

**IN THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA IN AND FOR THE
COUNTY OF WASHOE**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, JUDGMENT
AND
DECREE**

IN THE MATTER OF THE DETERMINATION OF THE RELATIVE RIGHTS IN AND TO
THE SURFACE WATERS OF OLINGHOUSE CANYON, LOCATED WITHIN THE DODGE
FLAT HYDROGRAPHIC BASIN (NO. 82), WASHOE COUNTY, NEVADA.

**DAVID HARDY
DISTRICT JUDGE**

APRIL 25, 2016



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WASHOE COUNTY, NEVADA.

Case No: CV15-01860

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Dept. No: 15

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FINDINGS OF FACT, CONCLUSIONS OF LAW, JUDGMENT AND DECREE

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1 I.

2 **GENERAL**

3 On June 26, 1981, a petition was submitted to the State Engineer by Dennis W. Smith
4 and Ted V. Smith (Petitioners) requesting the determination of the relative rights of claimants
5 to the waters of certain springs in the Olinghouse Mining District located in Washoe County,
6 Nevada.

7 On August 6, 1981, an answer and counterclaim was filed by H. L. Murphy and
8 Georgia V. Murphy who objected to an adjudication of water rights on the grounds that:

9 1. Petitioners failed to identify the "certain patented mining claims" sufficiently to
10 determine if said petitioners are the owners and successors in interest to the rights of
11 pipelines and waters used in conjunction with said claims;

12 2. That H. L. Murphy and Georgia V. Murphy deny all allegations contained in the
13 petition for adjudication except that they are utilizing water from certain springs for which they
14 hold lawful permits; and

15 3. Any and all rights which may have accrued in predecessors in interest to the
16 petitioners have been abandoned.

17 A copy of the notice for a field investigation dated August 11, 1981, was served by
18 certified mail to all parties that could be reasonably ascertained to potentially have a claim of
19 pre-statutory vested water right in the subject area. This notice requested that all interested
20 parties attend the August 26, 1981, field investigation in Olinghouse Canyon (SW $\frac{1}{4}$ NW $\frac{1}{4}$
21 Section 29, T.21N., R.23E., M.D.B.&M.). The records of the Division contain the letter to the
22 potential claimants notifying them of the field investigation, and the certified mail receipts that
23 the potential claimants had received the letter. However, a written field report containing
24 information collected from the investigation could not be found in the files of the Division.

25 On March 15, 1982, the State Engineer issued Order No. 784 granting the petition for
26 the determination of the relative rights of claimants to the water of certain springs
27 in Olinghouse Canyon. NRS § 533.090. The State Engineer also issued Order No. 783,
28 the Notice of Order and Proceedings To Determine Water Rights of Olinghouse Canyon.

1 NRS § 533.095. Order No. 783 was served by certified mail to all parties that could be
2 reasonably ascertained to have a possible claim of pre-statutory vested water rights to springs
3 in Olinghouse Canyon. *Id.* The notice was published in the *Nevada State Journal*, a
4 newspaper of general circulation in the adjudication area, on March 19 and 26, and April 2, 9,
5 and 16, 1982.

6 On April 26, 1982, the State Engineer issued Order No. 785, the Notice of Order for
7 Taking Proofs to Determine Water Rights. NRS § 533.110. The Order stated that the State
8 Engineer would commence taking Proofs of Appropriation to the waters of all springs in
9 Olinghouse Canyon on June 21, 1982. All claimants to waters of said stream system were
10 required to file Proofs of Appropriation on or before December 31, 1982. Order No. 785 was
11 served to all parties by certified mail between April 26 and May 5, 1982, and was published in
12 the *Nevada State Journal* on April 30, May 7, 14, 21, and 28, 1982. The State Engineer
13 ultimately extended the deadline to file Proofs of Appropriation to October 1, 1984, due to
14 extension requests from the DePaoli Brothers and the Garaventa Family.

15 On February 6, 1987, the State Engineer published the Abstract of Claims and the
16 Preliminary Order of Determination in this matter. The State Engineer also issued a Notice
17 and Order Fixing and Setting Time and Place for Inspection to be March 9, 1987, through
18 April 8, 1987. NRS § 533.140.

19 Objections to the Preliminary Order of Determination were filed by H. L. Murphy,
20 Georgia V. Murphy and Timothy W. Murphy dated February 19, 20, and 21, 1987, with
21 amendments submitted on August 20, 1987. NRS § 533.145. The Murphy's objections to the
22 vested water rights were:

23 1. As to Ted Smith and Dennis Smith's Proofs of Appropriation V-04166 and
24 V-04167 for domestic use on Springs 1 and 2:

25 a. The water identified under these proofs is in use by the protestant [sic]
26 [objector] under Permit 40778, Certificate 10834.

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1 b. The Smith's cabin is 1½ miles from the springs and at least four separate
2 pieces of property would have to be crossed and easements procured in at least three
3 cases.

4 c. Conveyance pipeline is not in place.

5 d. Existing pipeline was constructed after 1905.

6 e. The applicant [sic] [claimant] does not have a need for the water.

7 2. As to Garaventa's Proofs of Appropriation V-04206, V-04208, and V-04209 on
8 Springs 6, 8, and 9:

9 a. The spring identified under Claim V-04206 did not exist until it was dug
10 out by hand in 1935, and the site had since closed in so no water is available.

11 b. The water identified under Claims V-04208 and V-04209 was not
12 continuously used by the applicant [sic] [claimant], and is currently in use under
13 Permit 40778, Certificate 10834, and Permit 40779, Certificate 10835.

14 3. As to DePaolis and Bowers, they are not claiming a vested right on Unnamed
15 Spring 7 in their proofs, but they are showing a claim on Spring 7 in their survey map. This is
16 the same spring that the Murphy's already hold a right to under Permit 40779,
17 Certificate 10835.

18 The adjudication proceedings stalled after the filing of the preceding listed objections.
19 No hearing was conducted regarding the objections listed above. Approximately 20 years of
20 inactivity occurred after the objections were submitted. On February 11, 2009, the State
21 Engineer sent a letter to the claimants asking if they were still interested in the adjudication.
22 The family name titles to the claims had not changed since the original 1987 submissions.
23 Some of the original residents were deceased. Claimants Murphy and Baggett both
24 responded affirming their continued interest in the adjudication of the water rights of
25 Olinghouse Canyon.

26 In December 2013, staff of the Office of the State Engineer reviewed all claims and all
27 supporting documentation submitted by claimants, and permits and certificates issued through
28 the appropriation process related to the Olinghouse adjudication. Field investigations were

1 conducted in 2014 on January 16, April 22, and August 13 to investigate surface water
2 sources, pre-statutory claims, and permitted and certificated rights relevant to this
3 adjudication. Titles to claims, permits and certificates documented in the 1987 Preliminary
4 Order of Determination were reviewed and the appropriate files updated.

5 The State Engineer decided to revise the outdated Preliminary Order of Determination
6 due to the changes that occurred during the 27-year lapse in time. NRS § 533.140.
7 Revisions to the 1987 Preliminary Order of Determination are based on historic records and
8 recent data including, but not limited to, the three 2014 field investigations.

9 II.

10 **FINDINGS OF FACT**

11 On February 2, 2015, a package containing the Revised Preliminary Order of
12 Determination, Abstract of Claims, Notice and Order Fixing and Setting Time and Place of
13 Inspection, and a cover letter stating the last day to file objections with the Division was
14 April 8, 2015, was sent by certified mail to the claimants listed on the most updated
15 distribution list. No objections were received; therefore, this Order of Determination was
16 prepared in accordance with the provisions of NRS §§ 533.160 and 533.165 and submitted to
17 the Court on September 27, 2015. An Exception to the Order of Determination was filed on
18 behalf of Karen A. Garaventa Baggett requesting that the title to vested claims V-04200,
19 V-04201, V-04202, V-04203, V-04204, V-04205, V-04206, V-04207, V-04208, V-04209,
20 V-04210, V-04211, and V-04212 be updated to reflect her as sole owner of the claims. The
21 Exception was resolved by stipulation prior to the scheduled hearing on exceptions; therefore,
22 the hearing was vacated and the Court directed the Division to prepare the Order of
23 Determination reflecting the title change on the aforementioned claims. This Decree reflects
24 the changes in title for vested claims V-04200, V-04201, V-04202, V-04203, V-04204,
25 V-04205, V-04206, V-04207, V-04208, V-04209, V-04210, V-04211, and V-04212.

26 **A. Water Sources & Flow Patterns**

27 The sources of water that are the subject of this adjudication include the waters of
28 Olinghouse Canyon and various spring sources within the watershed shown in *Figure 1*. This

1 area is located on the eastern slope of the Pah Rah Mountain Range. It is approximately
2 10 miles northwest of Fernley, Nevada, within portions of T.21N., R.22E., M.D.B.&M. and
3 T.21N., R.23E., M.D.B.&M. in Washoe County, Nevada.

4 The crest of Olinghouse Canyon, serving as the west watershed boundary, is highest at
5 Pond Peak at roughly 8,000 feet above sea level. The mouth of the canyon floor is
6 approximately 5,000 feet in elevation. Topography and water right claims can be viewed in
7 *Figure 2*. The perennial springs that are the subject of this adjudication are the primary
8 source of surface water. Surface runoff from rain or snow events generally flow in an easterly
9 direction in the Olinghouse Canyon wash. Total annual discharge is dependent on winter
10 snowfall and varies from year to year.

11 The subject area was investigated by staff of the Office of the State Engineer on
12 January 16, April 22, and August 13, 2014. All sites of submitted claims of vested rights were
13 visited. Flow measurements were taken at each site when possible. This data is listed in
14 *Table 1*.

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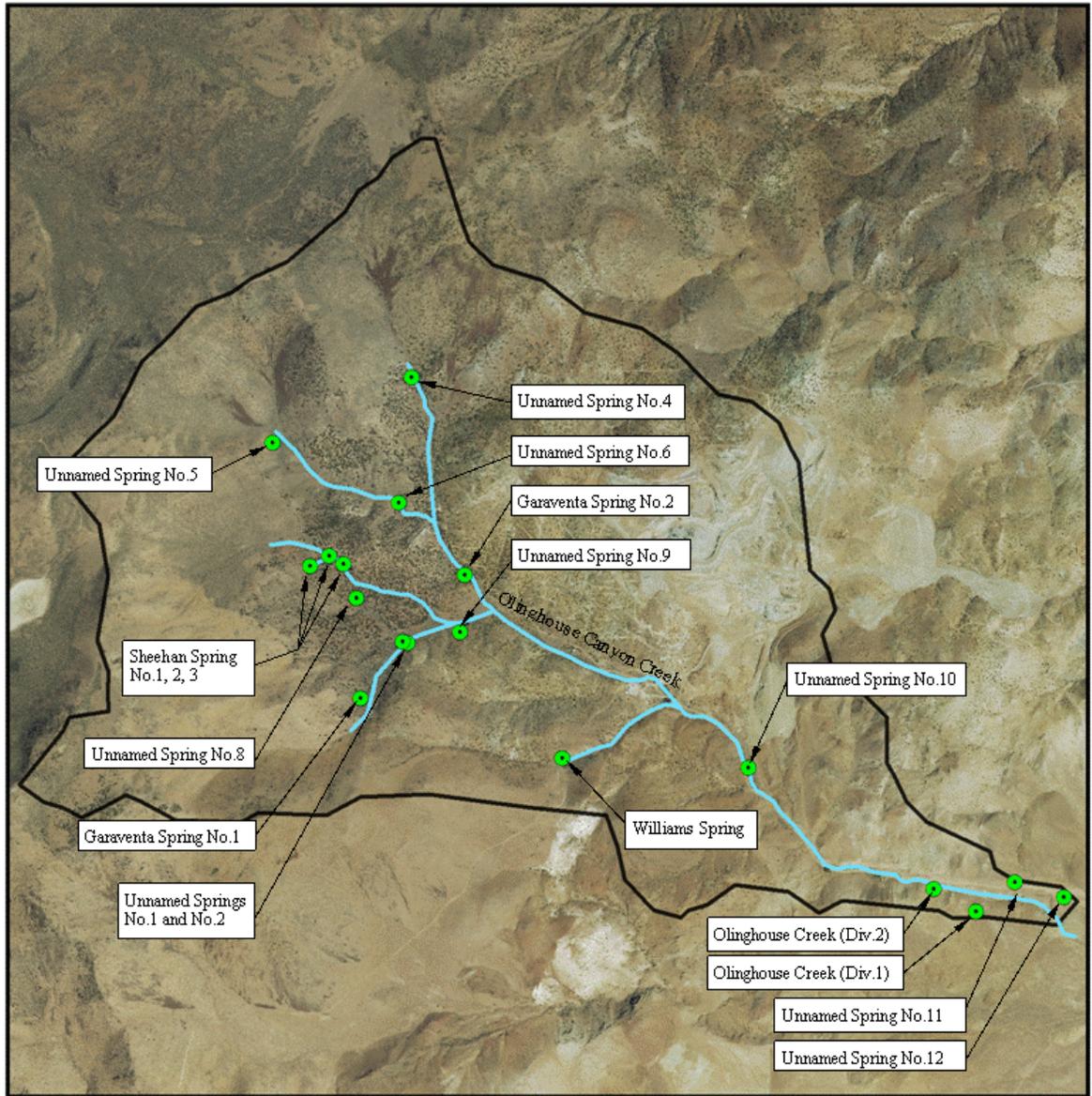


Figure 1. Adjudication Vicinity Map

NOTE: This map is intended solely for the purpose of illustrating the environs for this report. This map should not be relied upon as a legal description for any specific proof of appropriation or permit.

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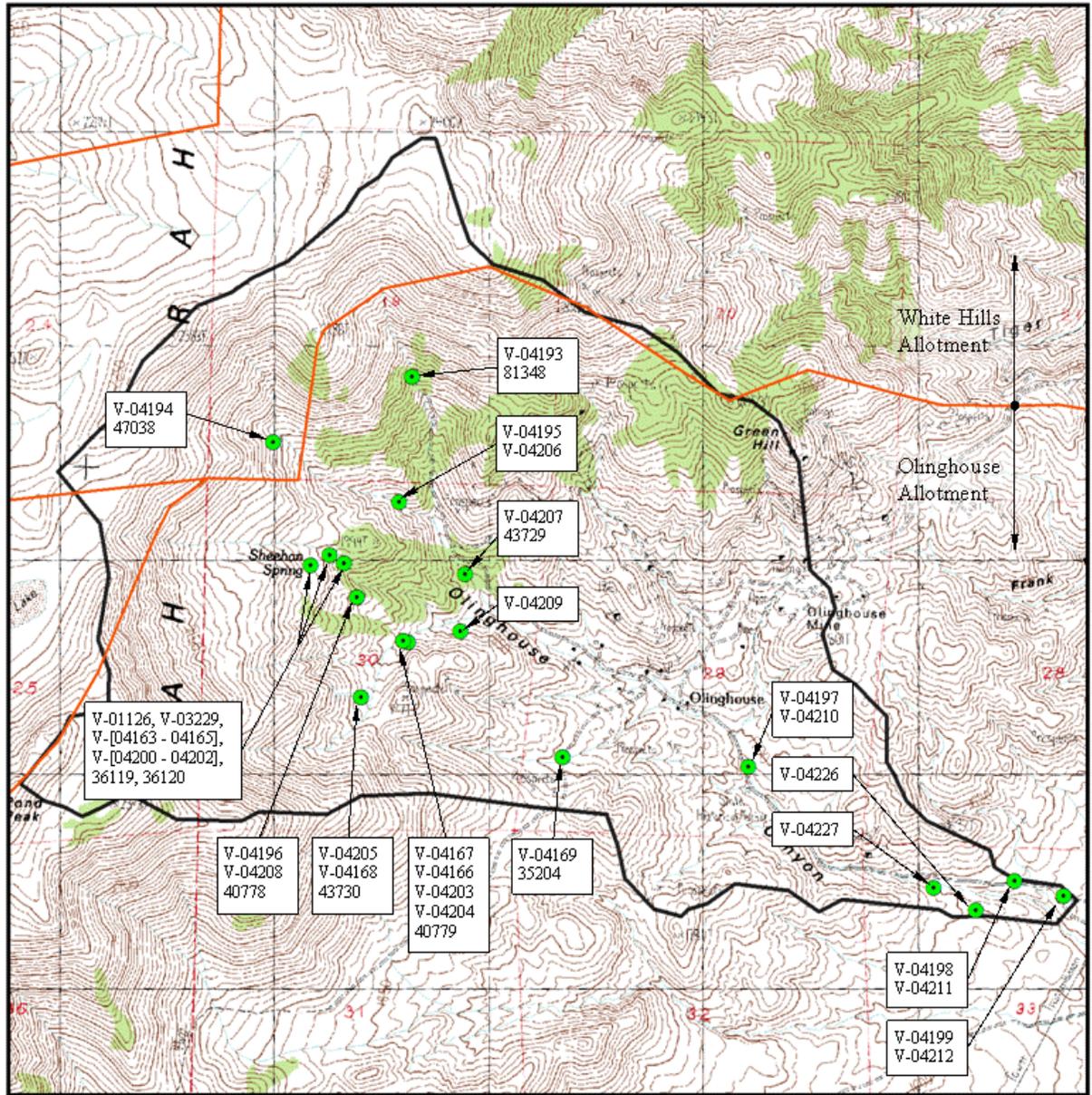


Figure 2. Adjudication Claims/Permits Map

NOTES:

1. Permitted and certificated rights are shown for informational purposes only. Appendix B contains more details of the statutory rights that are subject to the NRS Chapters 532 – 538.
2. This map is intended solely for the purpose of illustrating the environs for this report. This map should not be relied upon as a legal description for any specific proof of appropriation or permit.

Source	Claim# / Permit #	Flow Rate Measured 01/16/2014			Flow Rate Measured 04/22/2014			Flow Rate Measured 08/13/2014		
		GPM	CFS	AFA	GPM	CFS	AFA	GPM	CFS	AFA
Garaventa Spring No.1 a.k.a. Unnamed Spring No.3	V-04168, V-04205, 43730	0.72	0.002	1.15	0.76	0.002	1.23	0.68	0.002	1.10
Garaventa Spring No. 2 a.k.a. Unnamed Spring No.7	V-04207, 43729, 47038	DRY			DRY			DRY		
Olinghouse Canyon Creek (Div.1)	V-04226	DAMP			DAMP			DAMP		
Olinghouse Canyon Creek (Div.2)	V-04227	DRY			DRY			DRY		
Sheehan Spring No.1	36119, 36120, V-01126, V-03229A, V-04163, V-04200	4.38	0.01	7.07	1.35	0.003	2.00	0.91	0.002	1.47
Sheehan Spring No.2	36119, 36120, V-01126, V-03229B, V-04164, V-04201	DAMP			DAMP			DAMP		
Sheehan Spring No.3	36119, 36120, V-01126, V-03229C, V-04165, V-04202	DAMP			DAMP			DAMP		
Unnamed Spring No.1	V-04166, V-04203	5.14	0.01	8.30	5.57	0.01	8.99	5.66	0.01	9.14
Unnamed Spring No.2	V-04167, V-04204, 40779	DRY			DAMP			DAMP		
Unnamed Spring No.4	V-04193, 81348	1.26	0.003	2.03	1.70	0.004	2.69	1.07	0.002	1.73
Unnamed Spring No.5	V-04194, 47038	DRY			DAMP			DAMP		
Unnamed Spring No.6	V-04195, V-04206	DRY			FLOWING			DRY		
Unnamed Spring No.8	V-04196, V-04208, 40778	*			FLOWING			FLOWING		
Unnamed Spring No.9	V-04209	DRY			DAMP			DAMP		
Unnamed Spring No.10	V-04197, V-04210	DRY			DRY			DRY		
Unnamed Spring No.11	V-04198, V-04211	DRY			DRY			DRY		
Unnamed Spring No.12	V-04199, V-04212	DRY			DRY			DRY		
Williams Spring a.k.a. Unnamed Spring	V-04169, 35204	1.31	0.003	2.12	1.00	0.00	2.00	1.00	0.003	2.30

Table 1. Flow Measurements Conducted January 16, April 22, and August 13, 2014

NOTES:

1. A qualitative description was determined in the field based on a visual assessment when there was not enough water available to take a quantitative measurement. The text and symbol definitions in *Table 1* are defined below:
 - a. DRY - No visible indicators of surface dampness, standing water, or flowing water.
 - b. DAMP - Visibly moist soil or standing pooled surface water with no measurable flow.
 - c. FLOWING - Diffused surface flow, lacking convergence.
 - d. * - Site not located.
2. Permitted and certificated rights are shown for informational purposes only. Appendix B contains more details of the statutory rights that are subject to the NRS Chapters 532 – 538.

B. Determination Of Rights To The Use Of Water

Claims to pre-statutory vested water rights are established by filing a Proof of Appropriation in the Office of the State Engineer, and submitting evidence to support the claimed date of priority, point of diversion, manner of use, place of use, chain of title, continuous use of water, and the amount of water actually diverted and applied to beneficial use. Submitted evidence is reviewed in conjunction with records such as, but not limited to, permits, applications, proofs, maps, reports of conveyance that are available inclusive of field investigations conducted by the Office of the State Engineer to determine the limit and extent of vested water rights claimed in this proceeding.

1 The period of use for all manners of use is January 1 through December 31 unless
2 otherwise specified. Priority dates are established as the year in which the water source was
3 initially used for the claimed manner of use, as documented by claimants.

4 Claims filed for stockwatering purposes refer to differing numbers and type of livestock
5 from their earliest date of beneficial use to the present. The number and type of livestock that
6 utilize water from a source varies depending on available feed in different parts of the range at
7 different times of year, and on management practices on the public lands. In this proceeding,
8 stockwater duty is quantified based on the cumulative number and types of livestock currently
9 using these water sources. Duty is not a measure of water actually available on a perennial
10 basis.

11 **C. Basis Of Claims**

12 Evidence of pre-statutory use of water was submitted on behalf of the DePaoli Brothers
13 on December 21, 1984. The evidence documents ranching activity in the Wadsworth
14 area and along the east and west slopes of the Pah Rah Mountain Range. The claimants
15 are successors in interest to M. P. DePaoli, who began ranching in the area in 1902.
16 M. P. DePaoli acquired ranches and cattle from several predecessors including Thomas G.
17 Herman, Joseph Fellnagle, George Frazer, Andy Russell, John Lee, and Elias Olinghouse.
18 The evidence submitted on behalf of the DePaoli Brothers also documents the Garaventa
19 Land Company having at least two of the same predecessors in interest as the DePaoli
20 Brothers. The evidence documents substantial stockwater use of the waters of Olinghouse
21 Canyon by the predecessors of M. P. DePaoli Brothers and the Garaventa Land Company
22 by 1874.

23 **D. Analysis Of Claims & Existing Water Rights**

24 The analysis of water rights within the adjudicated area is set down in the following
25 sub-sections: Accepted Claims, Rejected Claims, and Permitted and Certificated water rights.
26 A determination on all claims filed was completed and the analysis for acceptance or rejection
27 is discussed. In addition to evaluating all pre-statutory vested claims, all existing water right
28 permits and certificates for surface water were reviewed within the project limits to determine

1 the effect of the claims, if any, on these existing post-statutory water rights; one permitted and
2 one certificated water right are superseded by valid claims. The limit and extent of all valid
3 claims and the permitted and certificated water rights within the adjudication area are
4 described in detail in *Table 2*, below. All valid claims associated with this adjudication have
5 individual assigned duties and diversion rates outlined in Tables of Relative Rights
6 Determined to be Valid (*Appendix A*). As required by NRS § 533.140, all proofs filed in this
7 adjudication have been assembled and certified in the Abstract of Vested Claims, which is
8 contained within the Olinghouse Revised Preliminary Order of Determination. Permitted and
9 certificated water rights within the adjudicated area are detailed in the Permits and Certificates
10 (*Appendix B*). Tables in *Appendices A* and *B* provide details such as the point of diversion
11 location, period of use, manner of use and priority, and other specifics for each of the proofs
12 submitted.

13 **a. Accepted Claims**

14 The State Engineer determined that the following 25 claims for pre-statutory water
15 rights are valid in this proceeding. The history and reason for acceptance are explained
16 below.

17 **Proofs of Appropriation V-03229A, V-03229B, and V-03229C** were filed by Marco W.
18 DePaoli, Louis J. DePaoli, Ralph A. DePaoli, Harold P. DePaoli, and Raymond D. DePaoli,
19 d.b.a. DePaoli Brothers on August 22, 1979, claiming pre-statutory vested water rights to the
20 waters of Sheehan Springs Nos. 1 - 3 for the stockwatering of 65 head of cattle. A priority
21 date of "before 1900" is claimed. Amended proofs V-03229A, V-03229B, and V-03229C and
22 supporting map were filed by Harold P., Norma K., Rena J., Edwin L., and John A. DePaoli
23 and Jack M. Bowers on October 1, 1984, claiming vested rights to the waters of Sheehan
24 Springs Nos. 1, 2, and 3, respectively. The amended proofs claimed that the number of
25 animals watered from all of the above-named sources was 1,500 head of cattle prior to 1905,
26 and varying numbers in subsequent years depending on range conditions and on grazing
27 management practices on public lands. A priority date of 1874 is claimed.

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1 The proof was conveyed in 2010 from Harold P. and Norma K. DePaoli, husband and
2 wife, Edwin L. and John A. DePaoli, executors of the estate of Rena J. DePaoli, Edwin L.
3 DePaoli, John A. DePaoli and Jack M. Bowers to The American Land Conservancy and then
4 transferred simultaneously from The American Land Conservancy to the United States of
5 America Bureau of Land Management (BLM). The two deeds, Washoe County Recorders
6 Nos. 1868112 and 1868113, filed in support of the transfer of title are filed under
7 Permit 12775, Certificate 3336. The BLM does not own cattle, but leases the grazing rights
8 within the subject adjudication area. The current BLM permittees in the Olinghouse grazing
9 allotment are Jack Bassett and Edwin DePaoli. Bassett's permit authorizes 112 head of cattle
10 from October 1 through March 30. DePaoli's permit authorizes 15 head of cattle from
11 November 1 through May 15. This permitted usage is similar to the historic usage claimed by
12 the DePaoli Brothers (V-03229) and by the Garaventas (V-04200 through V-04212).

13 The 1987 Preliminary Order of Determination granted pre-statutory vested water rights
14 for stockwatering of 130 head of cattle and/or horses. This decision has been verified as valid
15 in the present day.

16 **Proofs of Appropriation V-04193, V-04194, V-04195, V-04196, V-04197, V-04198,**
17 **and V-04199** were filed on October 1, 1984, by Harold P., Norma K., Rena J., Edwin L., and
18 John A. DePaoli and Jack M. Bowers for stockwatering purposes from Unnamed Springs
19 Nos. 4 - 6, 8, and 10 - 12, respectively. The claimed numbers of animals watered from all the
20 above-named sources were 1,500 head of cattle prior to 1905, and varying numbers in
21 subsequent years depending on range conditions and on grazing management practices on
22 public lands. A priority date of 1874 is claimed.

23 The proofs were conveyed from Harold P. and Norma K. DePaoli, husband and wife,
24 Edwin L. DePaoli and John A. DePaoli, executors of the Estate of Rena J. DePaoli, Edwin L.
25 DePaoli, John A. DePaoli and Jack M. Bowers to The American Land Conservancy, and then
26 simultaneously from The American Land Conservancy to the BLM. The BLM does not own
27 cattle, but leases the grazing rights within the subject adjudication area. The current
28 BLM permittees in the Olinghouse grazing allotment are Jack Bassett and Edwin DePaoli.

1 Bassett's grazing permit authorizes 112 head of cattle from October 1 through March 30.
2 DePaoli's grazing permit authorizes 15 head of cattle from November 1 through May 15. This
3 permitted usage is similar to the historic usage claimed by the DePaoli Brothers (V-03229)
4 and by Karen A. Garaventa Baggett (V-04200 through V-04212).

5 The 1987 Preliminary Order of Determination granted pre-statutory vested water rights
6 for stockwatering of 130 head of cattle and/or horses, three more than permitted, under Proofs
7 of Appropriation V-04193, V-04194, V-04195, V-04196, V-04197, V-04198, and V-04199.
8 This determination has been verified as valid in the present day.

9 **Proofs of Appropriation V-04200, V-04201, V-04202, V-04203, V-04204, V-04205,**
10 **V-04206, V-04207, V-04208, V-04209, V-04210, V-04211, and V-04212** were filed on
11 October 1, 1984, by Gary G. Garaventa and Karen Garaventa Baggett, claiming pre-statutory
12 vested water rights from Sheehan Springs Nos. 1 - 3, Unnamed Springs Nos. 1 - 3, and 6
13 - 12, respectively, for the stockwatering of 90 head of cattle and 40 horses. The priority date
14 claimed is "prior to 1905." Based on evidence submitted on behalf of the DePaoli Brother's,
15 the Garaventa Land Company had at least two of the same predecessors in interest. The
16 current claimant of record, Karen A. Garaventa Baggett, has demonstrated continued use of
17 these water rights.¹

18 Pre-statutory vested water rights for stockwatering 130 cattle and horses total were
19 granted in the 1987 Preliminary Order of Determination for the above-named proofs. This
20 determination has been verified as valid in the present day.

21 **Proofs of Appropriation V-04226 and V-04227** were filed by Harold P., Norma K.,
22 Rena J., Edwin L., and John A. DePaoli and Jack M. Bowers, d.b.a. DePaoli Brothers on
23 October 30, 1984, which claimed pre-statutory vested water rights to the waters of Olinghouse
24 Canyon Creek for the stockwatering of 1,500 head of cattle. A priority date of 1874 is claimed.
25 A supporting map under V-04226 was filed on March 24, 1986.

26 The proofs were conveyed from Harold P. and Norma K. DePaoli, husband and wife,
27 Edwin L. DePaoli and John A. DePaoli, executors of the estate of Rena J. DePaoli, Edwin L.

28 _____
¹ Stipulated.

1 DePaoli, John A. DePaoli and Jack M. Bowers to The American Land Conservancy and then
2 simultaneously from The American Land Conservancy to the BLM. The BLM does not own
3 cattle, but leases the grazing rights within the subject adjudication area. The current
4 BLM permittees in the Olinghouse grazing allotment are Jack Bassett and Edwin DePaoli.
5 Bassett's permit authorizes 112 head of cattle from October 1 through March 30. DePaoli's
6 permit authorizes 15 head of cattle from November 1 through May 15. This permitted usage
7 is similar to the historic usage claimed by the DePaoli Brothers (V-03229) and by Karen A.
8 Garaventa Baggett (V-04200 through V-04212).

9 The 1987 Preliminary Order of Determination granted pre-statutory vested water rights
10 for the stockwatering of 130 head of cattle, 3 animals more than permitted, under Proofs of
11 Appropriation V-04226 and V-04227. This finding is also valid in the present day.

12 **b. Rejected Claims**

13 The State Engineer determined that the following eight claims for pre-statutory water
14 rights are rejected in this proceeding. The history and reason for denial are explained below.

15 **Proof of Appropriation V-01126** was filed on August 8, 1912, by Joseph Heimrich of
16 Heimrich Pioneer Farm for diversion of the waters of Sheehan Springs via dam and ditch to
17 irrigate vegetables and alfalfa with a priority date of 1903. The claimed irrigated area was
18 1 acre in the first year, and a maximum of 3 acres in subsequent years. A supporting cultural
19 map was prepared on June 24, 1914, under Map No. 2746 identifying specific areas of alfalfa
20 and garden. The farm was located in the NE¼ of Section 30, T.21N., R.23E., M.D.B.&M.,
21 approximately 2,000 feet east of Sheehan Springs in the NW¼ of Section 30, T.21N., R.23E.,
22 M.D.B.&M. Heimrich sold the farm in 1927, and this appurtenant claim was conveyed multiple
23 times between 1927 through 1977. The claimants of record are Louis Garaventa with one-half
24 undivided interest and Kathleen Giroux and Edward Charles Clemmons with one-half
25 undivided interests. During the 2014 field investigations, staff of the Office of the State
26 Engineer observed non-functioning, discontinuous sections of pipeline near the above-named
27 sources. The described dam and ditch used to irrigate the place of use do not exist. A
28 one-room structure made of railroad ties and a metal roof is the only standing structure seen

1 within the claim area. To the north of this structure is one collapsed structure within the
2 housing area shown on the claim map. The chimney of the building is the only portion of the
3 structure that remains standing. There were no visual indications reported in the August 13,
4 2014, field investigation as to where the land was irrigated under the claim. Sagebrush is
5 growing throughout the claimed place of use. The pre-statutory vested water right for
6 irrigation use from the above-named source is rejected and found to be abandoned.

7 **Proofs of Appropriation V-04163, V-04164, and V-04165** were filed on June 27,
8 1984, by Greenhill (Olinghouse) Development Company for the waters of Sheehan Springs
9 Nos. 1 - 3, respectively, via pipeline for mining, milling, and domestic uses with a priority date
10 of "Prior to 1905." The State Engineer's Ruling (no assigned number) dated February 14,
11 1944, on protested Application No. 10737, determined that Sheehan Springs Nos. 1 - 3 were
12 not the source of pre-statutory vested water rights for Olinghouse Mining Company. The mill
13 structure indicated on the claim map has collapsed and the cabin no longer exists. The
14 pre-statutory vested water rights for mining, milling, and domestic uses from the above-named
15 sources are rejected.

16 **Proofs of Appropriation V-04166, V-04167, V-04168, and V-04169** were filed on
17 June 27, 1984, by Greenhill (Olinghouse) Development Company for the waters of Unnamed
18 Springs Nos. 1 - 3, and Williams Spring, respectively, via pipeline for mining, milling, and
19 domestic uses with a priority date of "Prior to 1905." The claimant did not provide evidence of
20 pre-statutory beneficial use of these sources of water. The staff of the State Engineer's office
21 observed non-functioning, discontinuous sections of pipeline near the above-named sources
22 during the 2014 field investigations. There is no evidence of continued beneficial use of the
23 above-named waters for mining, milling, and domestic uses by the claimant. The mill
24 structure shown on the claim map has collapsed and the cabin no longer exists. The
25 pre-statutory vested water rights for mining, milling, and domestic uses described under the
26 above-named proofs are rejected and found to be abandoned.

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1 **c. Permits and Certificates**

2 The following is the status of statutory water rights located within the adjudication
3 locale. Permit 36119 and Permit 47038, Certificate 12409, are superseded by decreed water
4 rights. All other permitted and certificated rights are subject to NRS Chapters 532-538, and
5 are not a part of this adjudication but are listed for informational purposes.

6 **Permit 35204, Certificate 10927**, is for domestic purposes from an Unnamed Spring
7 with a priority date of March 20, 1978. The Unnamed Spring is called “Williams Spring” in the
8 1987 Preliminary Order of Determination. The owner of record is Fred Diehl. The permitted
9 diversion rate is 0.003 cubic feet per second (cfs), and the duty is 0.1825 million gallons
10 annually (0.56 acre-feet annually (afa)).

11 **Permit 36119**¹ is for stockwater from Sheehan Spring Nos. 1, 2, and 3 not to exceed
12 0.003 cfs or sufficient to water 85 head of cattle, but not to exceed 1.88 afa. The priority date
13 is October 2, 1941. The current owner of record is Karen A. Garaventa Baggett. This permit
14 has the same point of diversion and manner of use as Proofs of Appropriation V-04200,
15 V-04201, and V-04202. Permit 36119 is superseded by Proofs V-04200, V-04201, and
16 V-04202.

17 **Permit 36120**¹ is for irrigation from Sheehan Spring Nos. 1, 2, and 3 with a duty of
18 34.32 afa and a diversion rate of 0.047 cfs, and with a priority date of October 2, 1941. The
19 current owner of record is Karen A. Garaventa Baggett. The permit states that total combined
20 duty under Permits 36120, 43729, and 43730 shall not exceed 156 afa on 39 acres within the
21 place of use.

22 **Permit 40778, Certificate 10834, and Permit 40779, Certificate 10835**, are for milling
23 and domestic purposes from Unnamed Springs with a priority date of February 29, 1980. The
24 original owners of record are H. L. Murphy and Georgia V. Murphy. The permits are currently
25 assigned to Timothy W. Murphy, one-half undivided interest, and H. L. Murphy and Georgia V.
26 Murphy, one-half undivided interest. Certificate 10834 cannot exceed a duty of 2.360 million
27 gallons annually (7.24 afa) and a diversion rate of 0.01 cfs. Certificate 10835 cannot
28 exceed a duty of 3.679 million gallons annually (11.29 afa) and diversion rate of 0.03 cfs.

1 Certificates 10834 and 10835 specify that a total combined duty of water shall not exceed
2 3.679 million gallons annually (11.29 afa).

3 **Permit 43729¹ and Permit 43730¹** are for irrigation and domestic use from Garaventa
4 Spring No. 2 and Garaventa Spring No. 1, respectively, both with a duty of 156 afa and a
5 diversion rate of 0.25 cfs, and a priority date of May 12, 1981. The current owner of record is
6 Karen A. Garaventa Baggett. The permits specify that total combined duty of water under
7 Permits 36120, 43729, and 43730 shall not exceed 156.0 afa on 39.0 acres within the place
8 of use.

9 **Permit 47038, Certificate 12409**, is for stockwater from an Unnamed Spring to water
10 320 cows with a priority date of June 27, 1983. The original owner was the DePaoli Brothers,
11 and the certificate was issued to Edwin L. DePaoli. The current owner of record is the BLM.
12 The diversion rate is 0.01 cfs or sufficient to water 320 head of cattle with a calculated
13 duty of 7.2 afa. The source of the water described by this permit is the same source
14 described by Proof of Appropriation V-04194. Permit 47038, Certificate 12409, is superseded
15 by Proof V-04194.

16 **Permit 81348** is for wildlife from an Unnamed Spring with a duty of 3.26 afa and a
17 diversion rate of 0.005 cfs, sufficient to water 200 deer and 200 pronghorn antelope and
18 wildlife habitat, with a priority date of November 30, 2011. The current owner of record is the
19 BLM. The source of water described by this permit is the same source described by Proof of
20 Appropriation V-04193, as documented in records filed under Permit 47037.

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Source	Claim# / Permit#	Priority Date	Claimant/ Permittee	Manner of Use	Diversion Rate (cfs)	Duty (afa)
Garaventa Spring No.1 a.k.a. Unnamed Spring No.3	V-04205	1874	Baggett ¹	Stock Water	0.004	2.9 ^α
	43730 ^β	1981	Baggett ¹	Irrigation & Domestic	0.250	156.0
Garaventa Spring No.2 a.k.a. Unnamed Spring No.7	V-04207	1874	Baggett ¹	Stock Water	0.004	2.9 ^α
	43729 ^β	1981	Baggett ¹	Irrigation & Domestic	0.250	156.0
Olinghouse Creek (Div.1)	V-04226	1874	BLM	Stock Water	0.047	2.9 ^α
Olinghouse Creek (Div.2)	V-04227	1874	BLM	Stock Water	0.047	2.9 ^α
Sheehan Spring No.1	V-03229A	1874	BLM	Stock Water	0.047	2.9 ^α
	V-04200	1874	Baggett ¹	Stock Water	0.004	2.9 ^α
Sheehan Spring No.2	V-03229B	1874	BLM	Stock Water	0.047	2.9 ^α
	V-04201	1874	Baggett ¹	Stock Water	0.004	2.9 ^α
Sheehan Spring No.3	V-03229C	1874	BLM	Stock Water	0.047	2.9 ^α
	V-04202	1874	Baggett ¹	Stock Water	0.004	2.9 ^α
Sheehan Springs No.s1-3	36120 ^{βμ}	1941	Baggett ¹	Irrigation	0.047	34.32
Unnamed Spring No.1	V-04203	1874	Baggett ¹	Stock Water	0.004	2.9 ^α
Unnamed Spring No.2	V-04204	1874	Baggett ¹	Stock Water	0.004	2.9 ^α
	40779 [∞]	1980	Murphy	Milling & Domestic	0.030	11.29 ^α
Unnamed Spring No.4	V-04193	1874	BLM	Stock Water	0.047	2.9 ^α
	81348	2011	USDI - BLM	Wildlife	0.005	3.26
Unnamed Spring No.5	V-04194	1874	BLM	Stock Water	0.047	2.9 ^α
Unnamed Spring No.6	V-04195	1874	BLM	Stock Water	0.047	2.9 ^α
	V-04206	1874	Baggett ¹	Stock Water	0.004	2.9 ^α
Unnamed Spring No.8	V-04196	1874	BLM	Stock Water	0.047	2.9 ^α
	V-04208	1874	Baggett ¹	Stock Water	0.004	2.9 ^α
	40778 [∞]	1980	Murphy	Milling & Domestic	0.010	7.24 ^α
Unnamed Spring No.9	V-04209 [∞]	1874	Baggett ¹	Stock Water	0.004	2.9 ^α
Unnamed Spring No.10	V-04197	1874	BLM	Stock Water	0.047	2.9 ^α
	V-04210	1874	Baggett ¹	Stock Water	0.004	2.9 ^α
Unnamed Spring No.11	V-04198	1874	BLM	Stock Water	0.047	2.9 ^α
	V-04211	1874	Baggett ¹	Stock Water	0.004	2.9 ^α
Unnamed Spring No.12	V-04199	1874	BLM	Stock Water	0.047	2.9 ^α
	V-04212	1874	Baggett ¹	Stock Water	0.004	2.9 ^α
Williams Spring a.k.a. Unnamed Spring	35204	1978	Diehl	Domestic	0.003	0.56 ^α

Legend

α = Calculated.

β = The total combined duty of water under Permits 36120, 43729 and 43730 shall not exceed 156 acre-ft/annually for the irrigation of 39 acres within the proposed place of use.

∞ = The total combined duty of water under this certificate (40778) and any certificate issued under Permit 40779 shall not exceed 3.679 million gallons annually.

μ = The total combined duty of water under Permits 36119 and 36120 shall not exceed 36.20 acre-ft annually.

Table 2. Valid Vested Water Rights, Permits & Certificates

NOTE: Permitted and certificated rights are shown for informational purposes only. *Appendix B* contains more details of the statutory rights, which are subject to the NRS Chapters 532 – 538.

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1 III.

2 **CONCLUSIONS OF LAW**

3 All water rights established under this adjudication shall be appurtenant to the place of
4 use designated herein. NRS § 533.040. Any water user desiring to change the point of
5 diversion, manner of use, and/or place of use of the water rights established herein must
6 make application to the State Engineer for permission to make a change. NRS §§ 533.325
7 and 533.345.

8 The amount of water under a proposed change application shall not exceed the amount
9 of water available at the source for beneficial use. For streams or springs without sufficient
10 data to accurately represent actual runoff characteristics and volumes, the State Engineer
11 may require additional information prior to the approval or denial of any change application.
12 The volume of water allowed to be changed shall not exceed the duty of water as decreed
13 under the terms and conditions of this adjudication proceeding and may be limited to the
14 consumptive use.

15 Existing Permit 36119 is superseded by vested Claims V-04200, V-04201, and
16 V-04202. Existing Permit 47038, Certificate 12409, is superseded by vested Claim V-04194.
17 Permit 36119 and Permit 47038, Certificate 12409, are voided since they are superfluous to
18 the aforementioned vested claims. Voiding of existing permitted or certificated rights occurs
19 when the permit or certificate is redundant to a decreed water right.

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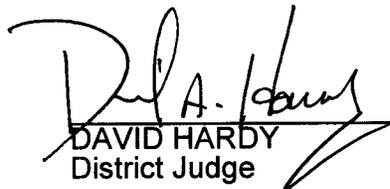
DECREE

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the relative rights of the users in and to the surface waters of Olinghouse Canyon located within the Dodge Flat Hydrographic Basin, Washoe County, Nevada, are determined as stated above.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that all enforcement rights set forth in this Court's Decree affirming the Final Order of Determination by the State Engineer are fully incorporated herein and this Court expressly reserves sole and continuing jurisdiction over any disputes arising under this Decree and over the continuing administration of this Decree.

Streams and springs named herein are fully appropriated under the claims of vested rights determined to be valid in this proceeding and/or under existing permits and certificates issued by the State Engineer with the exception of Unnamed Spring No. 1, Proof V-04203, and Williams Spring a.k.a Unnamed Spring, Permit 35204, Certificate 10927. For all other sources of surface water within the area subject to this adjudication, there are no water surpluses in an average year for any additional consumptive uses.

ORDERED this 25th day of April, 2016.


DAVID HARDY
District Judge

SUBMITTED BY:
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Telephone: (775) 684-1222
Email: jcaviglia@ag.nv.gov

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APPENDIX A
TABLES OF RELATIVE RIGHTS DETERMINED TO BE VALID

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PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-03229A	BLM	SHEEHAN SPRING NO.1	SE¼ NW¼ SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30 BEARS S. 71° 32' E., 3,753 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 130 HEAD OF CATTLE. THIS IS THE TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO LIVESTOCK OWNED BY THE CLAIMANT OR ITS LESSEE WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOFS V-01126, V-04163, V-04200, AND PERMITS 36119, AND 36120 WERE ALSO FILED ON THIS SOURCE.			
SE	NW	30	21N	23E				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-03229B	BLM	SHEEHAN SPRING NO. 2	NE1/4 NW1/4 SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30 BEARS S. 68° 18' E., 3,583 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 130 HEAD OF CATTLE. THIS IS THE TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO LIVESTOCK OWNED BY THE CLAIMANT OR ITS LESSEE WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOFS V-01126, V-04164, V-04201; AND PERMITS 36119, AND 36120 WERE ALSO FILED ON THIS SOURCE.			
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PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-03229C	BLM	SHEEHAN SPRING NO. 3	NE1/4 NW1/4 SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30 BEARS S. 66° 57' E., 3,271 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 130 HEAD OF CATTLE. THIS IS THE TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO LIVESTOCK OWNED BY THE CLAIMANT OR ITS LESSEE WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOFS V-01126, V-04165, V-04202; AND PERMITS 36119, AND 36120 WERE ALSO FILED ON THIS SOURCE.			
NE	NW	30	21N	23E				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04193	BLM	UNNAMED SPRING NO. 4	NW1/4 SE1/4 SECTION 19, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SECTION 30, T.21N., R.23E., M.D.B.&M., BEARS S. 25° 40' E., 4,580 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 130 HEAD OF CATTLE. THIS IS THE TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO LIVESTOCK OWNED BY THE CLAIMANT OR ITS LESSEE WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PERMIT 81348 WAS ALSO FILED ON THIS SOURCE.			
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PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.
V-04194	BLM	UNNAMED SPRING NO. 5	SW1/4 SW1/4, SECTION 19, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SECTION 30, T.21N., R.23E., M.D.B.&M., BEARS S. 54° 12' E., 4,730 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 130 HEAD OF CATTLE. THIS IS THE TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO LIVESTOCK OWNED BY THE CLAIMANT OR ITS LESSEE WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PERMIT 47038 WAS ALSO FILED ON THIS SOURCE.			
SW	SW	19	21N	23E				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ACRE	TOTAL AC.-FT.
V-04195	BLM	UNNAMED SPRING NO. 6	NW1/4 NE1/4 SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS S. 45° 17' E., 3,053 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 130 HEAD OF CATTLE. THIS IS THE TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO LIVESTOCK OWNED BY THE CLAIMANT OR ITS LESSEE WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOF V-04206 WAS ALSO FILED ON THIS SOURCE.			
NW	NE	30	21N	23E				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04196	BLM	UNNAMED SPRING NO. 8	SE1/4 NW1/4 SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS S. 74° 48' E., 2,905 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 130 HEAD OF CATTLE. THIS IS THE TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO LIVESTOCK OWNED BY THE CLAIMANT OR ITS LESSEE WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOF V-04208, AND PERMIT 40778 WERE ALSO FILED ON THIS SOURCE.			
SE	NW	30	21N	23E				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04197	BLM	UNNAMED SPRING NO. 10	SW1/4 SE1/4 SECTION 29, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE W¼ CORNER OF SAID SECTION 29, BEARS N. 63° 13' W., 3,688 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 130 HEAD OF CATTLE. THIS IS THE TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO LIVESTOCK OWNED BY THE CLAIMANT OR ITS LESSEE WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOF V-04210 WAS ALSO FILED ON THIS SOURCE.			
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PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04198	BLM	UNNAMED SPRING NO. 11	NE1/4 NW1/4 SECTION 33, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE W¼ CORNER OF SECTION 29, T.21N., R.23E., M.D.B.&M., BEARS N. 65° 07' W., 8,117 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 130 HEAD OF CATTLE. THIS IS THE TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO LIVESTOCK OWNED BY THE CLAIMANT OR ITS LESSEE WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOF V-04211 WAS ALSO FILED ON THIS SOURCE.			
NE	NW	33	21N	23E				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04199	BLM	UNNAMED SPRING NO. 12	NW1/4 NE1/4 SECTION 33, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE W¼ CORNER OF SECTION 29, T.21N., R.23E., M.D.B.&M., BEARS N. 65° 50' W., 8,887 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 130 HEAD OF CATTLE. THIS IS THE TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO LIVESTOCK OWNED BY THE CLAIMANT OR ITS LESSEE WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOF V-04212 WAS ALSO FILED ON THIS SOURCE.			
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PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04200	KAREN A. GARAVENTA BAGGET ¹	SHEEHAN SPRING NO.1	SE1/4 NW1/4 SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS S. 71° 32' E., 3,753 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 90 HEAD OF CATTLE AND 40 HORSES. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO THE CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOFS V-01126, V-03229A, V-04163; AND PERMITS 36119, AND 36120 WERE ALSO FILED ON THIS SOURCE.			
SE	NW	30	21N	23E				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04201	KAREN A. GARAVENTA BAGGET ¹	SHEEHAN SPRING NO.2	NE1/4 NW1/4 SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS S. 68° 18' E., 3,583 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 90 HEAD OF CATTLE AND 40 HORSES. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO THE CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOFS V-01126, V-03229B, V-04164; AND PERMITS 36119, AND 36120 WERE ALSO FILED ON THIS SOURCE.			
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PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04202	KAREN A. GARAVENTA BAGGET ¹	SHEEHAN SPRING NO.3	NE1/4 NW1/4 SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS S. 66° 57' E., 3,271 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 90 HEAD OF CATTLE AND 40 HORSES. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO THE CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOFS V-01126, V-03229C, V-04165; AND PERMITS 36119, AND 36120 WERE ALSO FILED ON THIS SOURCE.			
NE	NW	30	21N	23E				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04203	KAREN A. GARAVENTA BAGGET ¹	UNNAMED SPRING NO.1	SW1/4 NE1/4 SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS S. 86° 30' E., 1,917 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 90 HEAD OF CATTLE AND 40 HORSES. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO THE CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOF V-04166 WAS ALSO FILED ON THIS SOURCE.			
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PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04204	KAREN A. GARAVENTA BAGGET ¹	UNNAMED SPRING NO.2	SW1/4 NE1/4 SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS S. 84° 38' E., 1,937 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 90 HEAD OF CATTLE AND 40 HORSES. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO THE CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOF V-04167, AND PERMIT 40779 WERE ALSO FILED ON THIS SOURCE			
SW	NE	30	21N	23E				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04205	KAREN A. GARAVENTA BAGGET ¹	GARAVENTA SPRING NO. 1 A.K.A. UNNAMED SPRING NO. 3	NE1/4 SW1/4 SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS N. 76° 32' E., 2,648 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 90 HEAD OF CATTLE AND 40 HORSES. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO THE CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOF V-04168, AND PERMIT 43730 WERE ALSO FILED ON THIS SOURCE.			
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PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04206	KAREN A. GARAVENTA BAGGET ¹	UNNAMED SPRING NO.6	NW1/4 NE1/4 SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS S. 45° 17' E., 3,053 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 90 HEAD OF CATTLE AND 40 HORSES. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO THE CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOF V-04195 WAS ALSO FILED ON THIS SOURCE.			
NW	NE	30	21N	23E				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04207	KAREN A. GARAVENTA BAGGET ¹	UNNAMED SPRING NO. 7 A.K.A. GARAVENTA SPRING NO. 2	SE1/4 NE1/4 SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS S. 39° 08' E., 1,655 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 90 HEAD OF CATTLE AND 40 HORSES. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO THE CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PERMITS 43729, AND 47038 WERE ALSO FILED ON THIS SOURCE.			
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PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04208	KAREN A. GARAVENTA BAGGET ¹	UNNAMED SPRING NO.8	SE1/4 NW1/4 SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS S. 74° 48' E., 2,905 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR- QTR	QTR	SECTION	TOWN- SHIP	RANGE				
SE	NW	30	21N	23E				
STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 90 HEAD OF CATTLE AND 40 HORSES. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO THE CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOF V-04196, AND PERMIT 40778 WERE ALSO FILED ON THIS SOURCE.								

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04209	KAREN A. GARAVENTA BAGGET ¹	UNNAMED SPRING NO.9	SE1/4 NE1/4 SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS S. 69° 50' E., 1,197 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR- QTR	QTR	SECTION	TOWN- SHIP	RANGE				
SE	NE	30	21N	23E				
STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 90 HEAD OF CATTLE AND 40 HORSES. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO THE CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. NO OTHER PROOFS WERE FILED ON THIS SOURCE.								

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PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04210	KAREN A. GARAVENTA BAGGET ¹	UNNAMED SPRING NO.10	SW 1/4 SE 1/4 SECTION 29, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE W 1/4 CORNER OF SAID SECTION 29, BEARS N. 63° 13' E., 3,688 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR- QTR	QTR	SECTION	TOWN- SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 90 HEAD OF CATTLE AND 40 HORSES. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO THE CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOF V-04197 WAS ALSO FILED ON THIS SOURCE.			
SW	SE	29	21N	23E				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04211	KAREN A. GARAVENTA BAGGET ¹	UNNAMED SPRING NO.11	NE 1/4 NW 1/4 SECTION 33, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE W 1/4 CORNER OF SECTION 29, T.21N., R.23E., M.D.B.&M., BEARS N. 65° 07' E., 8,117 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR- QTR	QTR	SECTION	TOWN- SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 90 HEAD OF CATTLE AND 40 HORSES. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO THE CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOF V-04198 WAS ALSO FILED ON THIS SOURCE.			
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PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04212	KAREN A. GARAVENTA BAGGET ¹	UNNAMED SPRING NO.12	NW1/4 NE1/4 SECTION 33, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE W¼ CORNER OF SECTION 29, T.21N., R.23E., M.D.B.&M., BEARS N. 65° 50' E., 8,887 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 90 HEAD OF CATTLE AND 40 HORSES. THIS IS A TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO THE CLAIMANT'S LIVESTOCK WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOF V-04199 WAS ALSO FILED ON THIS SOURCE.			
NW	NE	33	21N	23E				

PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04226	BLM	OLINGHOUSE CANYON CREEK (DIV. 1)	NE1/4 NW1/4 SECTION 33, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE N¼ CORNER OF SAID SECTION 33, BEARS N. 44° 53' 19" E., 1,357.32 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 130 HEAD OF CATTLE. THIS IS THE TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO LIVESTOCK OWNED BY THE CLAIMANT OR ITS LESSEE WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PLACE OF USE IN THE S1/2 N1/2 NE1/4 OF SECTION 33, T.21N., R.23E. NO OTHER PROOFS OR PERMITS WERE FILED ON THIS SOURCE.			
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PROOF NO.	CLAIMANT	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
V-04227	BLM	OLINGHOUSE CANYON CREEK (DIV. 2)	NW1/4 NW1/4 SECTION 33, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE N¼ CORNER OF SAID SECTION 33, BEARS N. 69° 12' 44"E., 1,730.72 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING 1874			2.9
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 130 HEAD OF CATTLE. THIS IS THE TOTAL COMBINED DUTY FOR ALL SOURCES THAT SUPPLY WATER TO LIVESTOCK OWNED BY THE CLAIMANT OR ITS LESSEE WITHIN THE DESCRIBED BOUNDARIES OF THIS ADJUDICATION. THIS IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. NO OTHER PROOFS OR PERMITS WERE FILED ON THIS SOURCE.			
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APPENDIX B
PERMITS AND CERTIFICATES

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PERMIT NO.	PERMITTEE	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.									
35204 CERT NO. 10927	FRED DIEHL	WILLIAMS SPRING A.K.A. UNNAMED SPRING	SW1/4 SW1/4 SECTION 29, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE SW CORNER OF SAID SECTION 29, BEARS S. 33° 23' 40" W., 1,335.0 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	DOMESTIC MAR 20, 1978	0.00285		0.560									
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS													
<table border="1"> <thead> <tr> <th>QTR-QTR</th> <th>QTR</th> <th>SECTION</th> <th>TOWN-SHIP</th> <th>RANGE</th> </tr> </thead> <tbody> <tr> <td>NE</td> <td>SW</td> <td>29</td> <td>21N</td> <td>23E</td> </tr> </tbody> </table>			QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	NE	SW	29	21N	23E	PROOF V-04169 WAS ALSO FILED ON THIS SOURCE.				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE													
NE	SW	29	21N	23E													

PERMIT NO.	PERMITTEE	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.														
36119	KAREN A. GARAVENTA BAGGETT ¹	SHEEHAN SPRINGS NO. 1, 2 & 3	LOT 7 (NE1/4 NW1/4) SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS: SPRING NO.1: S. 68° 07' E., 3,727 FEET SPRING NO.2: S. 65° 42' E., 3,585 FEET SPRING NO.3: S. 65° 42' E., 3,365 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING & DOMESTIC OCT 2, 1941	0.0026		1.88														
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS																		
<table border="1"> <thead> <tr> <th>QTR-QTR</th> <th>QTR</th> <th>SECTION</th> <th>TOWN-SHIP</th> <th>RANGE</th> </tr> </thead> <tbody> <tr> <td>LT12</td> <td>NE</td> <td>30</td> <td>21N</td> <td>23E</td> </tr> <tr> <td>LT07</td> <td>NW</td> <td>30</td> <td>21N</td> <td>23E</td> </tr> </tbody> </table>			QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	LT12	NE	30	21N	23E	LT07	NW	30	21N	23E	NE¼ NW¼ OF SECTION 30 IS WITHIN THE OLINGHOUSE ALLOTMENT, SE¼ NE¼ IS ON PRIVATE LAND. SUFFICIENT TO WATER 85 HEAD OF CATTLE. CHANGE APP FOR POINT OF DIVERSION, PLACE AND MANNER OF USE OF WATERS GRANTED UNDER PERMIT 10737, CERT 2955, PREVIOUSLY MINING, MILLING, & DOMESTIC. TOTAL COMBINED DUTY OF WATER UNDER CLAIM OF VESTED RIGHT V-01126; AND PERMITS 36119, AND 36120 SHALL NOT EXCEED 36.20 AFA. PROPOSED WORKS INCLUDE COLLECTION BOXES, PIPELINE, AND TROUGHS. PROOFS V-01126, V-03229A, V-03229B, V-03229C, V-04163, V-04164, V-04165, V-04200, V-04201, V-04202; AND PERMIT 36120 WERE ALSO FILED ON THIS SOURCE.				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE																		
LT12	NE	30	21N	23E																		
LT07	NW	30	21N	23E																		

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PERMIT NO.	PERMITTEE	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
36120	KAREN A. GARAVENTA BAGGETT ¹	SHEEHAN SPRINGS NO. 1, 2 & 3	LOT 7 (NE1/4 NW1/4) SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS: SPRING NO.1: S. 68° 07' E., 3,727 FEET SPRING NO.2: S. 65° 42' E., 3,585 FEET SPRING NO.3: S. 65° 42' E., 3,365 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	IRRIGATION OCT 2, 1941	0.0474	4	34.32
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	CHANGE APP FOR POINT OF DIVERSION, PLACE, AND MANNER OF USE OF WATERS GRANTED UNDER PERMIT 10737, CERT 2955, PREVIOUSLY MINING, MILLING, AND DOMESTIC. TOTAL COMBINED DUTY UNDER PERMITS 36120, 43729, & 43730 SHALL NOT EXCEED 156 AFA ON 39 ACRES WITHIN THE PLACE OF USE. TOTAL COMBINED DUTY OF WATER UNDER PROOF V-01126; AND PERMITS 36120, 43729, AND 43730 SHALL NOT EXCEED 168 AFA. PROPOSED WORKS INCLUDE COLLECTION BOXES, PIPELINE, STORAGE TANK, AND DITCHES. PROOFS V-01126, V-03229A, V-03229B, V-03229C, V-04163, V-04164, V-04165, V-04200, V-04201, V-04202; AND PERMIT 36119 WERE ALSO FILED ON THIS SOURCE.			
LT12	NE	30	21N	23E				

PERMIT NO.	PERMITTEE	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
40778 CERT NO. 10834	H.L. MURPHY AND GEORGIA V. MURPHY, 1/2 UNDIVIDED INTEREST & TIMOTHY W. MURPHY, 1/2 UNDIVIDED INTEREST	UNNAMED SPRING 8	LOT 10, SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS S. 72° 09' E., 2,879.0 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	MILLING & DOMESTIC FEB 29, 1980	0.01		7.243
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	HOUSEHOLD PURPOSES AND MILLING OPERATION. TOTAL COMBINED DUTY UNDER THIS CERTIFICATE AND CERTIFICATE ISSUED UNDER 40779 SHALL NOT EXCEED 3.679 MGA. WORKS INCLUDED PIPELINE AND STORAGE TANKS. PROOFS V-04196, AND V-04208 WERE ALSO FILED ON THIS SOURCE.			
	LT09	29	21N	23E				
	LT10	29	21N	23E				
	LT16	29	21N	23E				
	LT13	30	21N	23E				
OPERATION WITHIN PORTIONS OF THE LOTS 9, 10, 16 OF SECTION 29 AND LOT 13 OF SECTION 30.								

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PERMIT NO.	PERMITTEE	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
40779 CERT NO. 10835	H.L. MURPHY AND GEORGIA V. MURPHY, 1/2 UNDIVIDED INTEREST & TIMOTHY W. MURPHY, 1/2 UNDIVIDED INTEREST	UNNAMED SPRING NO. 2	LOT 11, SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E½ CORNER OF SAID SECTION 30, BEARS S. 80° 52' E., 1,797.0 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	MILLING & DOMESTIC FEB 29, 1980	0.03		11.29
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	HOUSEHOLD PURPOSES AND MILLING OPERATION. TOTAL COMBINED DUTY UNDER THIS CERTIFICATE AND CERTIFICATE ISSUED UNDER 40778 SHALL NOT EXCEED 3.679 MGA. WORKS INCLUDED PIPELINE AND STORAGE TANKS. PROOFS V-04167, AND V-04204 WERE ALSO FILED UNDER THIS SOURCE.			
	LT09	29	21N	23E				
	LT10	29	21N	23E				
	LT16	29	21N	23E				
	LT13	30	21N	23E				
OPERATION WITHIN PORTIONS OF THE LOTS 9, 10, 16 OF SECTION 29 AND LOT 13 OF SECTION 30.								

PERMIT NO.	PERMITTEE	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
43729	KAREN A. GARAVENTA BAGGETT	GARAVENTA SPRING NO.2	LOT 12 (SE1/4 NE1/4), SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E¼ CORNER OF SAID SECTION 30, BEARS S. 39° 08' E., 1,655 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	IRRIGATION & DOMESTIC MAY 12, 1981	0.25	4	156.0
PLACE OF USE 40 ACRE DESCRIPTION		ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	TOTAL COMBINED DUTY OF WATER UNDER PERMITS 36120, 43729, & 43730 SHALL NOT EXCEED 156 AFA FOR IRRIGATION OF 39 ACRES WITHIN THE PROPOSED PLACE OF USE. PROPOSED WORKS INCLUDE DIVERSION DAM AND DISTRIBUTION SYSTEM. PROOF V-04207, AND PERMIT 47038 WERE ALSO FILED UNDER THIS SOURCE.			
	LT07	NE	30	21N				
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PERMIT NO.	PERMITTEE	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
43730	KAREN A. GARAVENTA BAGGETT	GARAVENTA SPRING NO.1	LOT 15 (NE1/4 SW1/4) SECTION 30, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE E/4 CORNER OF SAID SECTION 30, BEARS N. 76° 32' E., 2,648 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	IRRIGATION & DOMESTIC MAY 12, 1981	0.25	4	156.0
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	39 PLACE OF USE IS LOT 12 (SE1/4 NE1/4) OF SECTION 30, T.21., R.23E. TOTAL COMBINED DUTY OF WATER UNDER PERMITS 36120, 43729, & 43730 SHALL NOT EXCEED 156 AFA FOR IRRIGATION OF 39 ACRES WITHIN THE PROPOSED PLACE OF USE. PROPOSED WORKS INCLUDES DIVERSION DAM AND DISTRIBUTION SYSTEM. PROOFS V-04168, AND V-04205 WERE ALSO FILED ON THIS SOURCE.			
LOT 12		30	21N	23E				

PERMIT NO.	PERMITTEE	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.	
47038 CERT NO. 12409	BLM	GARAVENTA SPRING NO. 2 A.K.A. UNNAMED SPRING	SW1/4 SW1/4 SECTION 19, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE W/4 CORNER OF SAID SECTION 19 BEARS N. 23° 08' 59" W., 2,362.38 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	STOCKWATERING JUN 27, 1983	0.01		7.2	
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS					
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	STOCKWATER DUTY IS THE AMOUNT OF WATER SUFFICIENT FOR 320 HEAD OF CATTLE. THIS DUTY IS SUPPLEMENTAL TO THE DUTY FOR PROOFS DETERMINED TO BE VALID IN THIS ADJUDICATION PROCEEDING FOR STOCKWATER HELD BY THE BLM. DUTY IS NOT A MEASURE OF WATER ACTUALLY AVAILABLE AT THE SOURCE. PROOF V-04207, AND PERMIT 43729 WERE ALSO FILED ON THIS SOURCE.				
NE	NE	19	21N	23E					
W2	NE	19	21N	23E					
	NW	19	21N	23E					
	NW	SE	19	21N					23E
	N2	SW	19	21N					23E
	SW	SW	19	21N	23E				

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PERMIT NO.	PERMITTEE	SOURCE	POINT(S) OF DIVERSION	YEARLY: PERIOD OF USE	PURPOSE & PRIORITY	FLOW CFS	DUTY AC.-FT./ ACRE	TOTAL AC.-FT.
81348	BLM	UNNAMED SPRING NO. 4	NW1/4 SE1/4 SECTION 19, T.21N., R.23E., M.D.B.&M. AT A POINT FROM WHICH THE W¼ CORNER OF SAID SECTION 19, BEARS N. 69° 33' 43" W., 3,273.72 FEET	JANUARY 1ST THROUGH DECEMBER 31ST	WILDLIFE NOV 30, 2011	0.0045		3.26
PLACE OF USE 40 ACRE DESCRIPTION			ACRES PER SECTION	REMARKS				
QTR-QTR	QTR	SECTION	TOWN-SHIP	RANGE	200 DEER, 200 ANTELOPE, AND SAGE GROUSE. PROOF V-04193 WAS ALSO FILED ON THIS SOURCE.			
NE	NE	19	21N	23E				
W2	NE	19	21N	23E				
	NW	19	21N	23E				
NW	SE	19	21N	23E				
N2	SW	19	21N	23E				
SW	SW	19	21N	23E				

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V-03229A, V-03229B, & V-03229C	BLM	SHEEHAN SPRINGS NOS. 1, 2, 3	5, 6, 8, 9, 10, 13, 16, 17
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