05918

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 Wilson Creek and tributaries
Name of natural water source.

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

(4) The water is diverted at the following point(s) SE¼NE¼ Section 1, T. 43 N., R. 50 E., MDM at
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.
a point from which the NW corner of said Section 1 bears N. 64°36' W., 5,850 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 channel to a point in the NW¼SE¼ of Section 35, T. 44 N., R. 50 E., MDM at a point from which the SE corner of said Section 35 bears S. 30°22' E., 2,858 feet. Then again starts in the NW¼SE¼ of Section 35, T. 44 N., R. 50 E., MDM at a point from which the SE corner of said Section 35 bears S. 30°22' E., 2,858 feet which follows the shore line of the Wilson Reservoir (which before the reservoir was constructed, was the Wilson Creek which has a vested right). To a point in the NW¼SE¼ of Section 27, T. 44 N., R. 50 E., MDM at a point from which the NW corner of said Section 27 bears N. 37°44' W., 4,679 feet. Then again at the same point which is NW¼SE¼ of Section 27, T. 44 N., R. 50 E., MDM at a point from which the NW corner of said Section 27, bears N. 37°44' W., 4,679 feet follows the natural channel of Wilson Creek to a point in the SW¼NE¼ of Section 33, T. 44 N., R. 50 E., MDM at a point from which the NE corner of Section 28, T. 44 N., R. 50 E., MDM bears N. 19°39' E., 7,172 feet.

(5) The water is impounded in used along natural channels. Water is impounded within the Wilson
Troughs, tanks, pools, reservoir, natural channel, etc.
Reservoir under Permit 12796 (J-11)

(6) The construction of the ditch or other works was begun May 1, 1950
Date
and completed November 15, 1954.
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. NW¼ and the W½SW¼ of Section
Patented, deeded, public domain with grazing permit, etc.
25; N½ and the S½SE¼ of Section 26; S½NE¼, SE¼, E½SW¼ and the SW¼SW¼ of Section 27; W½NE¼ and the NE¼NE¼ of Section 33; NW¼NW¼, NE¼SE¼ and the NE¼NE¼ of Section 34; SW¼NW¼, NE¼, N½SW¼, SW¼SW¼, N½SE¼ and the SE¼SE¼ of Section 35, SW¼SW¼ of Section 36, all the above within T. 44 N., R. 50 E., MDM. Lots 1 and 2, S½NE¼ and the N½NW¼ of Section 1, T. 43 N., R. 50 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_____

March 15 to November 15 on United States Government Property

January 1st to December 31st Private Property

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:** 1300 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** 0.04 **cubic feet per second.**

448.83 gallons per minute equals 1 cubic foot per second.

(12) **The works are located at** NW¼SE¼ Section 27, T. 44 N., R. 50 E., MDM

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 #29

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. 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

05918

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