

2ND AMENDED
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. Nevada 89834 City or town
State and Zip code No.
- (2) Source of water Dry Creek and Tributaries
Name of natural water source.
- (3) The water is diverted by Natural Channels
Dam, ditch, pipe line, natural channel, spring area, etc.
- (4) The water is diverted at the following point(s) SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6, T. 45 N., R. 52 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 NW corner of said Section 6, bears N. 53°49' W., 3,768 feet which
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.
follows the natural channels to a point in Lot 4, Section 6, T. 45 N., R. 52 E., MDM from which
the NW corner of said Section 6, bears N. 87°49' W., 1,324 feet and again starts in Lot 1, Section
1, T. 45 N., R. 51 E., MDM at a point from which the NE corner of said Section 1 bears N. 86°26'
E., 1,305 feet, and again starts in Lot 6, Section 6, T. 45 N., R. 52 E., MDM at a point from which
the NW corner of said Section 6 bears N. 16°41' W., 4,056 feet and again starts in Lot 1, Section
2, T. 45 N., R. 51 E., MDM at a point from which the SW corner of Section 35, T. 46 N., R. 51 E.,
MDM bears S. 89°48' W., 5,631 feet and again starts in Lot 4, Section 2, T. 45 N., R. 51 E., MDM
at a point from which the SW corner of Section 35, T. 46 N., R. 51 E., MDM bears S. 89°43' W.,
1,825 feet which all the above listed points run along natural channels and through what is known
as Dry Creek Reservoir and continues along Dry Creek Channel to a point in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section
20, T. 45 N., R. 51 E., MDM from which the SW corner of Section 18, T. 45 N., R. 52 E., MDM
bears N. 76°35' E., 22,340 feet.
- (5) The water is impounded in Natural channels (no impoundment) except the Dry Creek Reservoir.
Troughs, tanks, pools, reservoir, natural channel, etc.
- (6) The construction of the ditch or other works was begun February 18, 1957
Date
and completed December 1, 1961
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 and public domain with grazing permit, The Place of Use
Patented, deeded, public domain with grazing permit, etc.

is within the SW¹/₄NE¹/₄, Lots 2, 3, 4, and 6; Section 6, T. 45 N., R. 52 E., MDM. Lots 1, 2, 3, S¹/₂N¹/₂ and NE¹/₄SE¹/₄ Section 1; Lots 1, 2, 4, S¹/₂N¹/₂, NE¹/₄SW¹/₄ and W¹/₂SW¹/₄ Section 2; SE¹/₄NE¹/₄ and E¹/₂SE¹/₄ Section 3; E¹/₂E¹/₂, SE¹/₄SW¹/₄ and SW¹/₄SE¹/₄ Section 10; NW¹/₄NW¹/₄ Section 11; W¹/₂NE¹/₄, NE¹/₄NE¹/₄ and NW¹/₄ Section 15; E¹/₂NE¹/₄, SW¹/₄NE¹/₄, NW¹/₄SE¹/₄ and E¹/₂SW¹/₄ Section 16; SE¹/₄NE¹/₄ and E¹/₂SE¹/₄ Section 20; NE¹/₄NW¹/₄ and W¹/₂NW¹/₄ Section 21; all within 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,
was 1500 cattle 300 horses 8000 sheep or wildlife (describe) _____
Date
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 Dry Creek Reservoir - E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 16, NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, and also the S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, all within T. 45 N., R. 51 E.,
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.
MDM. Permit 17180-J-38

Remarks Use Map #9

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.

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. Fiebert 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

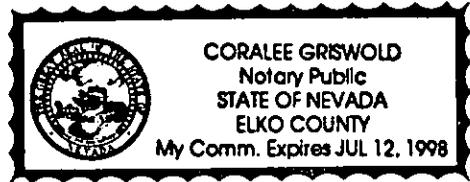
Subscribed and sworn to before me this 5 day of July, 19 94.

Coralee Griswold

Notary Public in and for the County of Elko

My commission expires July 12, 1998

\$50 FILING FEE MUST ACCOMPANY PROOF



AMENDED
STATE OF NEVADA

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

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

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

 Nevada 89834
 State and Zip code No.
- (2) Source of water Dry Creek and Tributaries

 Name of natural water source.
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Petan Company of Nevada, Inc.

Claimant

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By William A. Fribel 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 1st day of March, 19 94.

Bonnie Kordonowy

Notary Public in and for the County of ~~Elko~~ Lyon

My commission expires July 12, 1994 July 16, 1994

\$50 FILING FEE MUST ACCOMPANY PROOF



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Claimant

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By William C. Nisbet 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

ORIGINAL

Subscribed and sworn to before me this 6 day of April, 1993.

Coralee Griswold

Notary Public in and for the County of Elko

My commission expires July 12, 1994

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