

**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. City or town  
Nevada 89834  
 \_\_\_\_\_  
State and Zip code No.
- (2) Source of water Winters Creek and Tributaries and Two Unnamed Springs #62 and #63  
Name of natural water source.
- (3) The water is diverted by natural channels (water is used along natural channels) and Spring Area  
Dam, ditch, pipe line, natural channel, spring area, etc.
- (4) The water is diverted at the following point(s) (Map #34) SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 14, 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 the West quarter cor. of Section 23, T. 45 N., R. 52 E., MDM bears  
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.  
S. 00°42' W., 3,702 feet and also the SW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 23, T. 45 N., R. 52 E., MDM at a point  
from which the West quarter corner of said Section 23 bears S. 62°14' W., 837 feet and also the  
NE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 17, T. 45 N., R. 52 E., MDM at a point from which the NW corner of said  
Section 17, bears N. 30°01' W., 4,520 feet, and also the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 16, T. 45 N., R. 52 E.,  
MDM, at a point from which the East quarter corner of Section 22, T. 45 N., R. 52 E., MDM, bears  
S. 58°07' E., 7,625 feet; which all of the above points follow the natural channels to a point in the  
SE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 18, T. 45 N., R. 52 E., MDM at a point from which the NE corner of said  
Section 18, bears N. 48°21' E., 3,633 feet. (Map #9) At this point is the start of what is known as  
the Homer Ditch, then the natural channel continues on to a point in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 15,  
T. 45 N., R. 51 E., MDM, from which the SW corner of Section 18, T. 45 N., R. 52 E., MDM bears  
N. 89°25' E., 11,275 feet.
- Unnamed Spring #62 is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 23, T. 45 N., R. 51 E., MDM at a point from  
which the SW corner of Section 18, T. 45 N., R. 52 E., MDM, bears N. 78°08' E., 10,466 feet.
- Unnamed Spring #63 is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 22, 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 N. 03°55' W., 18,091 feet.
- (5) The water is impounded in along natural channels (no impoundment) except one small reservoir  
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun construction of reservoir, date unknown  
 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 and public domain with grazing permit. The place of use is within  
 Patented, deeded, public domain with grazing permit, etc.

the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 14; S $\frac{1}{2}$ S $\frac{1}{2}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$  and the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 15; N $\frac{1}{2}$ S $\frac{1}{2}$ , S $\frac{1}{2}$ N $\frac{1}{2}$ ,  
 NW $\frac{1}{4}$ NE $\frac{1}{4}$  and the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 16; NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$  and the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of  
 Section 17; S $\frac{1}{2}$ , SW $\frac{1}{4}$  of Section 8; N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Lot 3 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of  
 Section 18; E $\frac{1}{2}$ NW $\frac{1}{4}$  and the S $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 22, and the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 23, all of the  
 above are within T. 45 N., R. 52 E., MDM. NE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$  and the N $\frac{1}{2}$ SW $\frac{1}{4}$   
 Section 13; N $\frac{1}{2}$ S $\frac{1}{2}$  and the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 14; and the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 15, all within T.  
 45 N., R. 51 E., MDM.

Unnamed Spring #62 place of use is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 23, T. 45 N., R. 51 E., MDM.

Unnamed Spring #63 place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 22, 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 \_\_\_\_\_

July 9 to October 9 on United States Government property (Forest Service)

January 1 to December 31 on 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".<sup>1</sup> "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."<sup>2</sup> "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."<sup>3</sup> 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."<sup>4</sup> "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."<sup>5</sup>  
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; except a pond in the SW¼NE¼ Section 22, T. 45 N., R. 52 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 Reservoir is less than 10 feet high and holds less than 10 acre feet. Use both maps #9 and #34.

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 C. 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

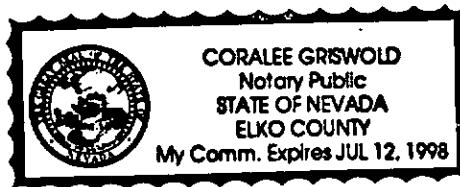
Subscribed and sworn to before me this 18 day of July, 19 98.

Coralee Grswold

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.  
of Tuscarora  
Street and No. or P.O. Box No. Nevada 89834 City or town  
State and Zip code No.
- Source of water Winters Creek and Tributaries and Two Unnamed Springs #62 and #63  
Name of natural water source.
- (3) The water is diverted by natural channels (water is used along natural channels) and Spring Area  
Dam, ditch, pipe line, natural channel, spring area, etc.
- (4) The water is diverted at the following point(s) (Map #34) SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 14, T. 45 N., R. 52 E.,  
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Troughs, tanks, pools, reservoir, natural channel, etc.

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

the SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Section 14; S<sup>1</sup>/<sub>2</sub>S<sup>1</sup>/<sub>2</sub>, NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> and the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 15; N<sup>1</sup>/<sub>2</sub>S<sup>1</sup>/<sub>2</sub>, S<sup>1</sup>/<sub>2</sub>N<sup>1</sup>/<sub>2</sub>, NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> and the NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 16; NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub> and the NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Section 17; S<sup>1</sup>/<sub>2</sub>, SW<sup>1</sup>/<sub>4</sub> of Section 8; N<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, Lot 3 and the SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 18; E<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub> and the S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub> of Section 22, and the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 23, all of the above are within T. 45 N., R. 52 E., MDM. NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> and the N<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub> Section 13; N<sup>1</sup>/<sub>2</sub>S<sup>1</sup>/<sub>2</sub> and the SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Section 14; and the SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Section 15, all within T. 45 N., R. 51 E., MDM.

Unnamed Spring #62 place of use is within the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> Section 23, T. 45 N., R. 51 E., MDM.

Unnamed Spring #63 place of use is within the SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> Section 22, 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,  
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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."<sup>3</sup> 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."<sup>4</sup> "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."<sup>5</sup> We are claiming a August 3, 1872 as a date of priority.

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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. Fisset 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

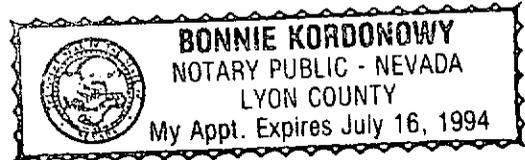
Subscribed and sworn to before me this 1<sup>st</sup> day of March, 1994.

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**





(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 is within

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Unnamed Spring #62 place of use is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 23, T. 45 N., R. 51 E., MDM.

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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; except a pond in the SW¼NE¼ Section 22, T. 45 N., R. 52 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 Reservoir is less than 10 feet high and holds less than 10 acre feet. Use both maps #9 and #34.

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

~~CONFIDENTIAL~~

By William A. 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

Subscribed and sworn to before me this 6 day of Apr: 1, 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**

