (POD within NW¼ SW¼ Section 5, T.20N., R.54E., M.D.B.&M.) via a ditch and the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. The current owner of record for this claim is Arc Dome Partners, LLC.

Proof of Appropriation V-10857 was filed by Beck Properties on May 9, 2016, claiming to have diverted water from Cottonwood Creek (POD within SE¼ SW¼ Section 5, T.20N., R.54E., M.D.B.&M.) via a ditch and the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10858 was filed by Beck Properties on May 9, 2016, claiming to have diverted 0.03 cfs of water from North Pasture Spring (POD within SW¼ SE¼ Section 20 T.23N., R.55E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10859 was filed by Beck Properties on May 9, 2016, claiming to have diverted 0.03 cfs of water from Silver Bell Mine Spring (POD within SE¼ NE¼ Section 36 T.22N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10860 was filed by Beck Properties on May 9, 2016, claiming to have diverted 0.03 cfs of water from Water Canyon Spring (POD within NW¼ SE¼ Section 25 T.22N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10861 was filed by Beck Properties on May 9, 2016, claiming to have diverted 0.03 cfs of water from Monroe Canyon Spring (POD within SW¼ SE¼ Section 24 T.22N., R.54E., M.D.B.&M.) via the natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. The current owner of record for this claim is Beck Properties.

Proof of Appropriation V-10869 was filed by James and Vera Baumann on May 27, 2016, claiming to have diverted 0.0044 cfs of water from F.G. Spring (POD within SE¼ SE¼ Section 9, T.19N., R.54E., M.D.B.&M.) via a dam and the natural channel to water 300 cattle from January 1 through December 31 with a priority date of 1866. The current owner of record for this claim is James and Vera Baumann.

Proof of Appropriation V-10870 was filed by James E. and Vera L. Baumann on May 27, 2016, claiming to have diverted 0.0066 cfs of water from Lani Spring (POD within SW¼ SW¼ Section 30, T.19N., R.54E., M.D.B.&M.) via a pipeline to a trough to water 300 cattle from January 1 through December 31 with a priority date of 1866. The current owner of record for this claim is James E. and Vera L. Baumann. Municipal water Claim V-04506 owned by Eureka County also utilize this source as a POD.

Proof of Appropriation V-10871 was filed by James E. and Vera L. Baumann on May 27, 2016, claiming to have diverted 0.0044 cfs of water from Hornitos Spring (POD within NW¼ NW¼ Section 29, T.19N., R.54E., M.D.B.&M.) via a dam and the natural channel to water 300 cattle from January 1 through December 31 with a priority date of 1866. The current

documents but probably mirrors the beneficial use of irrigation waters on the main Cox Ranch holdings. The tax records for the Willow Field area are generally incorporated into the other holdings of William Cox. This also lends support for the ranch and surrounding holdings having livestock in the range of approximately 125 - 150 horses and cattle prior to 1905 with fewer numbers in subsequent years thereafter. Other historical data includes those materials outlined in the prior discussion of V-02845.

Based on the field investigations (both historical and recent), historical aerial photography, historical maps and data presented in support of the filing, the State Engineer finds a basis for the diversion of 0.61 cfs of water from Judd Canyon, when it is available, to support the irrigation of 102.35 acres of meadow from April 1 through September 15 (168 days), for a total combined duty of 200 afs from all sources, with a priority date of 1885. The State Engineer also finds a basis for the diversion of water for domestic and stockwater use, when it is available, for the needs of 150 cattle and horses from January 1 through December 31 with a priority date of 1885.

B. Stockwater

There are sixteen different owners of record for the 230 proofs of appropriation claiming the use of surface water for stockwater prior to March 1, 1905. There are two filings for the pre-statutory use of underground water for stockwater in the basin. The sixteen claimants are: Arc Dome Partners, Inc; the Bailey Family Trust; James E. and Vera L. Baumann; the Beck Family Trust; Chad D. and Rosie J. Bliss; Bureau of Land Management; the Chloe Held Trust; Peter J. and Gladys P. Goicoechea; Kobeh Valley Ranch, LLC; Little Paris Sheep Company; Clement Maggini; Merkley Ranches Inc; Ira R. and Montira Renner; Sadler Ranch, LLC; United Dressed Beef, Inc; and Daniel S. Venturacci. The total stockwater duty for each ranch is quantified based on the number and type of animals that were present prior to statutory water law and historically used these water sources. It is not a measure of water actually available on a perennial basis at a given source. If more livestock animals were present on the range after 1905, the additional waters necessary for their support would have to have been obtained through the statutory process.

Arc Dome Partners, LLC.

Arc Dome Partners, LLC is an agricultural, domestic limited-liability company in Eureka, Nevada. Chain of title documentation filed in conjunction with the previously mentioned Beck Properties (V-02888 and V-09333) support a pre-statutory use of the surface water by Arc Dome Partners LLC's predecessors with a priority date of 1886. Documentation filed in conjunction with Permit 10824 (Certificate 3012) support a priority date of 1929 for underground waters.

Proof of Appropriation V-02959 was filed claiming to have diverted 0.25 cfs of water from Holly Well, an underground source, (POD within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T.19N., R.53E., M.D.B.&M.) via pipeline and troughs to water 50 cattle and 250 sheep from January 1 through December 31 with a priority date of 1929. The Holly Well was drilled prior to 1929, based on the Proof of Completion (dated November 10, 1944) and filed in support of Permit 10824. This claim is located within the Arambel Grazing Allotment (NV10031). In this Preliminary Order of Determination, a vested right to divert 0.003 cfs of water from the Holly Well, when it is available, for the stockwatering of 50 cattle 250 sheep with a priority date of 1929 is determined to be valid.

Proof of Appropriation V-10856 was filed claiming to have diverted enough water for 100 cattle and 500 sheep or 0.06 cfs of water from Cottonwood Creek (POD within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, T.20N., R.54E., M.D.B.&M.) via a ditch from the natural creek channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. The number of animals that would have utilized the source prior to 1905 is not supported by the Beck Family Trust and Beck Properties' supporting documentation. Tax records support animal numbers to be 50 cattle and horses prior to 1905. This claim is located on private property owned by the claimant. In this Preliminary Order of Determination, a vested right to divert 0.002 cfs of water from Cottonwood Creek, when it is available, for the stockwatering of 50 cattle and horses with a priority date of 1886 is determined to be valid.

1866. In this Preliminary Order of Determination, a vested right to divert water from Pinto Pass Spring, when it is available, for the stockwatering of 100 cattle with a priority date of 1866 is determined to be valid.

Proof of Appropriation V-10879 was filed claiming to have diverted 0.1114 cfs of water from Pedroli Spring (POD within the NW¼ SW¼ Section 33, T.20N., R.54E., M.D.B.&M.) via a trough, to water 300 cattle from January 1 through December 31 with a priority date of 1866. A field investigation conducted by the Office of the State Engineer personnel on April 6, 2017 confirmed the location and extent of this spring source as noted in the Office of the State Engineer "Spring and Surface Water Inventory Form."²⁷⁶ In this Preliminary Order of Determination, a vested right to divert water from Pinto Pass Spring, when it is available, for the stockwatering of 100 cattle with a priority date of 1866 is determined to be valid.

Beck Family Trust

The holdings of the Beck Family Trust are located along Torre Creek on the east side of Diamond Valley. The Beck Family Trust have the lease for the Black Point Grazing Allotment (NV10032). The number of animals the Beck Family Trust predecessors possessed based on the supporting tax assessment documentation associated with the irrigation claims suggest that there were up to 50 cattle on the ranch prior to 1905. This would equate to a diversion rate for livestock being 0.002 cfs and total combined duty of 1.13 afa from all sources.

Proof of Appropriation V-01316 was filed claiming to have diverted 0.25 cfs of water from Rock Springs (POD within the NE¼ SE¼ Section 25, T.21N., R.54E., M.D.B.&M.) via natural spring to water 75 cattle from April 1 through July 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Rock Springs, when it is available, for the stockwatering of 50 cattle and horses with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-01327 was filed claiming to have diverted 1.0 cfs of water from Munroe Spring (POD within the NE¼ SW¼ Section 13, T.22N., R.54E., M.D.B.&M.) via 8 small dams to water 2000 sheep from April 1 through October 1 with a priority date of 1899. A field investigation conducted by the Office of the State Engineer personnel on July 26, 2017

confirmed the location and extent of this spring source as noted on the Office of the State Engineer "Spring and Surface Water Inventory Form."²⁷⁷ In this Preliminary Order of Determination, a vested right to divert water from Munroe Springs, when it is available, for the stockwatering of 50 cattle and horses with a priority date of 1899 is determined to be valid.

Proof of Appropriation V-01329 was filed claiming to have diverted enough water for 50 cattle or 0.002 cfs of water from Little Willows Spring (POD within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, T.21N., R.54E., M.D.B.&M.) via a small ditch dam to water 50 cattle from April 1 through September 30 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Water Canyon Spring, when it is available, for the stockwatering of 50 cattle and horses with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-02889 was filed claiming to have diverted enough water for 100 cattle and 500 sheep or 0.006 cfs of water from Bank Ranch Stock Water (POD within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, T.20N., R.54E., M.D.B.&M.) via pools and natural channels from April 1 through November 30 with a priority date of 1886. Banks Ranch Stock Water is located close to the 1/16 line that divides the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of this proof and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of proof V-10816. The State Engineer believes that Banks Ranch Stock Water is the same springs as the Banks Ranch Spring filed under V-10816. The State Engineer determines that this claim is a duplicate filing of V-10816 and is therefore rejected.

Proof of Appropriation V-10809 was filed claiming to have diverted 0.03 cfs of water from Pastorino East Spring (POD within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 02, T.19N., R.54E., M.D.B.&M.) via a collection system, pipeline, and natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. Reserved claim R-04236 is filed on this same source. In this Preliminary Order of Determination, a vested right to divert water from Pastorino East Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10810 was filed claiming to have diverted 0.03 cfs of water from Pastorino Middle Spring (POD within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 02, T.19N., R.54E., M.D.B.&M.) via a collection system, pipeline, and natural channel to water 100 cattle and 500

²⁷⁶ File V-10879, official records in the Office of the State Engineer.

²⁷⁷ File V-01327, official records in the Office of the State Engineer.

sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Pastorino Middle Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10811 was filed claiming to have diverted 0.03 cfs of water from Lower Torre Spring (POD within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, T.20N., R.54E., M.D.B.&M.) via natural spring and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Lower Torre Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10812 was filed claiming to have diverted 0.03 cfs of water from Palmer Ranch Spring (POD within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, T.20N., R.54E., M.D.B.&M.) via natural spring and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Palmer Ranch Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10813 was filed claiming to have diverted 0.03 cfs of water from Middle Torre Spring (POD within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, T.20N., R.54E., M.D.B.&M.) via natural spring and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Middle Torre Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10814 was filed claiming to have diverted 0.03 cfs of water from Upper Torre SW Spring (POD within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, T.20N., R.54E., M.D.B.&M.) via a collection system, pipeline, and natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Upper Torre SW Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10815 was filed claiming to have diverted 0.03 cfs of water from Upper Torre SE Spring (POD within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, T.20N., R.54E., M.D.B.&M.) via natural spring and channel to water 100 cattle and 500 sheep from January 1

through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Upper Torre SE Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10816 was filed claiming to have diverted 0.03 cfs of water from Banks Ranch Spring (POD within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28, T.20N., R.54E., M.D.B.&M.) via natural springs and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. Proof V-02889 is also filed on Banks Ranch Spring. In this Preliminary Order of Determination, a vested right to divert water from Banks Ranch Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10817 was filed claiming to have diverted 0.03 cfs of water from Eunice Place Spring (POD within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28, T.20N., R.54E., M.D.B.&M.) via natural springs and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Eunice Place Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10818 was filed claiming to have diverted 0.03 cfs of water from Upper Torre NE Spring (POD within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25, T.20N., R.54E., M.D.B.&M.) via collection system, pipeline and natural channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Upper Torre NE Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10857 was filed claiming to have diverted enough water for 100 cattle and 500 sheep or 0.06 cfs of water from Cottonwood Creek (POD within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, T.20N., R.54E., M.D.B.&M.) via a ditch from the natural creek channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Cottonwood Creek, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10858 was filed claiming to have diverted 0.03 cfs of water from North Pasture Spring (POD within the SW¼ SE¼ Section 20, T.23N., R.55E., M.D.B.&M.) via ditch from the natural spring and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from North Pasture Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10859 was filed claiming to have diverted 0.03 cfs of water from Silver Bell Mine Spring (POD within the SE¼ NE¼ Section 36, T.22N., R.54E., M.D.B.&M.) via natural spring and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Silver Bell Mine Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10860 was filed claiming to have diverted 0.03 cfs of water from Water Canyon Spring (POD within the NW¼ SE¼ Section 25, T.22N., R.54E., M.D.B.&M.) via natural spring and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. A field investigation conducted by the Office of the State Engineer personnel on July 26, 2017, confirmed the location and extent of this spring source as noted in the Office of the State Engineer "Spring and Surface Water Inventory Form."²⁷⁸ Reserved claim R-04262 is filed on this same source. In this Preliminary Order of Determination, a vested right to divert water from Water Canyon Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

Proof of Appropriation V-10861 was filed claiming to have diverted 0.03 cfs of water from Monroe Canyon Spring (POD within the SW¼ SE¼ Section 24, T.22N., R.54E., M.D.B.&M.) via natural spring and channel to water 100 cattle and 500 sheep from January 1 through December 31 with a priority date of 1886. In this Preliminary Order of Determination, a vested right to divert water from Monroe Canyon Spring, when it is available, for the stockwatering of 50 cattle with a priority date of 1886 is determined to be valid.

²⁷⁸ File V-10860, official records in the Office of the State Engineer.

Assessment Book of the Property of Eureka,

Assessed to all Owners whose Names,

1896

TAXPAYER'S NAME	Lot or Block	DESCRIPTION OF PROPERTY.	Mr. Double House & Barn				City of Eureka Nevada				Number of Acres of Land	Assessed Value	Value of Real Estate for Taxing Purposes
			Section	Sub-Section	Block	Tract	Lot	Block	Tract				
269 Mullins Edward		Personal Property, Furniture and Barn - 1255 Possessory interest in and to a tract of farming land the town of Eureka, Humboldt County, State of Nevada, superior to the State of Nevada					11	57					25
270 Mullins George P.		Personal Property, Furniture and Barn - 1255 Possessory interest in and to a tract of farming land the town of Eureka, Humboldt County, State of Nevada, superior to the State of Nevada Possessory interest in and to a tract of farming land in Block No. 83 of the town of Eureka, Humboldt County, State of Nevada					3	25					25
271 Murphy J. H. Mrs.		Personal Property, Furniture and Barn - 1255 Possessory interest in and to a tract of farming land the town of Eureka, Humboldt County, State of Nevada, superior to the State of Nevada Possessory interest in and to a tract of farming land in Block No. 83 of the town of Eureka, Humboldt County, State of Nevada					3	25					12
272 Murphy J. H. Mrs.		Personal Property, Furniture and Barn - 1255 Possessory interest in and to a tract of farming land the town of Eureka, Humboldt County, State of Nevada, superior to the State of Nevada Possessory interest in and to a tract of farming land in Block No. 83 of the town of Eureka, Humboldt County, State of Nevada	27	32	47					80	80		800
273 Murphy J. H. Mrs.		Personal Property, Furniture and Barn - 1255 Possessory interest in and to a tract of farming land the town of Eureka, Humboldt County, State of Nevada, superior to the State of Nevada Possessory interest in and to a tract of farming land in Block No. 83 of the town of Eureka, Humboldt County, State of Nevada								154	154		150
274 Murphy J. H. Mrs.		Personal Property, Furniture and Barn - 1255 Possessory interest in and to a tract of farming land the town of Eureka, Humboldt County, State of Nevada, superior to the State of Nevada Possessory interest in and to a tract of farming land in Block No. 83 of the town of Eureka, Humboldt County, State of Nevada								160	160		150

Assessment Book of the Property of Eureka:

FORWARDED TO ALL OWNERS, WHEN KNOWN.

1902

TAXPAYER'S NAME	DESCRIPTION OF PROPERTY	Mts. Range 1234 & 1235				City on West Side in Nevada				Number of Acres of Real Estate	Personalty Class	Value of Real Estate or Personalty Class
		Mts. Range 1234 & 1235				City on West Side in Nevada						
		Section	Block	Lot	Block	Section	Block	Lot	Block			
Engel, Harry	Personal Property, Horse 20 Improvements from house situated on S. Ruby Hill in Custer County, State of Nevada											
Engel, Thomas	Personal Property, saddle horse 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100 Improvements from house situated on North Ruby Hill Custer County, State of Nevada											
Engel, Ben. B. & Co.	Personal Property, Bladed mill 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100 Personal Property, saw mill 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100 Improvements from house situated on North Ruby Hill Custer County, State of Nevada											
Engel, John	Personal Property, Horse 20 Improvements from house situated on North Ruby Hill Custer County, State of Nevada											
Engel, H. J.	Personal Property, Horse 20 Improvements from house situated on North Ruby Hill Custer County, State of Nevada											
Engel, Fred	Personal Property, Horse 20 Improvements from house situated on North Ruby Hill Custer County, State of Nevada											
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1902

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ORIGINAL

Assessment Book of the Property of Eureka

ХАНОКЪ, КЕИЛА 'СУКИНО ЗИР ОЗ ЧЕБЕКАСОВЪ

1905

[illegible]

No. 5160

Indexed under

Name of applicant	
Map	
Stream	
Fieldbook	
Township	<u>22 N. R. 34 E.</u>

Report No.

ASSIGNED

10-153

DIAMOND VALLEY

NE 1/4 SE 1/4 Sec 12

Application filed July 18, 1918

Applicant Clement Maggini **ASSIGNED** to Marcos Legarra

Source of water Sheep Canon Springs

Returned for correction July 29, 1918

Corrected application received Sept. 20, 1918

Sent for publication Sept. 20, 1918 Eureka Sentinel

Proof of publication filed Nov. 25, 1918

Investigated on ground by Lura MacFarland Oct. 5, 1919 (Report inside)

Protested

Form Affidavit 70A filed Nov. 26, 1918

Approved Oct. 28, 1919 for 0.025 c. f. o. stock

Denied

Withdrawn by applicant

Canceled

Proof of labor filed Jan. 25, 1920

Map filed 7-20-20 under 5159

Proof of completion of work filed Nov. 12, 1921

Proof of beneficial use filed Feb. 11, 1924

Certificate No. 1912 issued Mar. 31, 1924 for 0.025 c. f. o. of water
Recorded Apr. 7, 1924, Bk. 2, Page 72 Eureka Co. Recorder

REMARKS

ASSIGNED by Clement Maggini, Nov. 3, 1920 to Marcos Legarra. Filed Dec. 20, 1922

August 20, 1926

August 12, 1925

s. 5250, 5251, 5159 and 5160

Mr. Edgar Mather
Attorney at Law
Elko, Nevada

Dear Sir:

Our records show that application No. 5159 was filed by Clement Maggini on July 18, 1918 for water from Monroe Canyon Springs. The point of diversion described in the application is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13, T. 22 N., R. 54 E. The application was denied on October 28, 1919 on the ground that the water of the source is already covered by prior rights, Mr. I. Handley claiming a vested right from the source under proof of appropriation No. 01327. The records also show application No. 5250 filed by Mr. Maggini on September 20, 1918 for water from Monroe Spring No. 2, the point of diversion of which is described as in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, T. 22 N., R. 54 E. A permit was granted under this application, and subsequently it was assigned to Marcos Legarra. Same was however cancelled on October 28, 1922 for failure to comply with the provisions of the permit.

In addition to the above, the records ^{show} application No. 5251 made by Clement Maggini for water from Maggini Spring No. 2, the point of diversion being in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, T. 22 N., R. 54 E. This permit was also assigned to Legarra and has since been cancelled.

Certificate No. 1012 was issued to Marcos Legarra on March 31, 1924 under permit No. 5160 for 0.0125 c.f.s. of water from Sheep Canyon Spring for stockwatering purposes. The point of diversion described therein is NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, T. 22 N., R. 54 E. The application under which this certificate is issued was originally filed by Mr. Maggini.

Yours very truly,

Robert A. Allen.
State Engineer

By

Office Engineer

HP A.

ASSIGNED

Application No. 5160.....

Certificate Record No. 1012..... Book 5..... Page 1012

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Marcos Legarra has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Sheep Canyon Spring through Sheep Canyon Ditch for Stockwatering purposes. The point of diversion of water from the source is as follows: NE 1/4 SE 1/4 Sec. 12, T. 22 N., R. 54 E., M. D. B. & M. situated in Eureka County, State of Nevada.

Now KNOW YE, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913, has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Marcos Legarra
Postoffice address Eureka, Nevada
Amount of appropriation .0125 cubic foot per second
Period of use, from April 1 to November 1 of each year
Date of priority of appropriation July 18, 1918

Description of works of diversion, manner and place of use:-
A reservoir approximately 10 feet in diameter stores the water near the spring. Water is transported through 12 feet of 2 inch pipe to 9 troughs each 14 feet in length. Water is conserved in this manner for 2000 head of sheep.

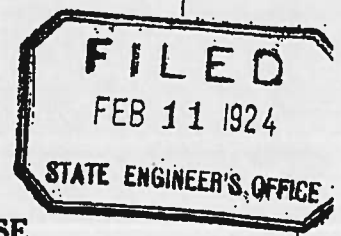
The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which required.

IN TESTIMONY WHEREOF, I, Robert A. Allen, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 31st day of March, A. D. 1924
Robert A. Allen
State Engineer.

Compared
J. V. M. M. A.

Filed April 2, 1924 Eureka County Records
Page 172

Under Permit No. 5160



PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF PERMITTEE

NOTE—Questions 1 to 12 inclusive must be answered regardless of the purpose for which your permit for water has been granted. If this proof is made for irrigation purposes, a cultural map showing actual boundaries of land irrigated, together with classes of culture, etc., must accompany same, unless such map has already been filed. (See Sec. 69, Chapter 140, Statutes 1913.)

Question 1. What is your name, occupation, and postoffice address?

Answer: Marcos Legarra, Eureka, Nevada

Question 2. Are you acting in behalf of a corporation? If so, state its name, place of business, and your authority for acting in its behalf.

Answer: No.

Question 3. What is the number of the permit under which this proof is made? Answer: 5160

Question 4. From what source do you obtain your water supply?

Answer: Sheep Canyon Spring

Question 5. What is the name of the canal, conduit, or other works by which water is conducted to its place of use?

Answer: Sheep Canyon Ditch.

Question 6. Are you the person to whom the permit was issued? If not, state how you obtained it, giving the succession of title.

Answer: Acquired by purchase from Clement Maggini, who was the applicant.

(If assignments of title are not on file in the office of the State Engineer, the certificate will issue to the original applicant.)

Question 7. For what purpose are you using the water for which you are now making proof?

Answer: Stockwatering.

Question 8. How many cubic feet per second of water, or fraction thereof, have you actually diverted and beneficially used for the purpose for which this proof is made?

(Actual measurement of water shall be given. 40 miners' inches equals 1 cubic foot per second. 1 miners' inch equals 11.21 gallons per minute. 448.83 gallons per minute equals 1 cubic foot per second.)

Answer: Full flow of spring as shown by application.

Question 9. State the period during the year when water has been beneficially used.

Answer: April to November of each and every year.

Question 10. Do you divert and use more water at periods than granted in the permit for which proof is made? If so, make proper explanation.

Answer: No.

Question 11. Give date when water measurements were taken, the point at which such measurements were taken and the name and address of person who made the measurements.

Answer: No measurements made, volume approximated.

Question 12. State, if you know, the normal number of cubic feet per second flowing in the source at your point of diversion.

Answer: Not measured.

IF WATER IS USED FOR IRRIGATION ANSWER THE FOLLOWING:

Question 13. Upon how many acres have you beneficially used water?

Answer: NONE.

Question 14. Give the number of acres in each legal subdivision.

Answer: _____ 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.
(Enumerate only the land upon which water has been actually used.)

Question 15. Have you installed a headgate and weir at your point of diversion, as required by the terms of your permit? Give approximate dimensions of headgate.

Answer: _____

Question 16. Do you use the rotation system for irrigating?

Answer: _____

Question 17. What is the character of the soil irrigated?

Answer: _____

**IF WATER IS USED FOR STOCK WATERING OR DOMESTIC PURPOSES
ANSWER THE FOLLOWING:**

Question 18. Give detailed description of works of diversion and manner by which water is stored for beneficial use, embracing approximate dimensions of dam at source, size and length of pipe, and size and number of tanks or troughs. If troughs are not used state exactly how water is stored for beneficial use.

Answer: Dam approximately ten feet in diameter near the spring which
dam is connected with troughs by means of 12 feet of 2 inch
pipe. Troughs are constructed of lumber, and are nine in
number; fourteen feet in length, each.

Question 19. Give approximate number and kind of animals watered.

Answer: 2000 head of sheep.

**IF WATER IS USED FOR POWER OR MINING AND MILLING PURPOSES
ANSWER THE FOLLOWING:**

Question 20. What are the dimensions of the diversion headgate and carrying capacity of the conduit in cubic feet per second? Is water diverted by ditch, pipe or flume?

Answer: Not so used.

Question 21. What are the dimensions of the cross-section of the pipe, flume, ditch or other conduit at each change in cross-section, and the length of each portion of the same size?

Answer:

Question 22. What is the average grade or difference in elevation between the termini of the conduit? Give the grades of the different sections of conduit as shown above.

Answer:

Question 23. Give any information concerning diversion and use of water for power or mining not covered above.

Answer:

IF WATER IS USED FOR ANY PURPOSE NOT HERETOFORE NAMED
DESCRIBE FULLY UNDER REMARKS:

Remarks:

(Give all information relative to the method of use of water and any other matters you deem important.)

The map made in substantiation of the claims herein, prepared under my instructions and authority, shows the actual conditions on the premises.

Signed: Marco Legana

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, and I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me at my office in Eureka, County of Eureka, State of Nevada, on this 8th day of February, A. D. 192 4

Edgar E. Butler
Notary Public.

ASSIGNED

APPROVED
APPLICATION FOR PERMIT

Serial No. 5160

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUL 18 1918
Returned to applicant for correction JUL 29 1918
Corrected application filed SEP 20 1918

The undersigned, Clement Maggini,
Name of applicant.
of Eureka, County of Eureka,
State of Nevada, hereby makes application for
permission to appropriate the public waters of the State of Nevada,
as hereinafter stated. (If applicant is a corporation give date and
place of incorporation.)

1. The source of the proposed appropriation is Unnamed Spring,
Name of stream, lake, or other source.
(Maggini No. 1), unsurveyed ground, which when surveyed will be in-
cluded in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12, Township 22, N.R. 54, E.
2. The amount of water applied for is 3 second-feet.
One second-foot equals 40 miners' inches.
3. The water to be used for Watering stock
Irrigation, power, mining, manufacturing, domestic, or other use.
4. The water is to be diverted from its source at the following
point: Near the spring in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12, Township 22, N.R. 54, E.
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land it should be so stated.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is _____
- (b) Description of land to be irrigated _____
Describe by legal subdivision, or if on unsurveyed land it

should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

- (c) Irrigation will begin about _____ and end about _____
Month. Month.
_____, of each year.

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE
FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
- (e) Works to be located Approximately NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 12, T. 22N., R. 54E.
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.
M.D.B. & M., Water Collected and thence through pipe into Troughs and
are now in use
- (f) Point of return of water to stream Not returned to stream.
Describe in same manner as point of diversion.
- (g) Remarks Approximately 1500 to 2000 head of sheep will be watered
and 200 head of cattle.

DESCRIPTION OF PROPOSED WORKS

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

Excavating so as to develop water, collecting and conducting the same through pipes to a trough or troughs near the spring where it will be used for watering stock.

6. Estimated cost of works \$75.00
8. Estimated time required to construct works One year
7. Remarks _____

For use of applicant.

Clement Maggini, Applicant.

By William P. Wright, Agent.

Compared P.P. Jones

This sheet inspected _____

_____, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all prior rights on the source.
The State reserves the right to regulate the use of the water herein granted at any and all times. It is distinctly understood that applicant agrees to the terms herein contained.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.025 cubic feet per second. (One fortieth)

Actual construction work shall begin on or before May 20, 1920.

Proof of commencement of work shall be filed before June 28, 1920.

Work must be prosecuted with reasonable diligence and be completed on or before May 28, 1921.

Proof of completion of work shall be filed before June 28, 1921.

Application of water to beneficial use shall be made on or before

October 28, 1921. Proof of the application of water to beneficial use must be filed with State Engineer on or before November 28, 1921.

JUN 25 1920

Min 7/24/20

WITNESS MY HAND AND SEAL this 28th day

Nov 12 1921 of October, 1919.

Proof of completion of work filed NOV 12 1921

Proof of beneficial use filed FEB 11 1924

Office No. 10124 issued March 31st 1924 for 0.025 cfs.

Office No. 192473K. Pgs. 172

State Engineer.

No. **7548**

Indexed under

Name of applicant

Report No.

Map

Stream

Field Book

Township **T. 22 N. R. 54 E.****NE 1/4 NW 1/4 Sec. 24**

Application filed

Oct. 19 1925**Nov. 17, 1927 in**

Applicant

Marcel Legarra

Source of Water

Moose Spring No. 2

Returned for correction

Corrected application received

Sent for publication

Oct. 23, 1925 to the Europa Sentinel

Proof of publication filed

Feb. 27, 1926

Investigated on ground by

Protested

Ready for action

December 28, 1925

Approved

June 16, 1926 for 0.025 c.f.s. - stop

Denied

Withdrawn by applicant

Canceled

Proof of labor filed

July 16, 1926

Map filed

October 15, 1927

Proof of completion of work filed

July 16, 1926

Proof of beneficial use filed

July 16, 1926Certificate No. **1471**, issued**December 31, 1928****> 0.025 - stop**Recorded **1-4-29****Book 8 Page 6 - Burke Co. Rds. (2720 contains title)**

REMARKS

See "Affidavit in Explanation of Error in 'Point of Description' Filed November 17, 1927"

entered 7/21/28

03701008

Application No. 7548

Certificate Record No. 1471 Book 6 Page 1471

THE STATE OF NEVADA
 CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS Marcos Legarra has presented to the State Engineer
 of the State of Nevada Proof of Application of Water to Beneficial Use, from
Monroe Spring No. 2
 through reservoir, pipeline and trough for
Stockwatering

purposes. The point of diversion of water from the source is as follows: NE 1/4 Sec. 13, T. 22 N.,
R. 54 E., M.D.B. & M., or S. 35 1/2 E., 17744 feet from SE corner Sec. 34,
T. 23 N., R. 54 E., M.D.B. & M.

situated in Eureka County, State of Nevada.

Now Know Ye, That the State Engineer, under the provisions of Section 22, Chapter 140, Statutes of
1913 has determined the date, source,
 purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Marcos Legarra
 Post-office address Eureka, Eureka County, Nevada
 Amount of appropriation 0.025 C.F.S. or sufficient to water 4000 head of sheep
 Period of use, from April 1 to November 30 of each year
 Date of priority of appropriation October 19, 1925

Description of works of diversion, manner and place of use:
An earthen reservoir 15 feet long, 8 feet wide, and 4 feet deep
was constructed at the spring located in the NE 1/4 Sec. 13, T. 22 N.,
R. 54 E., M.D.B. & M., from where 15 feet of 2 inch pipe conveys water
to 40 feet of galvanized iron stock watering troughs 22 inches wide,
where it is used for the watering of 4000 head of sheep.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed
 the amount above specified, and the use is restricted to the place where acquired and to the purpose for which
 acquired.

IN TESTIMONY WHEREOF, I, Geo. W. Malone, State Engineer
 of Nevada, have hereunto set my hand and the seal of my office, this
21st day of December, A. D. 1925
1-4-29 8 6
County Records

By

Assistant State Engineer

State Engineer.

Under Permit No. 7548



PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF PERMITTEE

NOTE—Questions 1 to 12 inclusive must be answered regardless of the purpose for which your permit for water has been granted. If this proof is made for irrigation purposes, a cultural map showing actual boundaries of land irrigated, together with classes of culture, etc., must accompany same, unless such map has already been filed. (See Sec. 69, Chapter 140, Statutes 1913.)

Question 1. What is your name, occupation, and postoffice address?

Answer: Marcos Legarra, Eureka, Nevada.

Question 2. Are you acting in behalf of a corporation? If so, state its name, place of business, and your authority for acting in its behalf.

Answer: No.

Question 3. What is the number of the permit under which this proof is made? Answer: 7548

Question 4. From what source do you obtain your water supply?

Answer: Monroe Spring No. 2

Question 5. What is the name of the canal, conduit, or other works by which water is conducted to its place of use?

Answer: Monroe Spring No. 2

Question 6. Are you the person to whom the permit was issued? If not, state how you obtained it, giving the succession of title.

Answer: Yes

(If assignments of title are not on file in the office of the State Engineer, the certificate will issue to the original applicant.)

Question 7. For what purpose are you using the water for which you are now making proof?

Answer: Stockwatering

Question 8. How many cubic feet per second of water, or fraction thereof, have you actually diverted and beneficially used for the purpose for which this proof is made?

(Actual measurement of water shall be given. 40 miners' inches equals 1 cubic foot per second. 1 miners' inch equals 11.21 gallons per minute. 448.83 gallons per minute equals 1 cubic foot per second.)

Answer: One-tenth second feet

Question 9. State the period during the year when water has been beneficially used.

Answer: April 1st to November 30th of each year.

Question 10. Do you divert and use more water at periods than granted in the permit for which proof is made? If so, make proper explanation.

Answer: No.

Question 11. Give date when water measurements were taken, the point at which such measurements were taken and the name and address of person who made the measurements.

Answer: No measurement made.

Question 12. State, if you know, the normal number of cubic feet per second flowing in the source at your point of diversion.

Answer: Do not know.

IF WATER IS USED FOR IRRIGATION ANSWER THE FOLLOWING:

Question 13. Upon how many acres have you beneficially used water?

Answer: _____

Question 14. Give the number of acres in each legal subdivision.

Answer: _____ 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.
(Enumerate only the land upon which water has been actually used.)

Question 15. Have you installed a headgate and weir at your point of diversion, as required by the terms of your permit? Give approximate dimensions of headgate.

Answer: _____

Question 16. Do you use the rotation system for irrigating?

Answer: _____

Question 17. What is the character of the soil irrigated?

Answer: _____

**IF WATER IS USED FOR STOCK-WATERING OR DOMESTIC PURPOSES
ANSWER THE FOLLOWING**

Question 18. Give detailed description of works of diversion and manner by which water is stored for beneficial use, embracing approximate dimensions of dam at source, size and length of pipe, and size and number of tanks or troughs. If troughs are not used state exactly how water is stored for beneficial use.

Answer: One Trough 40 feet in length and 22 inches wide; One Reservoir
20 feet long and 8 feet wide and 20 feet of pipe line. (two inch pipe)

See map for complete description F110

Question 19. Give approximate number and kind of animals watered.

Answer: 4000 head of sheep and lambs.

**IF WATER IS USED FOR POWER OR MINING AND MILLING PURPOSES
ANSWER THE FOLLOWING:**

Question 20. What are the dimensions of the diversion headgate and carrying capacity of the conduit in cubic feet per second? Is water diverted by ditch, pipe or flume?

Answer: _____

Question 21. What are the dimensions of the cross-section of the pipe, flume, ditch or other conduit at each change in cross-section, and the length of each portion of the same size?

Answer:

.....

Question 22. What is the average grade or difference in elevation between the termini of the conduit? Give the grades of the different sections of conduit as shown above.

Answer:

.....

Question 23. Give any information concerning diversion and use of water for power or mining not covered above.

Answer:

.....

IF WATER IS USED FOR ANY PURPOSE NOT HERETOFORE NAMED
DESCRIBE FULLY UNDER REMARKS:

Remarks:

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(Give all information relative to the method of use of water and any other matters you deem important.)

The map made in substantiation of the claims herein, prepared under my instructions and authority, shows the actual conditions on the premises.

Signed: Marco Legarra

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, and I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me at my office in Eureka, County of Eureka,

State of Nevada, on this 14 day of July, A. D. 1926.

Edw. Estlin
Notary Public

APPLICATION FOR PERMIT

Serial No. 7548

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office OCT 19 1925
 Returned to applicant for correction _____
 Corrected application filed _____

The undersigned Marcon Nogarra
Name of applicant
 of Eureka, County of Eureka,
 State of Nevada, hereby makes application for
 permission to appropriate the public waters of the State of Nevada,
 as hereinafter stated. (If applicant is a corporation give date and
 place of incorporation.)

1. The source of the proposed appropriation is Monree Spring No. 2
Name of stream, lake, or other source.
2. The amount of water applied for is one-tenth second-foot.
One second-foot equals 40 miners' inches.
3. The water to be used for Stockwatering
Irrigation, power, mining, manufacturing, domestic, or other use.
4. The water is to be diverted from its source at the following
 point: NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24 Twp. 22 N. R. 54 E.
Describe as below within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land it should be so stated.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is _____
- (b) Description of land to be irrigated _____
Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

Use of Water

- (c) ~~Diversion~~ will begin about April 1st and end about
Month.
November 30th, of each year.
Month.

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
- (e) Works to be located NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 24 Twp. 22 N. R. 54 E.
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.
- (f) Point of return of water to stream Not to be returned.
Describe in same manner as point of diversion.
- (g) Remarks Map will be filed later.
approximately 4000 head of sheep to be watered.

DESCRIPTION OF PROPOSED WORKS

One trough 40 feet long, 22 inches wide has already been installed,

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water
and one reservoir 20 feet long and 8 feet wide will be built,
is to be stored in reservoirs it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.
a pipe line 20 feet in length will be laid.

5. Estimated cost of works \$500.00
6. Estimated time required to construct works Two years.
7. Remarks

For use of applicant.

Marco Legarra, Applicant.

By

Compared

This sheet inspected

, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed
cubic feet per second.

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed
on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial
use must be filed with State Engineer on or before

WITNESS MY HAND AND SEAL this day
of

State Engineer.

No. 1549
Indexed under

Name of applicant _____ Report No. _____
Map _____ 10-153
Stream _____ DIAMOND VALLEY
Field Book _____

Township 22 N. R. 54 E. X → See "Affidavit," Filed 11-17-27
SE 1/4 SW 1/4 Sec. 12 "Explanation of Error in Print of" Division

Application filed Oct. 19, 1925 ASSIGNED
Applicant Marcos Legarra
Source of Water Maggini Spring No. 2 ASSIGNED
Returned for correction

Corrected application received
Sent for publication Oct. 23, 1925 to Eureka Sentinel
Proof of publication filed Feb. 27, 1926.

Investigated on ground by _____
Protested _____

Ready for action December 28, 1925.
Approved June 16, 1926 for 2.025 c. f. s. - strong
Denied _____
Withdrawn by applicant _____

Canceled _____
Proof of labor filed July 16, 1926 Sept. 16, 1926
Map filed October 15, 1927 Sept. 16, 1927
Proof of completion of work filed July 16, 1926 Sept. 16, 1927
Proof of beneficial use filed July 16, 1926 Sept. 16, 1928

Certificate No. 1472 issued December 31, 1928 - 2.025 - per
Records - 1-4-29 - Book B. Page 5 - Eureka Co. Recs. (See 422 of 1115)

REMARKS
See "Affidavit and Explanation of Error in Print of Division" Filed November 17, 1927.

ASSIGNED = To = Clement Maggini = Eureka County = Nevada
Filed 7-7-29 = By = Marcos Legarra = Eureka = Nevada = 7-5-29.

Send copy of all correspondence & notices
to: Roy E. Hubbard P. O. Box 241
Eureka, Nevada 89316
Letter filed in # 7549 6/17/68

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS Marcos Legarra has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Maggini Spring No. 2 through reservoir, pipeline and troughs for Stockwatering purposes. The point of diversion of water from the source is as follows: NW 1/4 Sec. 12, T. 22 N., R. 34 E., M.D.B. & M., S. 39 1/2 E., 10265 feet from the SE corner Sec. 34, T. 22 N., R. 34 E., M.D.B. & M. situated in Eureka County, State of Nevada.

Now KNOW YE, That the State Engineer, under the provisions of Section 72, Chapter 140, Statutes of 1913 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Marcos Legarra

Post-office address Eureka, Eureka County, Nevada

Amount of appropriation 0.025 C.F.S. or sufficient to water 4000 head of sheep.

Period of use, from April 1 to November 30 of each year

Date of priority of appropriation October 12, 1925

Description of works of diversion, manner and place of use:

An earthen reservoir 15 feet square, and 3 feet deep was constructed at the spring located in the NW 1/4 Sec. 12, T. 22 N., R. 34 E., M.D.B. & M., from where water is conveyed by 20 feet of 2 inch pipe to 40 feet of 12 inch iron troughs where it is used for the watering of 4000 head of sheep.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, Geo. W. Malone

State Engineer

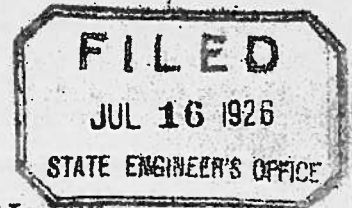
Recorded 4-29-26 AB Page 5
Eureka County Records

of Nevada, have hereunto set my hand and the seal of my office, this 21st day of December, A. D. 1925

By

Geo. W. Malone
State Engineer
Assistant State Engineer

Under Permit No. 7549



PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF PERMITTEE

NOTE—Questions 1 to 12 inclusive must be answered regardless of the purpose for which your permit for water has been granted. If this proof is made for irrigation purposes, a cultural map showing actual boundaries of land irrigated, together with classes of culture, etc., must accompany same, unless such map has already been filed. (See Sec. 69, Chapter 140, Statutes 1913.)

Question 1. What is your name, occupation, and postoffice address?

Answer: Marcos Legarra, Eureka, Nevada.

Question 2. Are you acting in behalf of a corporation? If so, state its name, place of business, and your authority for acting in its behalf.

Answer: No.

Question 3. What is the number of the permit under which this proof is made? Answer: 7549

Question 4. From what source do you obtain your water supply?

Answer: Maggini Spring No. 2

Question 5. What is the name of the canal, conduit, or other works by which water is conducted to its place of use?

Answer: Maggini Spring No. 2

Question 6. Are you the person to whom the permit was issued? If not, state how you obtained it, giving the succession of title.

Answer: Yes.

(If assignments of title are not on file in the office of the State Engineer, the certificate will issue to the original applicant.)

Question 7. For what purpose are you using the water for which you are now making proof?

Answer: Stockwatering

Question 8. How many cubic feet per second of water, or fraction thereof, have you actually diverted and beneficially used for the purpose for which this proof is made?

(Actual measurement of water shall be given. 40 miners' inches equals 1 cubic foot per second. 1 miners' inch equals 11.21 gallons per minute. 443.83 gallons per minute equals 1 cubic foot per second.)

Answer: One-tenth second feet.

Question 9. State the period during the year when water has been beneficially used.

Answer: April 1st to November 30th of each year.

Question 10. Do you divert and use more water at periods than granted in the permit for which proof is made? If so, make proper explanation.

Answer: No.

Question 11. Give date when water measurements were taken, the point at which such measurements were taken and the name and address of person who made the measurements.

Answer: No measurement taken.

Question 12. State, if you know, the normal number of cubic feet per second flowing in the source at your point of diversion.

Answer:

IF WATER IS USED FOR IRRIGATION ANSWER THE FOLLOWING:

Question 13. Upon how many acres have you beneficially used water?

Answer:

Question 14. Give the number of acres in each legal subdivision.

Answer: 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.
(Enumerate only the land upon which water has been actually used.)

Question 15. Have you installed a headgate and weir at your point of diversion, as required by the terms of your permit? Give approximate dimensions of headgate.

Answer:

Question 16. Do you use the rotation system for irrigating?

Answer:

Question 17. What is the character of the soil irrigated?

Answer:

IF WATER IS USED FOR STOCK-WATERING OR DOMESTIC PURPOSES
ANSWER THE FOLLOWING

Question 18. Give detailed description of works of diversion and manner by which water is stored for beneficial use, embracing approximate dimensions of dam at source, size and length of pipe, and size and number of tanks or troughs. If troughs are not used state exactly how water is stored for beneficial use.

Answer: Twenty feet of two inch pipe 20 feet in length; Two Iron
troughs 40 feet long and One reservoir 15 feet square.

See map for this description

Question 19. Give approximate number and kind of animals watered.

Answer: 400⁰ head of Sheep and Lambs.

IF WATER IS USED FOR POWER OR MINING AND MILLING PURPOSES
ANSWER THE FOLLOWING:

Question 20. What are the dimensions of the diversion headgate and carrying capacity of the conduit in cubic feet per second? Is water diverted by ditch, pipe or flume?

Answer:

Question 21. What are the dimensions of the cross-section of the pipe, flume, ditch or other conduit at each change in cross-section, and the length of each portion of the same size?

Answer:

Question 22. What is the average grade or difference in elevation between the termini of the conduit? Give the grades of the different sections of conduit as shown above.

Answer:

Question 23. Give any information concerning diversion and use of water for power or mining not covered above.

Answer:

IF WATER IS USED FOR ANY PURPOSE NOT HERETOFORE NAMED
DESCRIBE FULLY UNDER REMARKS:

Remarks:

(Give all information relative to the method of use of water and any other matters you deem important.)

The map made in substantiation of the claims herein, prepared under my instructions and authority, shows the actual conditions on the premises.

Signed:

Marcos Legarra

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, and I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me at my office in Eureka, County of Eureka, State of Nevada, on this 14 day of July, A. D. 1926.

Edgar Eastman
Notary Public

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Serial No. 7549

Date of first receipt and filing in State Engineer's office OCT 19 1925
Returned to applicant for correction _____
Corrected application filed _____

The undersigned Marces Legarra
Name of applicant.
of Eureka, County of Eureka,
State of Nevada, hereby makes application for
permission to appropriate the public waters of the State of Nevada,
as hereinafter stated. (If applicant is a corporation give date and
place of incorporation.)

1. The source of the proposed appropriation is Maggini Spring No. 2
Name of stream, lake, or other source.
2. The amount of water applied for is One-tenth second-feet.
One second-foot equals 40 miners' inches.
3. The water to be used for Stockwatering
Irrigation, power, mining, manufacturing, domestic, or other use.
4. The water is to be diverted from its source at the following
point: SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12, TWP. 22 N. R. 54 E. M. D. B. & M.
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unurveyed land it should be so stated.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is _____
- (b) Description of land to be irrigated _____
Describe by legal subdivision, or if on unurveyed land it
should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

Use of Water

- (c) ~~Irrigation~~ will begin about April 1st and end about
November 30th, of each year.
Month.

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE
FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
- (e) Works to be located SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 12 Twp. 22 N. R. 54 E.
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.
- (f) Point of return of water to stream Not to be returned.
Describe in same manner as point of diversion.
- (g) Remarks Map will be filed later on.
Approximately 4000 head of sheep will be watered.

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE \$1.0000 FOR THE YEAR 1920

RATE \$1.0000

NAME	STATE- MENT NUMBER	DESCRIPTION OF PROPERTY	1/2 ACRE SECTION	1/4 ACRE SECTION	RANGE	ACRES	VALUE OF REAL ESTATE OR PERSON- AL CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	PAY- TAX
W, FRANK		Patented mines, Eagle Pass Auto. Dodge 1917					\$	\$	500 543		
J. O.		Full tax receipt issued Frame houses at Newwaga, Eureka County						150		1413	3
LAIRD		Patented mines, Rambler							500	150	
MINING CO.		Buildings Patented mines, Champion 500 Curtis & Keller 500 Mill Site 50						1000	1050	2050	
SIX MNO. CO.		Personal Property, Wagon 50 Harness 30 4 Work horses 120 Machinery 800 Hoist 200 Cane 50 Tools 50 Auto, Ford (old) 150 Furniture 50							1700	1700	
WILLY TRANSIT CO.		Public Utility, Eureka County's portion							79	79	
I, JOHN		Land on Kely Creek Land on Willow Creek 320 Acres Gras. 4th & 5				160 160	1600			1600	
LAIR? JOHN		Frame house on Ruby Hill						75		75	
ra, Maroon & Co. Marco Legarra		Pontessary interest in and to a tract of land in Diamond Valley about 1 mile south from Maggini Ranch consisting of 80 acres 80 Acres Gras. 4th & 5. & 400					400			400	
										7597	

NO. 11

ASSESSMENT ROLL OF _____ DISTRICT, EUREKA COUNTY, NEVADA

RATE, \$1.86

FOR THE YEAR 1921

NAME	ASSESS- MENT NUMBER	DESCRIPTION OF PROPERTY	Lot or Block	Range or Section	Range	ACRES	VALUE OF REAL ESTATE OR PERSONAL PROPERTY	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	POLL TAX
O SIX K. CO		Buildings Patented mine, Big Six No 3 Wagon 30 Harness 30 1 Work Horses 240 Machinery 2000					1400		500	4200	
WM. K.		NE 1/4 of SW 1/4 SW 1/4 " SE 1/4 80 Acres Gras. @ 4	15 32	27 25	52 50	40 40	320			320	
MNO. CO.		Buildings Patented mines, Champion 500 Curtis & Keller 500 Mill Site 50					1000		1050	2050	
MRS. A.		Patented mine, Rambler 500 Widows Exemption \$ 1000.							500	500	
FRANK		Patented mine, Eagle Pass 500 Auto. Dodge 1917 417 Poll Tax, receipt issued							500 417	917	3
J. G.		Frame houses at Beowawe					150			150	
ROSE, W.F.		House and fencing W 1/2 of NW 1/4 80 Gras @ 5	28	34	51	80	400	100		500	
AWR, JOHN		Frame huses on Ruby Hill Poll Tax, receipt issued					75			75	3
LEGARRA & CO.		Passensory interest in and to a tract of land situated in Diamond Valley, about one mile south from Maggini Ranch. Ventaining 80 Acres Gras, @ 5				80	400			400	

RATE, 5-1.84

FOR THE YEAR 1922

480

ASSESSMENT ROLL OF General DISTRICT, EUREKA COUNTY, NEVADA

RATE, \$2.24

FOR THE YEAR 1923

NAME	DESCRIPTION OF PROPERTY	VALUATION	TOTAL VALUATION	TAX
LINDOLN MFG. CO.	Buildings & Machinery. Patented mine, Champion Gurtis & Keller Mill site	1000. 500 500 50	1050	2050
LAIRO, MRS ABRAH	Patented mine, Rambler Auto, Ford old Widows exemption \$ 525	500 175	150	150
LEGARRA, MARCOS	Passessory interest in and tract of land situated in Diamond Valley 80 Acres Grns. 2nd. Q. 5	400	400	400
LEVY, MRS. M. S.	Patented mine, Red Bird	500	500	500
LATTA, J. C.	Houses at. Beowawe	150	150	150
LYNN BIG-SIX MFG. CO.	Mill Buidlbg Bunk House Berdng house Patented mine, Big Six # 3 Furniture	800 200 200 500 200	1200 500	4270
	Vagons 2 Work horses Machinery Tools	90 180 2000 200	2570.	4270
LINDBERGH, W. J.	House and fencing 1/2 of NW 1/4 80 Acres Grns. 2nd. Q. 5	400	400	500
LITTLEFAIR, JOHN	Frame house on Ruby Hill	75	75	75
LEONARD, FRANK	Patented mine, Eagle Pass Dodge 1917	500 300	800	800
	Poll tax remission issued	800	800	800
		800	2525	6095
			9420	1195

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

DATE, S. 2, 24

FOR THE YEAR 1924

NAME	Section Number	DESCRIPTION OF PROPERTY	Lot or Fraction	Block or Subdiv	Range	Acres	Value of Land, Bldgs. or Improvements	Value of Improvements to Real Estate	Value of Personal Property	Total Value	Pay Tax
Lynn Big Six Mfg. Co.		Mill Building 800 Bunk House 200 Boarding House 200 Patented Mine Furniture 50 Wagon 75 3 Berk Horses 225 Machinery 2000 Mine Cars 150						1200	500	2425	
Leonard, Frank		Patented Mine, Eagle Pass 500 Auto. Old Dodge 200 Poll tax, receipt issued						500	200	700	3
Linberger, V.H.		Improvements 1/4 of Sec. 80 Acres Graz. 2nd, 3, 5	28	34	51	80	400	100		500	
Littlefair, John		Frame house on Ruby Hill						75		75	
Little, J.O.		House at Beatty						150		150	
Lutz, Mrs. M.S.		Patented Mine, Red Bird						500		500	
Logan, Moses		Possessory interest in and to a tract of land situated in Diamond Valley about one mile South from the Clement Maggini Ranch 80 Acres Graz. 2nd, 3, 5				80	400			400	
Lincoln Mfg. Co.		Buildings & the Patented Mines, Champion Curtis & Keller Mill Site						500 500 50		1050	1550
Laird, Mrs. Abram		Patented Mine, Rambles Widows exemption						500		500	
										8,100	

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE, \$2.26

FOR THE YEAR 1925

NAME	DESCRIPTION OF PROPERTY	Lot or Section	Range	Acres	Value of Real Estate or Personal Property	Value of Improvements or Real Estate	Value of Personal Property	TOTAL VALUATION	POLL TAX
LINDBERGH, W. F.	House and fencing 1/2 of Sec 5 80 Acres Gras. 2nd, S 5	28	34	51	80	400	100	500	
LEGARRA, MARCOS	Possessory interest in and to a tract of land situated in Diamond Valley about one mile S. from the Clement Maggini Ranch. 80 Acres Gras. 2nd, S 5				80	400		400	
LYNN BROS & CO.	Mill Building 800 Sunk House 200 Boarding house 200 Patented Mines, Big Six #1 500 July Lode 500 Great Divide Lode 500 Bald Eagle Lode 500					1200	2000		
	Wagon 75 2 Work horses 160 Machinery & Tools 2000						2225	5435	
LEONARD, FRANK	Patented Mine, Eagle Pass Old Dodge						500 100		
	Poll tax, receipt issued							600	3
LATRO, MRS. M. J.	Patented Mine, Rambler						500		
	Widows exemption 500								
LINDOLN MRS. CO.	Buildings & machinery Patented Mines, Champion Curtis & Keller Mill site					500	1050	1550	
LATTA, J. G.	Houses at Beowawe					150		150	
LITTLEFAIR, JOHN	House at Ruby Hill					75		75	
LEVY, MRS. M. S.	Patented Mines, Central Hill 4/5 Golden Rule 500 4/5 Mine Bird 400 4/5 Clipper 400 Santinel 500 Water Jacket 500 Red Bird 500 Golden Rule M.S. 50					3250	3450	11960	

PAGE No. _____

ASSESSMENT ROLL OF _____ DISTRICT, EUREKA COUNTY, NEVADA
 RATE, \$2.50\$1 _____ FOR THE YEAR 1926

NAME	STATE	DESCRIPTION OF PROPERTY	Lot or Section	Range	Zone	Acres	Value of Real Estate or Personal Property	Value of Improvements or Real Estate	Value of Personal Property	TOTAL VALUATION	Full Tax
LEONARD, FRANK		Patented Mine Englar Reqt. Dodge Four. 1917							500 100	600	3
LEONARD, JAMES		Possessory interest in and to a tract of land situated in Diamond Valley about 1 mile S from the Olment Maggini Ranch 80 Gras. 2nd, 6 5 Buick Sedan 1926				80	400		1000	1000	
LYNN BIG SIX MFG. CO.		Mill Building Bank House Boarding House Wagon Machinery and tools Patented Mines Sag Six 63 Sully Lode Grant-Grande Lode Said Eagle Lode					500 200 900 50 2000 500 500 500 500			3950	
LYTTLEFAIR, JOHN		House at Ruby Hill Ford Road. 1922						75	25	100	
LYNY, MRS. ANNE		Patented Mines Central Hill 4/5 Golden Rule 4/5 Blue Bird 4/5 Clippes Sentinel Water Jacket Red Hill Golden Rule M.S.					500 400 400 400 200 500 400 50			3250	
LATA, J. C.		Houses at Reserve						150		150	
LYNCH, MRS. M. C.		Buildings and Machinery Patented Mines Oreman Purkin A. Miller Mill site					500 500 500 50			1050	150
LYNN, MRS. MARY		Patented Mine, Rambles						500		500	
		Widows exemption							85	12,645	

ASSESSMENT ROLL OF: General DISTRICT, EUREKA COUNTY, NEVADA

RATE, \$2.16

FOR THE YEAR 1927

NAME	TYPE OF PROPERTY	DESCRIPTION OF PROPERTY	LOT NUMBER	BLK NUMBER	ACRES	VALUED FOR SPECIAL TAXES	VALUED FOR GENERAL TAXES	VALUED FOR SPECIAL TAXES	TOTAL VALUATION	CHL TAX
MEDARDA MARCOS		Necessary interest in and to a tract of land situated in Diamond Valley about one mile S. from the Clement Mergini ranch 80 Acres Gravel, Sand, & S. 400.			80	400			400	
LYNN BIG SIX MFG. CO.		Mill Building 400 Saw House 150 Boarding House 150 Patented Mines Big Six #5 800 Only Lode 800 Great Divide Lode 800 Red Eagle Lode 800					700		2000	
		Machinery and Tools						1500		
									4200	
LITTLEPAIR JOHN		House on Ruby Hill Ford					75		80	
									180	
LEWY MRS. ANNIE		Patented Mines Central Hill 500 4/5 Golden Rule 400 4/5 Blue Bird 400 4/5 Clipper 400 Santinel 500 Water Tanket 500 Red Bird 500 Golden Rule M.S. 50							3250	
									3250	
NEEDLES MFG. CO. CITY		Building and Machinery Patented Mines Champion 500 Curtis & Keller 800 Willotte 50						1050	1550	
LEWY MRS. MARY		Patented Mine Rambler							500	
		<i>Widow & Family</i>							500	
LYNCHER W. W.		House and Barning Wk of Hwt 80 Acres Gravel, Sand, & S.	28	54	52	50	500		500	
									500	
LEONARD FRANK		Patented Mine Engl. Furn 500 Old Dodge-Low 50						500	50	
		Roll tax receipt issued							550	
									10 575	

ASSESSMENT ROLL OF General DISTRICT, EUREKA COUNTY, NEVADA

RATE, \$2.28 FOR THE YEAR 1928

NAME	TYPE OF ASSES	DESCRIPTION OF PROPERTY	BY 12160	DATE OF 12160	DATE	ACRES	VALUATION BY 12160	VALUATION BY 12160	VALUATION BY 12160	VALUATION BY 12160	VALUATION BY 12160	VALUATION BY 12160
Yacura, Marcus		Remains of interest in and to a tract of land situated in Diamond Valley, about 1 mile N. from the present Sugar Valley, in Eureka County, Nevada.				80						
		80 Acres Gravel, 2nd, 3rd					400					
Littlefair, John		House on Ruby Hill						75				
		Ward Truck							80			
										125		
Farnard, Frank		House at Beowawe						100				
		Ridge Touring old							50			
		Patented Mine, Eagle Pass							500			
										550		
Finckhberger, W. F.		Improvements						100				
		Wt of Mt	28	34	51	80						
		80 Acres Gravel, 2nd, 3rd					400					
										500		
Gray, Mrs Anna		Patented Mines:										
		Central Hill 500										
		4/5 Golden Rule 400										
		4/5 Blue Bird 400										
		4/5 Clapper 400										
		4/5 Sentinel 500										
		Water Jacket 500										
		Red Bird 500										
		Golden Rule M.S. 50								3850		
										3250		
Finckhberger, W. F.		Buildings						100				
		Patented Mines:										
		Champion 500										
		Curtis & Keller 200										
		Mill Site 50							1050			
										1150		
Tate, Wm M. J.		Patented Mine, Rambler							600			
		Widows Exemption 1/100								50		
										500		
Wm Big Six Mfg. Co.		Buildings						1000				
Wm Big Six Mfg. Co.		Patented Mines:										
		Big Six No. 8 500										
		Big Six No. 8 500										
		Great Divide No. 8 500										
		Ball Eagle No. 8 500							2000			
										3000		
Kink, S. E.		House, Stable, General						400				
		Wagon 100										
		1 Saddle Horse 50										
		2 Stock Cattle 200										
		Furniture 50							400			
		Soldiers Exemption 1/100								50		
										4015		

ORIGINAL

ASSESSMENT BOOK OF THE PROPERTY OF EUREKA

ASSESSED TO ALL OWNERS, WHEN KNOWN

FOR THE YEAR 1913

[illegible]

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADARATE GENERAL DISTRICT . . . 11.75
EUREKA DISTRICT . . . 11.75

FOR THE YEAR 1914

NAME	State- ment Number	DESCRIPTION OF PROPERTY	Lot or Section	Block or Town- ship- Range	Acres	VALUE OF REAL ESTATE as Valued by Claim	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION BY Assessors	Pull Tax
C. K. Palinade,	169	Fee Simple to Patented Lands;								
		W 1/4 of	8	28	52	320				
		S 1/4 SE 1/4	8			80				
		W 1/4	16			320				
		SW 1/4 SE 1/4	16			40				
		N 1/4	17			320				
		SE 1/4	17			160				
		NE 1/4 SW 1/4	17			40				
		NE 1/4 NE 1/4	20			40				
		NE 1/4	21			160				
		W 1/4 NE 1/4	21			80				
		SE 1/4 NE 1/4	21			40				
		N 1/4 SE 1/4	21			80				
		N 1/4 SW 1/4	22			80				
		560 Acres Meadow				13440			5600	
		1200 Acres Grazing				1500				
		Houses, stables, corrals & Tel. Line					500			
		Wagons & Tools						100		
		22 Work horses				800				
		7 Saddle horses				150				
		1 Stallion				150				
		22 Hules				1000				
		300 Stock cattle				6000			8100	
									15800	
ly Bros., Eureka, Handley Bros.	170	Fee Simple & Poss. int. in and to Patented, State Contract and Poss. Lands;								
		W 1/4 of SW 1/4	5	20	54	80				
		S 1/4 NE 1/4	9			80				
		SE 1/4 NW 1/4	9			40				
		NE 1/4 SW 1/4	9			40				
		S 1/4 NW 1/4	10			84.16				
		"The Windmill" Approximately in	3	21	53	160				
		40 Acres Alfalfa				1800			1200	
		10 Acres Meadow				240			100	
		434.16 Acres Grazing				1723			1100	
		Houses, stables, corrals, Horse Ranch				300				
		Houses, stables, corrals Windmill				100			400	
		Wagon				50				
		Automobile				250			100	
		3 Work horses				150				
		3 Saddle horses				50				
		15 Stock horses				50				
		39 Stock cattle				780				
		3 Milch cows				60				
		2325 Sheep				4650				
		52 Bucks				260			6000	
									9100	3
						9600	900	1000	24400	

ASSESSMENT ROLL OF GENERAL

DISTRICT, EUREKA COUNTY, NEVADA

RATE \$

FOR THE YEAR 1915

NAME	Section Number	DESCRIPTION OF PROPERTY	Lot or Section	Block or Township	Range	Acres	VALUE OF REAL ESTATE OR PERSONAL CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	POLL TAX
id, Chris.	57	Fee Simple & Poss. int. to Patented and State Contract Lands; W 1/4 of SW 1/4 E 1/4 SE 1/4 NW 1/4 NW 1/4 NE 1/4 NW 1/4 S 1/4 NE 1/4 SW 1/4 NE 1/4 NW 1/4 SW 1/4 30 Acres Cult @ 20. 70 Pasture 10 300 Grazing 3 House, stables, corrals Wagons & Tools 4 Work horses 1 Saddle horse 2 Range horses 32 Stock cattle 7 Beef cattle 1 Bull 5 Milch cows 3 Pigs Poll Tax, receipt issued,	15 16 22 22 23 24	20	54	80 80 40 40 80 40 40	600 700 900	100	100	3950	3
Iron. Handley Bros.	6-101	Fee Simple & Poss. int. to Patented & State Contract Lands; W 1/4 of SW 1/4 S 1/4 NE 1/4 SE 1/4 NW 1/4 NE 1/4 SW 1/4 S 1/4 NW 1/4 Poss. int. to "Windmill", approximately in 40 Acres Cult. @ 25. 64 Pasture 10 380 Grazing 5 Houses, stables, corrals Fur. wagons & Tools 150. Ford '14 Auto 250. 4 Work horses 3 Saddle horses 4 Range horses 1 Stallion 100, Mule 25. 60 Stock cattle 2 Bulls 3 Milch cows 3200 Sheep 900 Lambs 6 Pigs 30. 2 Burros 20. 7 Poll Taxes, receipts issued,	5 9 9 9 10 3	20	54	80 80 40 40 84.16 160.	1000 640 1900	400	400	18820	21

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE \$

FOR THE YEAR 1916

NAME	State- ment Number	DESCRIPTION OF PROPERTY	Lot or Section	Block or Town- ship	RANGE	ACRES	VALUE OF REAL ESTATE OR POSSIBLITY CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	REAL TAX	
und, Chris.	126	Patented & State Contract Lands; W 1/4 of SW 1/4 E 1/4 SE 1/4 NW 1/4 NW 1/4 SW 1/4 NE 1/4 SW 1/4 SE 1/4 NW 1/4 SW 1/4 4 Acres Cult. 1. @ 50. 200. 26 " 3. 30 780 70 Past. 2 10 700. 300 Gras 2. 3. 900. House, stables, corrals Piano 100. Wagons & Tools 150. 40 Cattle 1320. 2 Work horses 160. 3 Saddle horses 120. 1 Stock mule 30. 2 Hogs 16. Poll tax, receipt issued	15 16 22 22 23 24	20	54	80 80 40 40 40 40	2580	120	250	1646	0	
Bros. dley Bros.	127	Patented, State Contract & Possessory Lands W 1/4 of SW 1/4 S 1/4 NE 1/4 SE 1/4 NW 1/4 NE 1/4 SE 1/4 S 1/4 SW 1/4 "The Windmill" Randley Spring & Hog Back Spring 44 Acres Cult, 3. @ 30. 1320. 60 Past. 1. 15 900. 280.14 Gras, 1. 5 1900. Springs House, stables, corrals Furniture & Piano 150. Wagons & Tools 150. Auto, Ford '14 250. 2510 Sheep (2-4-10) 38 Cattle 1254. 4 Work horses 320. 2 Saddle horses 80. 2 Burros 20. 4 Hogs 32. 5 Poll taxes, receipts issued,	5 9 9 9 10	20	54	80 80 40 40 84.16 160.	4120 200	500	550 10440	1706	17516	3- B C

ASSESSMENT ROLL OF

GENERAL

DISTRICT, EUREKA COUNTY, NEVADA

RATE \$ 1.6935

FOR THE YEAR 1917

NAME	State- ment Number	DESCRIPTION OF PROPERTY	Lot or Section	Block or Town Ship	RANGE	ACRES	VALUE OF REAL ESTATE AS FURNISHED CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	PAY TAX
Humboldt Land & Cattle Co., Beowawe	111	All	19	32	49	632.58					
		All	20			640					
		W 1/4	21			320					
		W 1/4 of E 1/4	21			160					
		W 1/4	28			320					
		E 1/4 NW 1/4	28			80					
		All	29			640					
		All	30			632.70					
		E 1/4	31			316.64					
		E 1/4 SE 1/4	31			80					
		E 1/4	32			320					
		SW 1/4	32			160					
		NE 1/4 SE 1/4	32			40					
		W 1/4 SE 1/4	32			80					
		W 1/4 NW 1/4	33			80					
		NE 1/4 NW 1/4	33			40					
		SW 1/4 NW 1/4	7	31	50	39.87					
		NE 1/4 SW 1/4	7			40					
		E 1/4 SE 1/4	7			80					
		W 1/4 SE 1/4	8			80					
		NE 1/4 NE 1/4	10			40					
		E 1/4 NW 1/4	18	31	50	76.13					
		E 1/4 NE 1/4	18			80					
		SW 1/4 SW 1/4	6	31	52	40.30					
Total Acres							15194.56				
Less R.R. R/W, Est.							155.23				
Total assessed							14839.33				
4 Ac. Alfalfa 1st. @ .50							2.00				
360 Ac. 3rd. @ .30							108.00				
636 Ac. Wild H. 2nd. @ .20							127.20				
10000 Pant. 1st. @ .15							1500.00				
6000 Irrigable @ .10							600.00				
6839.33 Gras. 1st. @ .5							3419.66				
Furniture							300				
Piano							100				
Wagons							1000				
4 Work Horses							320				
Houses, Stables, Corrals								1720			
								8500			
Handley, Brothers	102	W 1/4 of SW 1/4	5	20	54	80				143135	
		E 1/4 NW 1/4	9	20	54	80					
		SW 1/4 NW 1/4	9	20	54	40					
		NE 1/4 SW 1/4	9	20	54	40					
		E 1/4 NW 1/4	10	20	54	84.16					
		Windmill	3	21	53	160					
Handley Spring Diamond Range about 5 miles											
E. of Maggini Ranch											
Hog Back Spring Black Point											
House, Stables, Corrals (Horse Ranch)								300			
House, Stables, Corrals (Windmill)								500			

PAGE NO. _____

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE \$ 1.6935 FOR THE YEAR 1917

NAME	State- ment Number	DESCRIPTION OF PROPERTY	LOW OR SECTION	RANGE OR TOWNSHIP	RANGE	ACRES	VALUE OF REAL ESTATE OR FARMHOOD CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUED	PAY TAX
Mandley Brothers---	104	44 Ac. Alfalfa 3rd. & 30 ✓ \$ 1320									
Continued		60 Ac. Past. 1st. & 15 720									
		380 Ac. Graz. 1st. & 5 1520					4120				
		Auto. Dodge 1917 628									
		38 Cattle 1220									
		2 Work Horses 160									
		2 Saddle Horses 80									
		2 Horses 20							2218		
		Poll Tax, Receipt issued (2)									
		26.50 - Ship 11.30								7038	6
Hinckley, Grayson W. Beowawa	105	W 1/2 of NE 1/4	6	34	51	80.67					
		NE 1/4 NE 1/4	12	31	49	40					
		SW 1/4 NW 1/4	34	33	50	40					
		NW 1/4 SW 1/4	34	33	50	40					
		SE 1/4	28	32	49	160					
		S 1/2 NE 1/4	28	32	49	80					
		100 Ac. Past. 2nd. & 10 \$ 1200									
		100 Ac. " 1st. & 15 1200									
		100 Ac. Graz. 1st. & 5 500									
		240.67 " 2nd. & 3 720					3723				
		Auto. Ford. 1916 274									
		144 Cattle 5040									
		3 Saddle Horses 120									
		15 Stock Horses 180							5584		
Hildebrand, Chris.	106	W 1/2 of SW 1/4	15	20	54	80					
		E 1/2 SW 1/4	16	20	54	80					
		NW 1/4 NW 1/4	22	20	54	40					
		SE 1/4 NW 1/4	22	20	54	40					
		S 1/2 NE 1/4	22	20	54	80					
		SW 1/4 NE 1/4	23	20	54	40					
		NW 1/4 SW 1/4	24	20	54	40					
		4 Ac. Vegetable @ 50 \$ 200									
		26 Ac. Alfalfa 3rd. & 30 ✓ 780									
		70 Ac. Past. 2nd. & 10 700									
		300 Ac. Graz. 2nd. & 3 900					2580				
		House, Stables, Corral						120			
		Piano 100									
		Vehicles 150									
		10 Cattle 200									
		3 Work Horses 240									
		2 Saddle Horses 80							920		
		Poll Tax, Receipt issued									
										3620	

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE, \$ 1.6905

FOR THE YEAR 1919

NAME	STATE- MENT NUMBER	DESCRIPTION OF PROPERTY	LOT OR SEC- TION	BLOCK OR TOWNSHIP	RANGE	ACRES	VALUE OF REAL ESTATE OR FURNISH- ING CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	POLL TAX
Cattle Co.		8 Saddle Horses \$ 320 16 Stock Horses 480 725 Stock Cattle 27500 20 Bulls 1000 A Hogs 48									
		Autos. Rec 1917 542 Yard 75							31245		
										33688	
Cracker)		Improvements Frame House						50			
		Poll Tax, Receipts issued								50	3
H. "Estate of"		Patented Mines + Sunset \$ 250 + Dead Broke 250 + New Year 250 + Valk & Pioneers 250									
							1000			1000	
Pine		Patented Mines Horizontal \$ 500 Herculean 500 Minerva 500 Protection 500									
		Silver Birch & Bobby Burns 500 Yara-Crus & California 500					3000				
										3000	
Will		Frame House Auto. Ford 1915 \$ 98						150	98		
										248	
rothers Handley Bros.		House, Stables, Corrals at Home Ranch House, Stables, Corrals at Windmill Houses, Stables, Corrals at Mineletti Place						500 1500			
		W $\frac{1}{2}$ of SW $\frac{1}{4}$	5	20	54	800					
		SE $\frac{1}{4}$ " NW $\frac{1}{4}$	9			80					
		SE $\frac{1}{4}$ " NW $\frac{1}{4}$	9			40					
		NE $\frac{1}{4}$ " SW $\frac{1}{4}$	9			40					
		SE $\frac{1}{4}$ " NW $\frac{1}{4}$	10			84.15					
		Windmill	1	21	53	160					
		Handley Spring Hog back "									
		SW $\frac{1}{4}$ of NW $\frac{1}{4}$	3	20	54	47.54					
		SE $\frac{1}{4}$ " NW $\frac{1}{4}$	4			80					
		SE $\frac{1}{4}$ " NW $\frac{1}{4}$	34	21	54	80					
										37613	

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE, \$ 1.6905. FOR THE YEAR 1919

NAME	STATE- MENT NUMBER	DESCRIPTION OF PROPERTY	LOT OR SEC- TION	BLK OR TOWNSHIP	RANGE	ACRES	VALUE OF REAL ESTATE OR PERSONAL PROPERTY	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	POLL TAX
Brothers Handley Bros. Continued		8 1/4 of SW 1/4	35	21	54	80					
		N 1/4 " SE 1/4	35			80					
		SW 1/4 " NW 1/4	36			40					
		NW 1/4 " SW 1/4	36			40					
		Furniture									
		Wagons				100					
		3 Work Horses				240					
		3 Saddle Horses				120					
		2 Stock Mules				60					
		25 Stock Cattle				850					
		1 Bull				50					
		2500 Sheep and Lambs				22500					
		6 Hogs				72					
		2 Burros				20					
		Auto. Dodge 1917				459					
									24521		
		71 Acres W. Hay lot @ 30 @ 2130									
		160 " " " 2nd @ 18 2880									
		550 " Graz. 1d @ 5 2750									
		150 " " 5th @ 2 300									
		1 Poll Taxes, Receipts issued					8060				
							1227			34581	9
and, Chris		House, Stable, Corral						120			
		W 1/4 of SW 1/4	15	20	54	80					
		E 1/4 " SW 1/4	16			80					
		NW 1/4 " NW 1/4	22			40					
		SE 1/4 " NW 1/4	22			40					
		E 1/4 " NE 1/4	22			80					
		SW 1/4 " NE 1/4	23			40					
		NW 1/4 " SW 1/4	24			40					
		4 Acres Cultivated 1d @ 50 @ 200									
		20 " " 4th @ 35 700									
		76 " Past. 1d @ 11 836									
		300 " Graz. 4th @ 3 900									
		Piano				100					
		Wagons				150					
		2 Work Horses				160					
		1 Saddle Horse				40					
		12 Stock Cattle				456					
		Auto. Ford 1917				180					
									1086		
		Poll Tax. Receipts issued								3843	3
Land & Cattle		Houses, Stables, Corral						8500			
		8 1/4 of SE 1/4	8	31	48	80					
		NW 1/4 "	17			160					
		E 1/4 " NE 1/4	18			80					
		E 1/4 " NE 1/4	1	32	48	80.11					
		SE 1/4 "	1			160					
		E 1/4 " E 1/4	12			160					
		E 1/4 " NE 1/4	13			80					
		SW 1/4 " NE 1/4	13			40					
		SE 1/4 "	13			160					
										36793-	

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE \$1.9995

FOR THE YEAR 1920

NAME	STATE- MENT NUMBER	DESCRIPTION OF PROPERTY	Lot or Block	Block or Tract City	BLK	ACRES	VALUE OF REAL ESTATE OR PERSONAL PROPERTY	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	FULL TAX
C. BROTHERS Handley Bros.		House, Stables, Corrals (Home ranch)									
		" " (Windmill)									
		" " (Minoletti)					2882	2000			
		W $\frac{1}{4}$ of SW $\frac{1}{4}$	5	20	54	80					
		S $\frac{1}{4}$ " NE $\frac{1}{4}$	9			80					
		SE $\frac{1}{4}$ " NW $\frac{1}{4}$	9			40					
		NW $\frac{1}{4}$ " SW $\frac{1}{4}$	9			40					
		S $\frac{1}{4}$ " NW $\frac{1}{4}$	10			80					
		Windmill	3	21	53	160					
		NW $\frac{1}{4}$ " NW $\frac{1}{4}$	3	20	54	47.54					
		S $\frac{1}{4}$ " NE $\frac{1}{4}$	4			80					
		S $\frac{1}{4}$ " SE $\frac{1}{4}$	34	21	54	80					
		S $\frac{1}{4}$ " NW $\frac{1}{4}$	35			80					
		N $\frac{1}{4}$ " SE $\frac{1}{4}$	35			80					
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	36			40					
		NW $\frac{1}{4}$ " SW $\frac{1}{4}$	36			40					
		Handley Spring									
		Hog back Spring									
		231 Acres Wild hay 2nd @ 24				5544					
		700 " Grass 4th @ 4				2800					
							8344				
		Furniture 50									
		Wagons 100									
		4 Work horses 360 ✓									
		4 Saddle " 220 ✓									
		6 Fustails 60 ✓									
		4 Stock mules 120 ✓									
		35 " Cattle 1295 ✓									
		3000 Sheep 24000 -									
		3 Pigs 15 ✓									
		1 Burros 30 ✓									
		Dodge, 1919 873							27123		
		Machinery 250							250		
		6 Fall taxes, receipt issued								37212	18
		SW $\frac{1}{4}$ of NE $\frac{1}{4}$	20	29	52	40					
		40 Acres Grass 4th @ 5				200					
										200	
FREDERICK M.		W $\frac{1}{4}$ of SE $\frac{1}{4}$	22	20	52	80					
		W $\frac{1}{4}$ " SW $\frac{1}{4}$	23			80					
		160 Acres Grass 4th @ 5				800					
OTON & DIAMOND & LAND CO.		SW $\frac{1}{4}$ of SE $\frac{1}{4}$	10	27	52	40					
		SE $\frac{1}{4}$ " SW $\frac{1}{4}$	10			40					
		NW $\frac{1}{4}$ " NW $\frac{1}{4}$	11			40					
		NW $\frac{1}{4}$ " NE $\frac{1}{4}$	15			40					
		SW $\frac{1}{4}$ " NW $\frac{1}{4}$	15			40					
		NE $\frac{1}{4}$ " SW $\frac{1}{4}$	15			40					
		120 Acres Grass 4th @ 5				600					
		120 " " 5th @ 3				360				960	

NO. _____
ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA
 RATE, \$1.86...
FOR THE YEAR 1921

NAME	DESCRIPTION OF PROPERTY	Lot or Section	Block or Township	RANGE	ACRES	VALUE OF REAL ESTATE OR FORECLOSURE CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	POLL TAX
BROTHERS Handley Bros.	Improvements at the Home Ranch, Windmill, Minolatti Place, and Pedriola Place						2350			
	W $\frac{1}{4}$ of SW $\frac{1}{4}$	5	20	54	80					
	S $\frac{1}{4}$ " NE $\frac{1}{4}$	9			80					
	SE $\frac{1}{4}$ " NW $\frac{1}{4}$	9			40					
	NW $\frac{1}{4}$ " SW $\frac{1}{4}$	9			40					
	S $\frac{1}{4}$ " NW $\frac{1}{4}$	10			84.15					
	Windmill Place	3	21	53	160					
	SW $\frac{1}{4}$ " NW $\frac{1}{4}$	3	20	54	47.54					
	E $\frac{1}{4}$ " NE $\frac{1}{4}$	4			80					
	S $\frac{1}{4}$ " SE $\frac{1}{4}$	34	21	54	80					
	S $\frac{1}{4}$ " SW $\frac{1}{4}$	34			80					
	E $\frac{1}{4}$ " SE $\frac{1}{4}$	35			80					
	SW $\frac{1}{4}$ " NW $\frac{1}{4}$	36			40					
	NW $\frac{1}{4}$ " SW $\frac{1}{4}$	36			40					
	N $\frac{1}{4}$ " S $\frac{1}{4}$	23			160					
	Handley Spring					50				
	Hogback "					50				
	231 Acres Wild Hay 2nd @ 24	5544								
	20 Past. 2nd @ 18	360								
	140 Graz @ 5	700								
	700 " @ 4	2800				9404				
	Wagons	100								
	4 Work Horses	320								
	3 Saddle "	165								
	12 Foxstails	120								
	4 Pack Mules	120								
	34 Stock Cattle	1088								
	1 Bull	100								
	2500 Sheep	15000								
	65 Bucks	780								
	2 Burros	20								
	2 Figs	10								
	Machinery	250								
	Dodge 1919	868								
						8 Poll taxes, receipt issued		18941	30795	24
M.W.O. CO.	Patented mine, Maud G	500								
									500	
ROBERT	Frame Louse on Ruby Hill						75			
									75	
MRS. ANNIE	Frame house on Ruby Hill						75			
									75	
									75	
									75	

ASSESSMENT ROLL OF General DISTRICT, EUREKA COUNTY, NEVADA

RATE, \$...

FOR THE YEAR 1924

[illegible]

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA
RATE, \$ 2.26 FOR THE YEAR 1925

[illegible]

ASSESSMENT ROLL OF GENERAL DISTRICT, EUREKA COUNTY, NEVADA

RATE, \$2.20

FOR THE YEAR 1926

NAME	DATE OF ACQUISITION	DESCRIPTION OF PROPERTY	Lot or Section	Block or Subdiv.	LINE	ACRES	VALUE OF REAL ESTATE OR FURNISHING CLAIM	VALUE OF IMPROVEMENTS ON REAL ESTATE	VALUE OF PERSONAL PROPERTY	TOTAL VALUATION	POLL TAX
HOPE CON. MRS. CO.		Patented Mine, Maud C Hwy 250							750		
										750	
HAWKINS, MARY		Lot in Palisade					50				
Palisade Dist.		Frame house						109			
		Fence							100		
										250	
HODDY, THOS. J.		House, stable, corral						100			
		Land situated in	27	18	49						
			28			79					
		20 Acres W. Hwy 1st. @ 40									
		10 " " 2nd. @ 25									
		29 " " 3rd. @ 3									
							1637				
		Wagon									
		2 Work horses									
		3 Saddle									
		5 Saddle									
		1 Stock mule									
		50 Stock cattle									
		1 Bull									
		Old Ford									
		Poll tax receipt issued							1605		
HOUGH, W. J.		House at Mill Canyon						100			
		Maxwell Spt. Tour.							205		
										105	
HANLEY BROTHERS		House, stables, corrals (Roma ranch)									
		Windmill (Minocetti)									
		Windmill (Pedriola)							2350		
		W. of SW	5	20	54	80					
		S. of NW	9			80					
		SW. of NW	9			40					
		SW. of SW	9			40					
		W. of NW	18			80					
		SW. of NW	3	21	53	160					
		S. of NW	3	20	54	42.5					
		S. of NW	4			80					
		S. of NW	24	21	54	80					
		S. of NW	14			80					
		S. of NW	15			80					
		SW. of NW	16			40					
		SW. of NW	16			40					
		W. of NW	23			160					
		Handley Spring					50				
		Hogback					50				
		251 W. Hwy 2nd. @ 25				6275					
		140 Acres 2nd. @ 5				700					
		700 " 3rd. @ 9				2800					
							9775				
		Wagons				100					
		4 Work horses				120					
		3 Saddle				150					
		13 Saddle				130					
		4 Stock mules				200					
		50 Stock cattle				1800					
		1 Bull				80					
		3000 Sheep				24000					
		60 Bucks				600					
		2 Hogs				20					
		2 Burros				20					
		Machinery				100					
		Dodge Truck 375 Buick Sedan 1935				1870					
									28780	4005	12 4 poll tax
HIGH, H. A.		Improvements						100			
		SW. of NW	33	24	48	40					
		120 Acres 2nd. @ 5	32			80					
		Wagon									
		4 Saddle horses									
		4 Stock cattle									
									195		
									895		
									46547		

ASSESSMENT ROLL OF General DISTRICT, EUREKA COUNTY, NEVADA

RATE \$ 2.16

FOR THE YEAR 1927

NAME	TYPE OF PROPERTY	DESCRIPTION OF PROPERTY	LAND TAXES	HOUSE TAX	DAIRY TAX	ALCOHOL TAX	VALUE OF REAL ESTATE AT PRESENT	VALUE OF IMPROVEMENTS AT PRESENT	PAID BY OWNER	PAID BY OTHERS	TOTAL VALUE	REMARKS
HODGE THOMAS J.	House, stable, corral							100				
	Land situated in		26	18	49	79						
	20 Acres W. Hwy 1st, G 40	800										
	10 " " 2nd, G 26	750										
	29 " Graz. 3rd, G 2	87					1637					
	Wagons	75										
	2 Saw horses	150										
	3 Saddle	150										
	5 Paints	50										
	1 Stock Mule	50										
	50 " " Cattle	1000										
	1 Bull	50										
	Machinery	50										
	Ford Convey.	50								1655		
	Poll tax receipt issued										3392	3
HOOPER W. J.	Patented Mines											
	Harlem & Europa Belle	250										
	Peterson & G. Delivery	250										
	Star of the West	250										
	Pride of the West	250										
	Jefferson	125										
	South Wales	500										
	Adair	500									2625	2625
HARRIS LEE	Patented Mines											
	Black Cat	500										
	Arden Subesender	500										
	Seven Maria	500										
	Hope Con	250									1800	
	Poll tax receipt issued										1800	3
HAWKINS HAT	Lot in Palisade					28	50					
	House in Palisade						150					
	Piano										100	
											300	
HAWKINS WILL	Lot in Palisade						50					
	Frame house						150					
	Furniture	50										
	Piano	100										
	Ford Touring 1926	165									333	583
HEBERDIA	Lot		7	11			100					
	Frame hotel Building at Bonanza										1200	
	Merchandise	200										
	Studebaker 1926	500										
	Ford Truck	375									875	
	Poll tax receipt issued										2175	3
HAWLEY BROTHERS	House, Stables, corral at Home Ranch											
	Windmill place, Minorette, & Pedriola										2380	
	1/2 of SW 1/4	5	50	54	88							
	SW 1/4	5			40							
	NE 1/4	5			40							
	SE 1/4	5			40							
	Windmill	3	21	55	160							
	SW 1/4	5	20	54	175							
	SE 1/4	4			80							
	SW 1/4	4	21	54	80							
	SE 1/4	34			80							
	SW 1/4	25			80							
	SW 1/4	36			40							
	SW 1/4	36			40							
	SW 1/4	23			160							
	Hawley Spring										50	
	Hogback										50	
	251 W. Hwy 2nd, G 25	5275										
	140 Graz. 2nd, G 3	700										
	700 " " 3rd, G 4	2000										
	Wagons 100, & V. Horses 320, 3 Saddle Horses						9775					
	150, 2 Pack Mules 100, 70 Stock cattle 1200											
	2 Bulls 150, 2000 Sheep 16000, 45 Bucks											
	450, 2 Barren ED, 2 Pigs 50, Machinery 800,											
	2400 Truck 1924: 250.										19250	
	Four Poll tax receipts issued											
											31482	12
											42500	

ASSESSMENT ROLL OF General DISTRICT, EUREKA COUNTY, NEVADA

RATE, \$ 2.28

FOR THE YEAR 1928

NAME	DATE FILED	DESCRIPTION OF PROPERTY	LOT NUMBER	ACRES OR FRONT FEET	BLK	SECT	VALUE OF REAL ESTATE EXCEPT IMPROVEMENTS	VALUE OF IMPROVEMENTS	VALUE OF TOTAL PROPERTY	TOTAL VOLUME	TAX DOLLARS
Handley Brothers		House, Stable, Corral (Home Place)									
		W " " (Windmill)									
		" " " (Windmill)									
		" " " (Windmill)									
		W of SW	5	20	34	80					
		S of NE	9			80					
		SE of NW	5			10					
		NE of SW	5			40					
		W of SW	10			80					
		Windmill	3	21	65	160					
		S of NW	5	20	34	17-00					
		S of NE	4			80					
		S of NE	34	21	04	80					
		S of SW	34			80					
		E of SE	35			80					
		SW of SW	36			40					
		SW of SW	36			40					
		E of SW	22			160					
		Handley Spring									
		Hogback									
		251 Acres W. May End, @ 25				6275					
		140 " " " " " " " " " " " "				700					
		700 " " " " " " " " " " " "				1800					
		Wagons				100					
		4 Work Horses				300					
		3 Saddle "				150					
		2 Hides				100					
		70 Stock Cattle				1750					
		2 Hides				150					
		2000 Sheep				16000					
		30 Hides				200					
		2 Burros				20					
		Machinery				200					
		Hedge Truck				150					
									19330		
									31455	72	Poll taxes

ASSESSMENT ROLL OF General DISTRICT, EUREKA COUNTY, NEVADA
RATE, \$2.18 FOR THE YEAR 1930

RATE: \$2.10

FOR THE YEAR 1930[illegible]



[Assessor Home](#)
[Personal Property](#)
[Sales Data](#)
[Secured Tax Inquiry](#)
[Recorder Search](#)

Parcel Detail for Parcel # 007-350-02

Location

Property Location **T20N,R54E SEC. 5 W2SW4**

Town

District **4.0 - Eureka County General District**

Subdivision Lot Block

Property Name

Add'l Addresses

Legal Description

Ownership

Assessed Owner Name **ARC DOME PARTNERS, LLC**

Mailing Address

**289 LA COSTA AVE
DAYTON, NV 89403**

[Ownership History](#)

[Document History](#)

Legal Owner Name **ARC DOME PARTNERS, LLC**

Vesting Doc #, Date **226521 12/26/2013** Year / Book / Page **13 / 561 / 82**

Map Document #s

Description

Total Acres **80.000**

Square Feet 0

Ag Acres **80.000**

W/R Acres **.000**

Improvements

Single-family Detached **0**

Non-dwelling Units **0**

Bedrooms / Baths **0 / .00**

Single-family Attached **0**

Mobile Home Hookups **0**

Stories **.0**

Multiple-family Units **0**

Wells **0**

Garage Square Ft... **0**

Mobile Homes **0**

Septic Tanks **0**

Attached / Detached

Total Dwelling Units **0**

Buildings Sq Ft **0**

Residence Sq Ft **0**

Basement Sq Ft **0**

Basement

Improvement List

Finished Basement SF **0**

Bedrooms / Baths **0 / .00**

Appraisal Classifications

Current Land Use Code **600** Code Table

Zoning Code(s)

Re-appraisal Group **3** Re-appraisal Year **2013**
Original Construction Year Weighted Year

Assessed Valuation

Assessed Values	2018-19	2017-18	2016-17
Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0
Ag Land	288	304	291
Exemptions	0	0	0
Net Assessed Value	288	304	291

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	2018-19	2017-18	2016-17
Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0
Ag Land	823	869	831
Exemptions	0	0	0
Net Taxable Value	823	869	831

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

[Back to Search List](#)

Legal Description for Parcel # 007-350-02

<u>Legal Description</u>	<u>Sect/ Lot</u>	<u>Town/ Block</u>	<u>Range</u>	<u>Acres</u>
W2SW4	5	20	54	80.000

The assessor's legal descriptions are for information purposes only and are insufficient for transferring title.
Please refer to your last recorded deed or map.

[Go Back](#)



United States Department of the Interior
Bureau of Land Management
ALLOTMENT MASTER REPORT
NV10031 ARAMBEL



Office: LLNVB01000 MOUNT LEWIS FO
Allotment Number and Name: NV10031 ARAMBEL
Distribution: OK
Management Plan Type: A AMP IMPLEMENTED
Management Plan Implemented Date: 09/27/2004
Management Status Code: C CUSTODIAL CATEGORY
Ephemeral Ecosystem: N NO
Grazing Availability: Y YES
Decision:
Staff Assignment:

Supplemental Land Information

Ownership	Acres	AUMs
Public Land:	46,969	1,349
Other Federal:		
State:		
Private:	201	
Total:	47,170	1,349

Pastures

0001	4 CRNRS SDG
0002	DRY LAKE AREA
0003	SPRING VALLEY AREA
0004	MC CULLOUGH SPRING
0005	LAMOREUX CANYON
0006	WHITE MOUNTAIN

Type Land Summary

Code	Description	Level	Acres %	AUMs %	Fund Symbol	Exec Order	Office Acres %	State Acres %	County Acres %
01	PL 03		100	100	145032	0			
LLNVB01000	MOUNT LEWIS FO	Office					100		
NV	NEVADA	State						100	
NV011	EUREKA	County							100

Authorization Cross Reference

Authorization Office	Authorization Number	Operator Name	Active AUMs	Suspended AUMs	Temp Suspended AUMs	Permitted Use
LLNVB01000	2704013	ARC DOME PARTNERS LLC	1349	1205	0	2554

Allotment Terms and Conditions

Terms and conditions include grazing schedule lines and also any text terms and conditions. The allotment terms and conditions below will print on bills and courtesy applications issued to permittees and lessees.

Terms and Conditions

ACTUAL GRAZING USE REPORT

Dear Grazing Operator: **ARC DOME PARTNERS**

In accordance with the terms and conditions of the permit or lease which authorizes your grazing use, please complete this form and return to the MLFO Field Office within 15 days after
completing your authorized grazing use (43 CFR 4130.3-2(d)). This information, along with other studies data, is needed to
evaluate the effectiveness of present management. Use a separate line for every day that you either turn livestock in or take
livestock out of an allotment or pasture. Your cooperation in providing accurate information will be appreciated.

Allocation (Name and Number)
ARAMBEL

FOR BUREAU OF LAND MANAGEMENT (BLM) USE ONLY

[illegible]

I CERTIFY That this is a complete and accurate report of my grazing use.

Signature of Permittee/Lessee

Printed Name of Permittee/Lessee
Robert Beck

Date 02/05/2018

Title U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statement or presentations as to any matter within its jurisdiction.

(Continued on page 2)