

05932

Serial No. ~~05932~~

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 Fawn Creek and tributaries and five Unnamed Springs #1, #2, #3, #78 and #95

 Name of natural water source.

(3) The water is diverted by natural channel (water is used along natural channels)

 Dam, ditch, pipe line, natural channel, spring area, etc.
and spring area

(4) The water is diverted at the following point(s) NE¼NE¼ Section 2, T. 45 N., R. 52 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 SW corner of said Section 2 bears S. 48°52' W., 6,107 feet and also in the
 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.
SW¼SW¼ Section 2, T. 45 N., R. 52 E., MDM at a point from which the SW corner of said Section 2 bears S. 81°10' W., 1,152 feet and also in the SE¼NE¼ Section 11, T. 45 N., R. 52 E., MDM at a point from which the NW corner of said Section 11 bears N. 72°27' W., 4,654 feet and also in the NE¼SW¼ Section 14, T. 45 N., R. 52 E., MDM at a point from which the NW corner of said Section 14 bears N. 33°43' W., 3,660 feet and also in the NW¼SW¼ Section 13, T. 45 N., R. 52 E., MDM at a point from which the NW corner of Section 14, T. 45 N., R. 52 E., MDM bears N. 57°55' W., 6,321 feet and also in Lot 6, Section 7, T. 45 N., R. 53 E., MDM at a point from which the SW corner of Section 11, T. 45 N., R. 52 E., MDM bears S. 82°49' W., 13,760 feet which all of the above points follow the natural channels to a point in the NW¼NE¼ Section 1, T. 45 N., R. 52 E., MDM at a point from which the NE corner of said Section 1 bears S. 89°53' E., 1,451 feet. Then again starts in Lot 13, Section 6, T. 45 N., R. 53 E., MDM at a point from which the NW corner of said Section 6 bears N. 45°29' W., 4,290 feet, which follows the natural channel to a point in Lot 5, Section 6, T. 45 N., R. 53 E., MDM which the NW corner of said Section 6 bears S. 89°51' W., 319 feet.

Unnamed Spring #1, SE¼NE¼ Section 12, T. 45 N., R. 52 E., MDM at a point from which the SW corner of Section 11, T. 45 N., R. 52 E., MDM, bears S. 69°28' W., 10,682 feet.

Unnamed Spring #2, Lot 2, Section 7, T. 45 N., R. 53 E., MDM at a point from which the SW corner of Section 11, T. 45 N., R. 52 E., MDM bears S. 76°14' W., 12,168 feet.

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Unnamed Spring #3, Lot 6 Section 7, T. 45 N., R. 53 E., MDM at a point from which the NW corner of Section 6, T. 45 N., R. 53 E., MDM bears N. 22°51' W., 9,314 feet.

Unnamed Spring #78, Lot 6, Section 7, T. 45 N., R. 53 E., MDM, at a point from which the SW corner of Section 11, T. 45 N., R. 52 E., MDM bears S. 82°49' W., 13,760 feet.

Unnamed Spring #95, SW¼SW¼ Section 2, T. 45 N., R. 52 E., MDM, at a point from which the SW corner of said Section 2, bears S. 81°10' W., 1,152 feet.

(5) The water is impounded in natural channels (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 public domain with grazing permit. The place of use is within the N½S½,
Patented, deeded, public domain with grazing permit, etc.

SW¼SE¼, S½N½, NW¼NW¼, and the NW¼NE¼ of Section 1; also the E½E½, S½SW¼ and SW¼SE¼ of Section 2; also the E½NE¼ and the S½SE¼ Section 11; also the SW¼, SE¼NW¼, SE¼NE¼ and the W½NE¼ of Section 12; NE¼NW¼, W½NW¼ and the NW¼SW¼ of Section 13; NW¼NE¼, E½NW¼ and the NE¼SW¼ of Section 14, all within T. 45 N., R. 52 E., MDM also in Lots 5, 6, 7, 8, 13, 15, 16, 17, 19, and 20 of Section 6; also in Lots 1, 2, 6, and the W½NE¼ of Section 7, all within T. 45 N., R. 53 E., MDM.

Unnamed Spring #1, the place of use is within the SE¼NE¼ Section 12, T. 45 N., R. 52 E., MDM.

Unnamed Spring #2, the place of use is within Lot 2, Section 7, T. 45 N., R. 53 E., MDM.

Unnamed Spring #3, and #78, the place of use is within Lot 6, Section 7, T. 45 N., R. 53 E., MDM

Unnamed Spring #95, the place of use is within the SW¼SW¼ of Section 2, T. 45 N., R. 52 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 _____ cattle _____ horses 8000 sheep or wildlife (describe) _____
Other _____

The watering was conducted during each of the following months _____
July 9, to October 9, United States Government Property (Forest Service)

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

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 #35

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. Fiebit 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, 1993.

Coralee Griswold

Notary Public in and for the County of Elko

My commission expires July 12, 1994

\$50 FILING FEE MUST ACCOMPANY PROOF

