05915

[redacted]

Serial No. [redacted]

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of Claimant Petan Company of Nevada, Inc.

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

Nevada 89834
State and Zip code No.

(2) Source of water Unnamed Creek #8A and Four Unnamed Springs #57 thru #60
Name of natural water source.

(3) The water is diverted by Natural Channel and spring area
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) SE¼SE¼ Section 35, T. 45 N., R. 51 E.,
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.
MDM at a point from which SE corner of Section 36, T. 45 N., R. 51 E., MDM bears S. 83°29' E.,
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.
5,286 feet which follows the natural channel to a point in the SE¼SE¼ Section 21, T. 45 N., R. 51 E., MDM, from which the NW corner of Section 19, T. 45 N., R. 52 E., MDM bears N. 72°08' E., 17,517 feet.

Unnamed Spring #57, within the SE¼NE¼ Section 34, T. 45 N., R. 51 E., MDM at a point from which the SE corner of Section 36, T. 45 N., R. 51 E., MDM bears S. 71°04' E., 11,887 feet.

Unnamed Spring #58, within the SW¼NW¼ Section 35, T. 45 N., R. 51 E., MDM at a point from which the SE corner of Section 36, T. 45 N., R. 51 E., MDM bears S. 70°14' E., 10,736 feet.

Unnamed Spring #59, within the NW¼NW¼ Section 35, T. 45 N., R. 51 E., MDM at a point from which the NW corner of Section 31, T. 45 N., R. 52 E., MDM bears N. 83°31' E., 9,440 feet.

Unnamed Spring #60, within the SE¼NW¼ Section 35, T. 45 N., R. 51 E., MDM at a point from which the NW corner of Section 31, T. 45 N., R. 52 E., MDM bears N. 79°38' E., 9,072 feet.

(5) The water is impounded in Natural channel and spring areas (no impoundment)
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun None
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. The place of use is within the SE¼SE¼ Section 21;
Patented, deeded, public domain with grazing permit, etc.
N½NW¼, SE¼NW¼, S½SE¼ and E½SW¼ Section 27; NE¼NE¼ Section 28; NE¼NE¼ Section 34; N½NW¼, SE¼NW¼, SW¼NE¼, N½SE¼ and SE¼SE¼ Section 35, all within T. 45 N., R. 51 E., MDM.

Unnamed Spring #57 is within the SE¼NE¼ Section 34, T. 45 N., R. 51 E., MDM.

Unnamed Spring #58 is within the SW¼NW¼ Section 35, T. 45 N., R. 51 E., MDM.

Unnamed Spring #59 is within the NW¼NW¼ Section 35, T. 45 N., R. 51 E., MDM.

Unnamed Spring #60 is within the SE¼NW¼ Section 35, T. 45 N., R. 51 E., MDM.

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

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

(9) The approximate number of animals watered by the claimant during the first year August 3, 1872,
Date
was 1500 cattle 300 horses 8000 sheep or wildlife (describe) _____.
Other
The watering was conducted during each of the following months _____

January 1st to December 31st

The following quotations are taken from the Elko Independent and from "Nevada's Northeast Frontier", by Patterson, Ulph and Goodwin, 1969, Western Printing and Publishing Co.

"Bull Run District-The range in which the district is situated is high and snow-crowned, water cold and invigorating. Pleasant valleys surround it on the east and west, unexcelled by any country for grazing purposes. Altogether, the prospects of Bull Run are unsurpassed by any district in the state".[1] "Bull Run Valley has already proven to be one of the best grazing and farming sections in the state. Mr. Hughes, who has just returned from his ranch at the Junction of Bull Run and Independence Creeks, "says the valley is rapidly settling up with good and substantial men, and early in the spring a company will, at the mouth of Silver Creek, erect a flour mill."[2] "Bull Run Valley-stock in this valley is looking finely, and much stock consisting of cattle and sheep, of the latter, about 8,000 in number. Salmon have commenced their run up the Owyhee, now is the time to salt them down for winter use. R.P. Riddle, Deputy County Surveyor, from Bull Run, called on

us this week. From him, we learn the above facts relating to Bull Run."[3] By the end of 1873, Elko County Rangers were fully stocked and pastures deteriorated from over grazing. With sections crowded in the winter, the situation became alarming. Settlement by small ranchers under the Pre-emption and Homestead Acts took lands that could be irrigated, thus curtailing range use. In the process of settlement, large areas of meadow grass were withdrawn from public domain and appropriated by homesteaders."[4] "Bull Run Valley-the past winter has been fatal to stock in this vicinity, sheep being the greatest sufferers. In Bull Run Valley out of one band of 5,000 head, only about 1,200 are left, and from another band, 3,300 strong only 200 have lasted through the winter. This is true of all bands. Cattle too are dying rapidly."[5]
We are claiming a August 3, 1872 as a date of priority.

1 Elko Independent-1870, August 20, Page 3, Column 1.
2 Elko Independent-1871, August 19, Page 2, Column 2.
3 Elko Independent-1872, August 3, Page 3, Column 1.
4 Nevada's Northeast Frontier, page 214.
5 Elko Independent-1874, April 11, Page 2, Column 1.

(10) The approximate number of animals watered by the claimant in subsequent years was as follows: 3110 Cattle

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.

Approximately the same number of animals have been watered throughout the years, ever since 1872.

(11) The amount of water which has been necessary to be diverted for this purpose has been 0.096 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at None

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

Remarks Use Map #8

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Petan Company of Nevada, Inc. are full and correct to the best of his knowledge and belief.

05915

The undersigned deponent is acting as agent for the claimant.

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

Petan Company of Nevada, Inc.

Claimant

Telephone No. (702) 756-6512

By William A. Fisher Agent

421 Court Street

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

Elko, Nevada 89801

City, State, Zip Code No.

Telephone No. (702) 738-2121

Subscribed and sworn to before me this 6 day of April, 19 93.

Coralee Griswold

Notary Public in and for the County of Elko

My commission expires July 12, 1994

$50 FILING FEE MUST ACCOMPANY PROOF

CORALEE GRISWOLD
NOTARY PUBLIC - STATE of NEVADA
Elko County - Nevada
APPT. EXP. JUL-12-94