

**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 Mill Creek and tributaries and Four Unnamed Springs #22, #23, #24 and #25
 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) Lot 3, Section 4, T. 45 N., R. 53 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 4, bears S. 14°15' E., 5,469 feet and also Lot 3,
 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.
Section 5, T. 45 N., R. 53 E., MDM at a point from which the SE corner of said Section 5 bears
S. 31°00' E., 6,770 feet and also Lot 5, Section 5, T. 45 N., R. 53 E., MDM at a point from which
the SE corner of said Section 5 bears S. 48°22' E., 6,427 feet, and also the NW¼NW¼ Section 9,
T. 45 N., R. 53 E., MDM at a point from which the NW corner of said Section 9 bears N. 20°58'
W., 919 feet, which all the above points follows the natural channels to a point in the NE¼NW¼
Section 9, T. 45 N., R. 53 E., MDM from which the NW corner of said Section 9 bears N. 81°11'
W., 2,274 feet, then again starts in Lot 10, Section 7, T. 45 N., R. 53 E., MDM at a point from
which the SW corner of said Section 7 bears S. 39°39' W., 1,383 feet and also Lot 7, Section 18,
T. 45 N., R. 53 E., MDM, at a point from which the NW corner of said Section 18 bears N. 49°24'
W., 4,693 feet and also the SE¼NW¼ Section 17, T. 45 N., R. 53 E., MDM at a point from which
the NW corner of Section 18, T. 45 N., R. 53 E., MDM bears N. 81°11' W., 9,029 feet and also the
NE¼NE¼ Section 7, T. 45 N., R. 53 E., MDM at a point from which the NE corner of Section 8,
T. 45 N., R. 53 E., MDM bears N. 82°27' E., 6,100 feet. Which all the above points follows the
natural channels to a point in the NE¼SW¼ Section 9, T. 45 N., R. 53 E., MDM from which the
NW corner of said Section 9 bears N. 39°36' W., 3,668 feet.
- Unnamed Spring #22, NW¼SW¼ Section 4, T. 45 N., R. 53 E., MDM at a point from which the
SW corner of said Section 4 bears S. 04°12' W., 1,785 feet.
- Unnamed Spring #23, NW¼SW¼ Section 4, T. 45 N., R. 53 E., MDM at a point from which the
SW corner of said Section 4 bears S. 14°35' W., 1,559 feet.

Unnamed Spring #24, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T. 45 N., R. 53 E., MDM at a point from which the NE corner of said Section 8 bears N. 52°41' E., 3,091 feet.

Unnamed Spring #25, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, T. 45 N., R. 53 E., MDM at a point from which the SW corner of Section 7, T. 45 N., R. 53 E., MDM bears S. 74°28' W., 7,968 feet.

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

(6) The construction of the ditch or other works was begun _____ 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 portions of Lots 3 and 6, portion of SE $\frac{1}{4}$ SW $\frac{1}{4}$, Lots 5, 11 and 12 and the N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 4; Lots 2, 3, 5, 7, 8, 11, and 12, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5; Lots 10, 11, and 12, S $\frac{1}{2}$ SE $\frac{1}{4}$ and the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 7; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ Section 8; NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, and a portion of NE $\frac{1}{4}$ SW $\frac{1}{4}$ and a portion of the E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 9; NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17; Lots 1, 6, and 7, and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18; all the above are within T. 45 N., R. 53 E., MDM.
Patented, deeded, public domain with grazing permit, etc.

Unnamed Springs #22 and #23, the place of use is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T. 45 N., R. 53 E., MDM.

Unnamed Spring #24, the place of use is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T. 45 N., R. 53 E., MDM.

Unnamed Spring #25, the place of use is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, T. 45 N., R. 53 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 _____ cattle _____ horses 8000 sheep or wildlife (describe) _____ Date _____
The watering was conducted during each of the following months _____ Other _____
July 9 thru October 9 United States Government Property (Forest Service)
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: 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 #36

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. Pishet 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

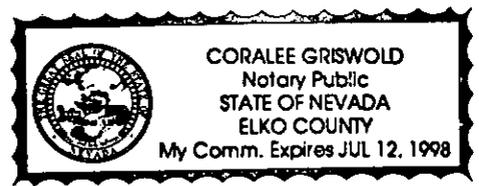
Subscribed and sworn to before me this 14 day of July, 19 94.

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

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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
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Name of natural water source.

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January 1st to December 31st Private Property

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Petan Company of Nevada, Inc.
Claimant

Telephone No. (702) 756-6512

By William A. Bisbet 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

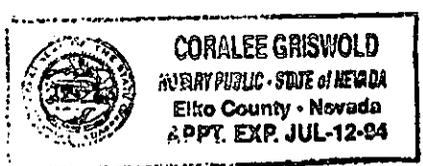
Subscribed and sworn to before me this 4 day of March, 19 94.

Coralee Griswold

Notary Public in and for the County of Elko

My commission expires July 12, 1994

\$50 FILING FEE MUST ACCOMPANY PROOF



Unnamed Spring #24, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T. 45 N., R. 53 E., MDM at a point from which the NE corner of said Section 8 bears N. 52°41' E., 3,091 feet.

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Petan Company of Nevada, Inc.

Claimant

Telephone No. (702) 756-6512

By

William A. Nicket

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.

Coralie Griswold

Notary Public in and for the County of Elko

My commission expires July 12, 1994

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