

**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 Circle Creek, Branches of Circle Creek and tributaries and Five Unnamed Springs #81, #82, #83, #84 and #85  
 \_\_\_\_\_  
 \_\_\_\_\_ Name of natural water source. \_\_\_\_\_
- (3) The water is diverted by Natural Channel and spring area  
 \_\_\_\_\_  
 \_\_\_\_\_ Dam, ditch, pipe line, natural channel, spring area, etc. \_\_\_\_\_
- (4) The water is diverted at the following point(s) (Map 51) SW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 35, T. 46 N., R. 49 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 SW corner of Section 34, T. 46 N., R. 49 E., MDM bears S. 86°26'  
 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.  
W. 5,696 feet, and also the SW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 34, T. 46 N., R. 49 E., MDM, at a point from which the SE corner of said Section 34, bears S. 70°30' E., 2,501 feet, and also the NE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 33, T. 46 N., R. 49 E., MDM, at a point from which the SW corner of said Section 33, bears S. 24°26' W., 5,498 feet, and also the SW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 28, T. 46 N., R. 49 E., MDM at a point from which the SW corner of Section 33, T. 46 N., R. 49 E., MDM, bears S. 18°39' W., 9,618 feet and also the NW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 21, T. 46 N., R. 49 E., MDM at a point from which the SW corner of Section 33, T. 46 N., R. 49 E., MDM bears S. 16°38' W., 12,796 feet; and also the SE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 20, T. 46 N., R. 49 E., MDM at a point from which the SE corner of Section 32, T. 46 N., R. 49 E., MDM bears S. 02°26' E., 14,324 feet; and also the SW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 18, T. 46 N., R. 49 E., MDM, at a point from which the SE corner of Section 32, T. 46 N., R. 49 E., MDM bears S. 22°23' E., 18,313 feet, and also the NW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 17, T. 46 N., R. 49 E., MDM, at a point from which the SE corner of Section 32, T. 46 N., R. 49 E., MDM bears S. 14°43' E., 21,541 feet, and also the SW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 16, T. 46 N., R. 49 E., MDM, at a point from which the SE corner of Section 33, T. 46 N., R. 49 E., MDM, bears S. 07°56' E., 18,895 feet; and also the NE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 15; T. 46 R. 49 E., MDM, at a point from which the SE corner of Section 34, T. 46 N., R. 49 E., MDM bears S. 09°37' E., 20,285 feet, (Map 53) and also the SW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 8, T. 46 N., R. 49 E., MDM at a point from which the NE corner of Section 6, T. 46 N., R. 50 E., MDM bears N. 72°15' E., 32,794 feet; and also the SE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 8, T. 46 N., R. 49 E., MDM, at a point from which

the NE corner of Section 6, T. 46 N., R. 50 E., MDM bears N. 74°37' E., 27,280 feet, and also the SW¼SE¼ Section 9, T. 46 N., R. 49 E., MDM, at a point from which the SE corner of Section 6, T. 46 N., R. 50 E., MDM bears N. 64°30' E., 24,873 feet; and also the NE¼SW¼ Section 9, T. 46 N., R. 49 E., MDM, at a point from which the NE corner of Section 6, T. 46 N., R. 50 E., MDM bears N. 69°07' E., 26,170 feet; and also the SW¼NE¼ Section 9, T. 46 N., R. 49 E., at a point from which the NE corner of Section 6, T. 46 N., R. 50 E., MDM bears N. 71°09' E., 23,707 feet; and also the Lot 1, Section 5, T. 46 N., R. 49 E., MDM, at a point from which the NE corner of Section 6, T. 46 N., R. 50 E., MDM bears N. 88°51' E., 26,669 feet; and also the NE¼SW¼ Section 32, T. 47 N., R. 49 E., MDM, at a point from which the SE corner of Section 31, T. 47 N., R. 50 E., MDM bears S. 87°47' E., 30,144 feet; and also the SW¼NE¼ Section 28, T. 47 N., R. 49 E., MDM at a point from which the SE corner of Section 31, T. 47 N., R. 50 E., MDM bears S. 71°50' E., 24,741 feet, and also the SE¼NE¼ Section 28, T. 47 N., R. 49 E., MDM at a point from which the SE corner of Section 31, T. 47 N., R. 50 E., MDM bears S. 68°43' E., 22,894 feet, and also the SW¼SE¼ Section 27, T. 47 N., R. 49 E., MDM, at a point from which the SE corner of Section 31, T. 47 N., R. 50 E., MDM bears S. 73°29' E., 18,963 feet, and also the NE¼SE¼ Section 27, T. 47 N., R. 49 E., MDM, at a point from which the SE corner of Section 31, T. 47 N., R. 50 E., MDM bears S. 68°10' E., 17,253 feet. (Map 52) and also the SE¼SE¼ Section 26, T. 47 N., R. 49 E., MDM, at a point from the SE corner of Section 7, T. 46 N., R. 50 E., MDM bears S. 34°41' E., 20,634 feet; and also the SW¼SW¼ Section 25, T. 47 N., R. 49 E., MDM, at a point from which the SE corner of Section 32, T. 47 N., R. 50 E., MDM bears S. 68°22' E., 16,032 feet; and also Lot 2, Section 31, T. 47 N., R. 50 E., MDM, at a point from which the SE corner of Section 32, T. 47 N., R. 50 E., MDM bears S. 72°36' E., 10,285 feet, and also the SE¼NW¼ Section 31, T. 47 N., R. 50 E., MDM, at a point from which the SE corner of Section 32, T. 47 N., R. 50 E., MDM bears S. 71°30' E., 9,308 feet; and also the NE¼SW¼ Section 29, T. 47 N., R. 50 E., MDM at a point from which the SE corner of Section 32, T. 47 N., R. 50 E., MDM bears S. 21°39' E., 7,693 feet; and also the NW¼SW¼ (Lot 7) Section 28, T. 47 N., R. 50 E., MDM, at a point from which the SW corner of Section 33, T. 47 N., R. 50 E., MDM bears S. 08°41' W., 7,928 feet; and also the SW¼SW¼ (Lot 8) Section 28, T. 47 N., R. 50 E., MDM, at a point from which the SW corner of Section 33, T. 47 N., R. 50 E., MDM bears S. 10°50' W., 6,460 feet; and also the SW¼NW¼ (Lot 6) Section 33, T. 47 N., R. 50 E., MDM, at a point from which the SW corner of said Section 33, bears S. 18°23' W., 3,943 feet; and also the SE¼NE¼ Section 5, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 5, bears N. 24°10' E., 1,923 feet; and also the NE¼NW¼ Section 8, T. 46 N., R. 50 E., MDM, at a point from which the SE corner of said Section 8, bears S. 33°36' E., 6,124 feet; and also the NE¼NE¼ Section 7, T. 46 N., R. 50 E., MDM, at a point from which the SE corner of Section 8, T. 46 N., R. 50 E., MDM bears S. 50°01' E., 7,040 feet; and also the NW¼NE¼ Section 12, T. 46 N., R. 49 E., MDM, at a point from which the SE corner of Section 7, T. 46 N., R. 50 E., MDM bears S. 56°18' E., 7,993 feet; and also the NW¼NE¼ Section 12, T. 46 N., R. 49 E., at a point from which the SE corner of Section 7, T. 46 N., R. 50 E., MDM bears S. 63°04' E., 8,662 feet; and also the SW¼NW¼ Section 12, T. 46 N., R. 49 E., MDM, at a point from which the SE corner of Section 7, T. 46 N., R. 50 E., MDM bears S. 68°07' E., 10,019 feet; (Map #50) and also the SE¼NE¼ Section 18, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 18 bears N. 00°45' E., 1,691 feet; and also the SE¼NE¼ Section 17, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 17, bears N. 17°41' E., 2,113 feet; and also the NE¼SE¼ Section 17, T. 46 N., R. 50 E., MDM at a point from which the NE corner of said Section 17, bears N. 07°37' E., 3,583 feet, and also the SE¼SE¼ Section 18, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 18 bears N. 00°38' E., 4,767 feet; and also the SE¼NW¼ Section 19, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 19 bears N. 58°11' E., 4,282 feet; and also the SE¼SE¼

Section 17, T. 46 N., R. 50 E., MDM, at a point from which the SE corner of said Section 17 bears S. 44°38' E., 898 feet; and also the NE¼NE¼ Section 20, T. 46 N., R. 50 E., MDM, at a point from which the NW corner of said Section 20, bears N. 83°14' W., 5,289 feet; and also the NW¼SW¼ Section 29, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 29, bears N. 61°09' E., 5,579 feet; and also the SW¼SE¼ Section 35, T. 46 N., R. 49 E., MDM, at a point from which the SE corner of Section 36, T. 46 N., R. 49 E., MDM bears S. 86°46' E., 7,102 feet, and also the SW¼SE¼ Section 36, T. 46 N., R. 49 E., MDM, at a point from which the NE corner of Section 33, T. 46 N., R. 50 E., MDM bears N. 67°00' E., 13,798 feet. All of the above listed points follow the natural channels to a point in the (Map #50) SE¼SE¼ Section 31, T. 46 N., R. 50 E., MDM, from which the NE corner of Section 32, T. 46 N., R. 50 E., MDM bears N. 44°28' E., 7,443 feet.

Unnamed Spring #81, SW¼NE¼ Section 30, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 30 bears N. 33°28' E., 3,033 feet (Map #50).

Unnamed Spring #82, Lot 1, Section 19, T. 46 N., R. 50 E., MDM at a point from which the NE corner of said Section 19 bears N. 87°44' E., 5,245 feet (Map 50).

Unnamed Spring #83, SE¼NE¼ Section 13, T. 46 N., R. 49 E., MDM, at a point from which the SE corner of Section 18, T. 46 N., R. 50 E., MDM bears S. 61°32' E., 6,536 feet (Map 50).

Unnamed Spring #84, NW¼NE¼ Section 18, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 18 bears N. 71°14' E., 2,073 feet (Map 50).

Unnamed Spring #85, NW¼NE¼ Section 18, T. 46 N., R. 50 E., MDM, at a point from which the SE corner of said Section 18 bears S. 24°12' E., 4,642 feet (Map 50).

5) The water is impounded in Natural channel, spring area  
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun April 25, 1946 (under Permit 11553)  
Date  
and completed same year. Date of Small reservoirs is unknown  
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. T. 46 N., R. 49 E., MDM  
Patented, deeded, public domain with grazing permit, etc.

(Map 52). The Place of Use is within Lots 1, 2, 4, S½N½, W½SE¼ and the SW¼ of Section 1, Lots 1, 3, 4, SE¼NW¼, S½NE¼; SE¼SW¼ and the SE¼ of Section 2; NE¼, NW¼NW¼, E½NW¼, NE¼SW¼, SE¼SE¼ and the W½SE¼ of Section 11; NE¼NW¼, SW¼NW¼ SE¼SW¼, NW¼NE¼, NE¼SE¼ and the S½SE¼ of Section 12.

T. 47 N., R. 49 E., MDM (Map 52), the Place of Use is within the S½SW¼ of Section 25; S½S½ of Section 26; NW¼, NE¼NE¼, S½NE¼ and the E½SW¼ of Section 35; N½NW¼, SW¼NW¼, SE¼NE¼ and the SE¼ of Section 36.

**T. 46 N., R. 50 E., MDM (Map 52)**, the Place of Use is within Lots 3 and 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$  and the S $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 5; Lots 1, 2, 3, 5, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$  and the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 6; Lots 1, 2, 3, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$  and the NE $\frac{1}{4}$  of Section 7; N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$  and the S $\frac{1}{2}$ S $\frac{1}{2}$  of Section 8.

**T. 47 N., R. 50 E., MDM (Map 52)**, W $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 28; SE $\frac{1}{4}$ SE $\frac{1}{4}$  and the N $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 29; SE $\frac{1}{4}$  of Section 30; NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Lots 2 and 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$  and the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 31; W $\frac{1}{2}$ , NE $\frac{1}{4}$  and the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 32; W $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 33.

**T. 46 N., R. 49 E., MDM (Map 51)**, the Place of Use is within the N $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 15; NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$  and the E $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 16; N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$  and the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 17; NE $\frac{1}{4}$ SE $\frac{1}{4}$  and the S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 18; E $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 20; N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$  and the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 21; N $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$  and the S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 22; S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$  and the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 23; SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$  and the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 26; NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  and the E $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 27; N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$  and the E $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 28; NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 33; N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$  and the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 34; W $\frac{1}{2}$ W $\frac{1}{2}$  of Section 35.

**T. 46 N., R. 49 E., MDM (Map 53)**, the Place of Use is within Lot 3 and the S $\frac{1}{2}$ N $\frac{1}{2}$  of Section 3; Lots 1, 2, 3, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 4; Lot 1 of Section 5; SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$  and the S $\frac{1}{2}$ S $\frac{1}{2}$  of Section 8; NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$  and the SE $\frac{1}{4}$  of Section 9; S $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$  and the SW $\frac{1}{4}$  of Section 10.

**T. 47 N., R. 49 E., MDM (Map 53)**, the Place of Use is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$  and the S $\frac{1}{2}$ S $\frac{1}{2}$  of Section 27; S $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$  and the E $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 28; S $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  and the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 32; NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$  and the SW $\frac{1}{4}$  of Section 33; NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$  and the E $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 34.

**T. 46 N., R. 49 E., MDM (Map 50)**, the Place of Use is within the E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$  and the W $\frac{1}{2}$ W $\frac{1}{2}$  of Section 13; NE $\frac{1}{4}$ SE $\frac{1}{4}$  and the E $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 14; SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$  and the E $\frac{1}{2}$ E $\frac{1}{2}$  of Section 23; NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  and the S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 24; W $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  and the S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 25; SE $\frac{1}{4}$ SE $\frac{1}{4}$  and the W $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 26; NE $\frac{1}{4}$ NE $\frac{1}{4}$  and the W $\frac{1}{2}$ E $\frac{1}{2}$  of Section 35; NE $\frac{1}{4}$ NE $\frac{1}{4}$  and the W $\frac{1}{2}$ E $\frac{1}{2}$  of Section 36.

**T. 46 N., R. 50 E., MDM (Map 50)**, the Place of Use is within the E $\frac{1}{2}$ E $\frac{1}{2}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  and the W $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 17; E $\frac{1}{2}$ E $\frac{1}{2}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , Lots 2, 3, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 18; Lots 2, 3, 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  and the W $\frac{1}{2}$ E $\frac{1}{2}$  of Section 19; NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and the S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 20; NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ E $\frac{1}{2}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$  and the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 29; Lots 1, 2, 3, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$  and the E $\frac{1}{2}$  of Section 30; Lot 1, E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$  and the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 31; SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , NE $\frac{1}{4}$ , and the N $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 32; W $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 33.

**Unnamed Spring #81**, the Place of Use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 30, T. 46 N., R. 50 E., MDM (Map 50).

Unnamed Spring #82, the Place of Use is within Lot 1, Section 19, T. 46 N., R. 50 E., MDM (Map 50).

Unnamed Spring #83, the Place of Use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 13, T. 46 N., R. 49 E., MDM (Map 50).

Unnamed Springs #84 and #85, the Place of Use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 18, T. 46 N., R. 50 E., MDM (Map 50).

(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 June 1, 1880,  
was 2800 cattle 200 horses \_\_\_\_\_ 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 "Report on the Productions of Agriculture, as returned at the Tenth Census (June 1, 1880)", U.S. Dept. of Interior, U.S. Govt. Printing Office, 1883 and from "Nevada's Northeast Frontier", by Patterson, Ulph and Goodwin, 1969, Western Printing and publishing Co.

"The highland between the Little Humboldt and the Owyhee River slopes toward the later stream into vast sagebrush plain, known as the Owyhee desert. Many of the valley herds resort to this so-called desert and pass the winter well, provided they can find snow in place of water. There was little snow in the long, cold winter of 1879-80, and large tracts of the browse-feed, both in that (Owyhee Desert) region and in the valley slopes, could not be occupied; herds were compelled to remain in the neighborhood of permanent water, where the feed was already eaten off. Cattle owners stated that 20 percent of their herds perished from combined cold and starvation, although all the hay and straw in the two valleys was used."<sup>1</sup> "The choicest tracts of river lands have in many instances been fenced with barbed wire for the production of hay and as pastures for stock peculiarly susceptible to exposure."<sup>2</sup> "The original capacity for supporting livestock seems to have been greatest in Northern Nevada at all seasons of the year. No other part of Nevada possesses such extensive tracts of elevated and well watered summer pasture as those adjacent to the Valley of Quinn River, The Owyhee and the northern tributaries of The Humboldt."<sup>3</sup> "The Owyhee River flows through a vast sage country, containing many stretches of browse accessible to cattle, where they can find drifted snow in ravines and pockets. Along the stream are frequent canyons until after the Oregon line is reached, which permit only an occasional opportunity for cattle to reach water. The prongs of the South Fork of the Owyhee, however, have several cattle ranches located on them, with good summer grazing, but during the other half of the year, they must depend on overgrazed lowlands."<sup>4</sup> "With the progress, however, of settlement by small ranchers, under the pre-emption or the homestead acts, wherever there is opportunity for irrigation the free range opportunities have been curtailed. The advantageous conditions already gained by actual title to river borders enabled a dozen cattle raisers each to handle herds aggregating from 10,000 to 15,000

head.<sup>5 6</sup> "Roundups took place on the Owyhee Desert in the vast 60 mile long and 30 mile wide expanse of land lying between the Little Humboldt and the Owyhee River. Rodeos lasted for two months or more depending on weather, men, and cattle. Nomenclature described the country. Tent Creek, Tent Corrals, Coyote Hole, Rye Grass, Tophan Creek, Devil's Corral, Whiskey Springs, Hardsgrabble, Starr Valley, Calico Mountain, Calico Corrals, and Juniper Basin. Deeply gouged river gorges divided the desert into grazing pastures and livestock of adjacent outfits ranged defined areas of the plateau. In 1880, cattle and horses grazed the country year-round and wandered for miles without striking a fence. Stock running in common on the Owyhee Desert included the following irons:

The YP of Garat and Co.; P-Bench of Altube Brothers; SL of Sales and Mitchum of Elko County; 96 of William Stock; the UT of J.P. "Pick" Anderson; the Double Square of R.T. Evans of Paradise Valley; the 2-Stripe of Joe Sewell; the U-D of Riddle Brothers; and the Circle 2 of Allie Harris of Idaho.<sup>7</sup>

"In the 1880's, cattle remained on the range year round and cows weaned their own calves. The Juniper Basin rodeo, one of the larger gathering places, averaged 10,000 head of cattle.<sup>8</sup> "The YP Iron, believed to be the third oldest iron in active and continuous use in the United States, probably the only livestock brand registered in the U.S. Patent office, originated with Juan and Grace Garat in 1852 in the San Joaquin Valley, in California. 1871 they drove 1000 head of cattle to Nevada and in 1874 they settled on the South Fork of the Owyhee River.<sup>9</sup> While the Garat's more than likely started running cattle within the described area in about 1875, other cattlemen were running in the area before that, we are claiming a 1880 year for this area.

<sup>1</sup> Report by Clarence Gordon, U.S. Tenth Census June 1, 1880, report on Cattle, Sheep and Swine, Page 108.  
<sup>2</sup> Report by Clarence Gordon, U.S. Tenth Census June 1, 1880, report on Cattle, Sheep and Swine, Page 106  
<sup>3</sup> Report by Clarence Gordon, U.S. Tenth Census June 1, 1880, report on Cattle, Sheep and Swine, Page 105  
<sup>4</sup> Report by Clarence Gordon, U.S. Tenth Census June 1, 1880, report on Cattle, Sheep and Swine, Page 109  
<sup>5</sup> Report by Clarence Gordon, U.S. Tenth Census June 1, 1880, report on Cattle, Sheep and Swine, Page 109  
<sup>6</sup> Nevada's Northeast Frontier, Page 214  
<sup>7</sup> Nevada's Northeast Frontier, Page 230  
<sup>8</sup> Nevada's Northeast Frontier, Page 321, and Haws, Alalalde- Valley of Tall Grass  
<sup>9</sup> Nevada's Northeast Frontier, Page 418-19

(10) The approximate number of animals watered by the claimant in subsequent years was as

follows: 3000 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 1880.

(11) The amount of water which has been necessary to be diverted for this purpose has been

0.09 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at Josephine Reservoir Permit #11553, within Section 11  
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed  
T. 46 N., R. 49 E., MDM and two small reservoirs, one in the NE¼SW¼ Section 33, T. 47 N.,  
land, it should be stated.  
R. 49 E., MDM, the other in the SE¼NW¼ Section 21, T. 46 N., R. 49 E., MDM.

Remarks Use Maps #50, #51, #52, and #53

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. Aisbet 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

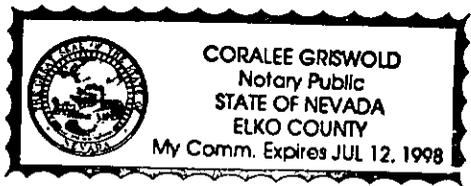
Subscribed and sworn to before me this 14 day of July, 19 97.

Coralee Griswold

Notary Public in and for the County of Elko

My commission expires July 12, 1998

**\$50 FILING FEE MUST ACCOMPANY PROOF**





the NE corner of Section 6, T. 46 N., R. 50 E., MDM bears N. 74°37' E., 27,280 feet, and also the SW¼SE¼ Section 9, T. 46 N., R. 49 E., MDM, at a point from which the SE corner of Section 6, T. 46 N., R. 50 E., MDM bears N. 64°30' E., 24,873 feet; and also the NE¼SW¼ Section 9, T. 46 N., R. 49 E., MDM, at a point from which the NE corner of Section 6, T. 46 N., R. 50 E., MDM bears N. 69°07' E., 26,170 feet; and also the SW¼NE¼ Section 9, T. 46 N., R. 49 E., at a point from which the NE corner of Section 6, T. 46 N., R. 50 E., MDM bears N. 71°09' E., 23,707 feet; and also the Lot 1, Section 5, T. 46 N., R. 49 E., MDM, at a point from which the NE corner of Section 6, T. 46 N., R. 50 E., MDM bears N. 88°51' E., 26,669 feet; and also the NE¼SW¼ Section 32, T. 47 N., R. 49 E., MDM, at a point from which the SE corner of Section 31, T. 47 N., R. 50 E., MDM bears S. 87°47' E., 30,144 feet; and also the SW¼NE¼ Section 28, T. 47 N., R. 49 E., MDM at a point from which the SE corner of Section 31, T. 47 N., R. 50 E., MDM bears S. 71°50' E., 24,741 feet, and also the SE¼NE¼ Section 28, T. 47 N., R. 49 E., MDM at a point from which the SE corner of Section 31, T. 47 N., R. 50 E., MDM bears S. 68°43' E., 22,894 feet, and also the SW¼SE¼ Section 27, T. 47 N., R. 49 E., MDM, at a point from which the SE corner of Section 31, T. 47 N., R. 50 E., MDM bears S. 73°29' E., 18,963 feet, and also the NE¼SE¼ Section 27, T. 47 N., R. 49 E., MDM, at a point from which the SE corner of Section 31, T. 47 N., R. 50 E., MDM bears S. 68°10' E., 17,253 feet. (Map 52) and also the SE¼SE¼ Section 26, T. 47 N., R. 49 E., MDM, at a point from the SE corner of Section 7, T. 46 N., R. 50 E., MDM bears S. 34°41' E., 20,634 feet; and also the SW¼SW¼ Section 25, T. 47 N., R. 49 E., MDM, at a point from which the SE corner of Section 32, T. 47 N., R. 50 E., MDM bears S. 68°22' E., 16,032 feet; and also Lot 2, Section 31, T. 47 N., R. 50 E., MDM, at a point from which the SE corner of Section 32, T. 47 N., R. 50 E., MDM bears S. 72°36' E., 10,285 feet, and also the SE¼NW¼ Section 31, T. 47 N., R. 50 E., MDM, at a point from which the SE corner of Section 32, T. 47 N., R. 50 E., MDM bears S. 71°30' E., 9,308 feet; and also the NE¼SW¼ Section 29, T. 47 N., R. 50 E., MDM at a point from which the SE corner of Section 32, T. 47 N., R. 50 E., MDM bears S. 21°39' E., 7,693 feet; and also the NW¼SW¼ (Lot 7) Section 28, T. 47 N., R. 50 E., MDM, at a point from which the SW corner of Section 33, T. 47 N., R. 50 E., MDM bears S. 08°41' W., 7,928 feet; and also the SW¼SW¼ (Lot 8) Section 28, T. 47 N., R. 50 E., MDM, at a point from which the SW corner of Section 33, T. 47 N., R. 50 E., MDM bears S. 10°50' W., 6,460 feet; and also the SW¼NW¼ (Lot 6) Section 33, T. 47 N., R. 50 E., MDM, at a point from which the SW corner of said Section 33, bears S. 18°23' W., 3,943 feet; and also the SE¼NE¼ Section 5, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 5, bears N. 24°10' E., 1,923 feet; and also the NE¼NW¼ Section 8, T. 46 N., R. 50 E., MDM, at a point from which the SE corner of said Section 8, bears S. 33°36' E., 6,124 feet; and also the NE¼NE¼ Section 7, T. 46 N., R. 50 E., MDM, at a point from which the SE corner of Section 8, T. 46 N., R. 50 E., MDM bears S. 50°01' E., 7,040 feet; and also the NW¼NE¼ Section 12, T. 46 N., R. 49 E., MDM, at a point from which the SE corner of Section 7, T. 46 N., R. 50 E., MDM bears S. 56°18' E., 7,993 feet; and also the NW¼NE¼ Section 12, T. 46 N., R. 49 E., at a point from which the SE corner of Section 7, T. 46 N., R. 50 E., MDM bears S. 63°04' E., 8,662 feet; and also the SW¼NW¼ Section 12, T. 46 N., R. 49 E., MDM, at a point from which the SE corner of Section 7, T. 46 N., R. 50 E., MDM bears S. 68°07' E., 10,019 feet; (Map #50) and also the SE¼NE¼ Section 18, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 18 bears N. 00°45' E., 1,691 feet; and also the SE¼NE¼ Section 17, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 17, bears N. 17°41' E., 2,113 feet; and also the NE¼SE¼ Section 17, T. 46 N., R. 50 E., MDM at a point from which the NE corner of said Section 17, bears N. 07°37' E., 3,583 feet, and also the SE¼SE¼ Section 18, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 18 bears N. 00°38' E., 4,767 feet; and also the SE¼NW¼ Section 19, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 19 bears N. 58°11' E., 4,282 feet; and also the SE¼SE¼

Section 17, T. 46 N., R. 50 E., MDM, at a point from which the SE corner of said Section 17 bears S. 44°38' E., 898 feet; and also the NE¼NE¼ Section 20, T. 46 N., R. 50 E., MDM, at a point from which the NW corner of said Section 20, bears N. 83°14' W., 5,289 feet; and also the SE¼SE¼ Section 20, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 20, bears N. 00°22' W., 4,926 feet, and also the NW¼SW¼ Section 29, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 29, bears N. 61°09' E., 5,579 feet, and also the NW¼NW¼ Section 33, T. 46 N., R. 50 E., MDM, at a point from which the NW corner of said Section 33, bears N. 70°57' W., 1,357 feet; and also the SW¼SE¼ Section 35, T. 46 N., R. 49 E., MDM, at a point from which the SE corner of Section 36, T. 46 N., R. 49 E., MDM bears S. 86°46' E., 7,102 feet, and also the SW¼SE¼ Section 36, T. 46 N., R. 49 E., MDM, at a point from which the NE corner of Section 33, T. 46 N., R. 50 E., MDM bears N. 67°00' E., 13,798 feet. All of the above listed points follow the natural channels to a point in the (Map #50) SE¼SE¼ Section 31, T. 46 N., R. 50 E., MDM, from which the NE corner of Section 32, T. 46 N., R. 50 E., MDM bears N. 44°28' E., 7,443 feet.

Unnamed Spring #81, SW¼NE¼ Section 30, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 30 bears N. 33°28' E., 3,033 feet (Map #50).

Unnamed Spring #82, Lot 1, Section 19, T. 46 N., R. 50 E., MDM at a point from which the NE corner of said Section 19 bears N. 87°44' E., 5,245 feet (Map 50).

Unnamed Spring #83, SE¼NE¼ Section 13, T. 46 N., R. 49 E., MDM, at a point from which the SE corner of Section 18, T. 46 N., R. 50 E., MDM bears S. 61°32' E., 6,536 feet (Map 50).

Unnamed Spring #84, NW¼NE¼ Section 18, T. 46 N., R. 50 E., MDM, at a point from which the NE corner of said Section 18 bears N. 71°14' E., 2,073 feet (Map 50).

Unnamed Spring #85, NW¼NE¼ Section 18, T. 46 N., R. 50 E., MDM, at a point from which the SE corner of said Section 18 bears S. 24°12' E., 4,642 feet (Map 50).

5) The water is impounded in Natural channel, spring area  
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun April 25, 1946 (under Permit 11553)  
Date  
and completed same year. Date of Small reservoirs is unknown  
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. T. 46 N., R. 49 E., MDM

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

(Map 52). The Place of Use is within Lots 1, 2, 4, S½N½, W½SE¼ and the SW¼ of Section 1, Lots 1, 3, 4, SE¼NW¼, S½NE¼; SE¼SW¼ and the SE¼ of Section 2; NE¼, NW¼NW¼, E½NW¼, NE¼SW¼, SE¼SE¼ and the W½SE¼ of Section 11; NE¼NW¼, SW¼NW¼ SE¼SW¼, NW¼NE¼, NE¼SE¼ and the S½SE¼ of Section 12.

T. 47 N., R. 49 E., MDM (Map 52), the Place of Use is within the S½SW¼ of Section 25; S½S½ of Section 26; NW¼, NE¼NE¼, S½NE¼ and the E½SW¼ of Section 35; N½NW¼, SW¼NW¼, SE¼NE¼ and the SE¼ of Section 36.

**T. 46 N., R. 50 E., MDM (Map 52)**, the Place of Use is within Lots 3 and 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$  and the S $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 5; Lots 1, 2, 3, 5, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$  and the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 6; Lots 1, 2, 3, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$  and the NE $\frac{1}{4}$  of Section 7; N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$  and the S $\frac{1}{2}$ S $\frac{1}{2}$  of Section 8.

**T. 47 N., R. 50 E., MDM (Map 52)**, W $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 28; SE $\frac{1}{4}$ SE $\frac{1}{4}$  and the N $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 29; SE $\frac{1}{4}$  of Section 30; NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Lots 2 and 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$  and the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 31; W $\frac{1}{2}$ , NE $\frac{1}{4}$  and the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 32; W $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 33.

**T. 46 N., R. 49 E., MDM (Map 51)**, the Place of Use is within the N $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 15; NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$  and the E $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 16; N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$  and the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 17; NE $\frac{1}{4}$ SE $\frac{1}{4}$  and the S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 18; E $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 20; N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$  and the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 21; N $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$  and the S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 22; S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$  and the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 23; SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$  and the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 26; NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  and the E $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 27; N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$  and the E $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 28; NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 33; N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$  and the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 34; W $\frac{1}{2}$ W $\frac{1}{2}$  of Section 35.

**T. 46 N., R. 49 E., MDM (Map 53)**, the Place of Use is within Lot 3 and the S $\frac{1}{2}$ N $\frac{1}{2}$  of Section 3; Lots 1, 2, 3, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 4; Lot 1 of Section 5; SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$  and the S $\frac{1}{2}$ S $\frac{1}{2}$  of Section 8; NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$  and the SE $\frac{1}{4}$  of Section 9; S $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$  and the SW $\frac{1}{4}$  of Section 10.

**T. 47 N., R. 49 E., MDM (Map 53)**, the Place of Use is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$  and the S $\frac{1}{2}$ S $\frac{1}{2}$  of Section 27; S $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$  and the E $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 28; S $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  and the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 32; NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$  and the SW $\frac{1}{4}$  of Section 33; NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$  and the E $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 34.

**T. 46 N., R. 49 E., MDM (Map 50)**, the Place of Use is within the E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$  and the W $\frac{1}{2}$ W $\frac{1}{2}$  of Section 13; NE $\frac{1}{4}$ SE $\frac{1}{4}$  and the E $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 14; SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$  and the E $\frac{1}{2}$ E $\frac{1}{2}$  of Section 23; NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  and the S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 24; W $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  and the S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 25; SE $\frac{1}{4}$ SE $\frac{1}{4}$  and the W $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 26; NE $\frac{1}{4}$ NE $\frac{1}{4}$  and the W $\frac{1}{2}$ E $\frac{1}{2}$  of Section 35; NE $\frac{1}{4}$ NE $\frac{1}{4}$  and the W $\frac{1}{2}$ E $\frac{1}{2}$  of Section 36.

**T. 46 N., R. 50 E., MDM (Map 50)**, the Place of Use is within the E $\frac{1}{2}$ E $\frac{1}{2}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  and the W $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 17; E $\frac{1}{2}$ E $\frac{1}{2}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , Lots 2, 3, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 18; Lots 2, 3, 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  and the W $\frac{1}{2}$ E $\frac{1}{2}$  of Section 19; NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and the S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 20; NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ E $\frac{1}{2}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$  and the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 29; Lots 1, 2, 3, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$  and the E $\frac{1}{2}$  of Section 30; Lot 1, E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$  and the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 31; SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , NE $\frac{1}{4}$ , and the N $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 32; W $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 33.

**Unnamed Spring #81**, the Place of Use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 30, T. 46 N., R. 50 E., MDM (Map 50).

Unnamed Spring #82, the Place of Use is within Lot 1, T. 46 N., R. 50 E., MDM (Map 50).

Unnamed Spring #83, the Place of Use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 13, T. 46 N., R. 49 E., MDM (Map 50).

Unnamed Springs #84 and #85, the Place of Use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 18, T. 46 N., R. 50 E., MDM (Map 50).

(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 June 1, 1880,

was 2800 cattle 200 horses \_\_\_\_\_ 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 "Report on the Productions of Agriculture, as returned at the Tenth Census (June 1, 1880)", U.S. Dept. of Interior, U.S. Govt. Printing Office, 1883 and from "Nevada's Northeast Frontier", by Patterson, Ulph and Goodwin, 1969, Western Printing and publishing Co.

"The highland between the Little Humboldt and the Owyhee River slopes toward the later stream into vast sagebrush plain, known as the Owyhee desert. Many of the valley herds resort to this so-called desert and pass the winter well, provided they can find snow in place of water. There was little snow in the long, cold winter of 1879-80, and large tracts of the browse-feed, both in that (Owyhee Desert) region and in the valley slopes, could not be occupied; herds were compelled to remain in the neighborhood of permanent water, where the feed was already eaten off. Cattle owners stated that 20 percent of their herds perished from combined cold and starvation, although all the hay and straw in the two valleys was used."<sup>1</sup> "The choicest tracts of river lands have in many instances been fenced with barbed wire for the production of hay and as pastures for stock peculiarly susceptible to exposure."<sup>2</sup> "The original capacity for supporting livestock seems to have been greatest in Northern Nevada at all seasons of the year. No other part of Nevada possesses such extensive tracts of elevated and well watered summer pasture as those adjacent to the Valley of Quinn River, The Owyhee and the northern tributaries of The Humboldt."<sup>3</sup> "The Owyhee River flows through a vast sage country, containing many stretches of browse accessible to cattle, where they can find drifted snow in ravines and pockets. Along the stream are frequent canyons until after the Oregon line is reached, which permit only an occasional opportunity for cattle to reach water. The prongs of the South Fork of the Owyhee, however, have several cattle ranches located on them, with good summer grazing, but during the other half of the year, they must depend on overgrazed lowlands."<sup>4</sup> "With the progress, however, of settlement by small ranchers, under the pre-emption or the homestead acts, wherever there is opportunity for irrigation the free range opportunities have been curtailed. The advantageous conditions already gained by actual title to river borders enabled a dozen cattle raisers each to handle herds aggregating from 10,000 to 15,000 head."<sup>5 6</sup> "Roundups took place on the Owyhee Desert in the vast 60 mile long and 30 mile wide

expanse of land lying between the Little Humboldt and the Owyhee River. Rodeos lasted for two months or more depending on weather, men, and cattle. Nomenclature described the country. Tent Creek, Tent Corrals, Coyote Hole, Rye Grass, Tophan Creek, Devil's Corral, Whiskey Springs, Hardsgrable, Starr Valley, Calico Mountain, Calico Corrals, and Juniper Basin. Deeply gouged river gorges divided the desert into grazing pastures and livestock of adjacent outfits ranged defined areas of the plateau. In 1880, cattle and horses grazed the country year-round and wandered for miles without striking a fence. Stock running in common on the Owyhee Desert included the following irons:

The YP of Garat and Co.; P-Bench of Altube Brothers; SL of Sales and Mitchum of Elko County; 96 of William Stock; the UT of J.P. "Pick" Anderson; the Double Square of R.T. Evans of Paradise Valley; the 2-Stripe of Joe Sewell; the U-D of Riddle Brothers; and the Circle 2 of Allie Harris of Idaho."<sup>7</sup>

"In the 1880's, cattle remained on the range year round and cows weaned their own calves. The Juniper Basin rodeo, one of the larger gathering places, averaged 10,000 head of cattle."<sup>8</sup> "The YP Iron, believed to be the third oldest iron in active and continuous use in the United States, probably the only livestock brand registered in the U.S. Patent office, originated with Juan and Grace Garat in 1852 in the San Joaquin Valley, in California. 1871 they drove 1000 head of cattle to Nevada and in 1874 they settled on the South Fork of the Owyhee River."<sup>9</sup> While the Garat's more than likely started running cattle within the described area in about 1875, other cattlemen were running in the area before that, we are claiming a 1880 year for this area.

<sup>1</sup> Report by Clarence Gordon, U.S. Tenth Census June 1, 1880, report on Cattle, Sheep and Swine, Page 108.

<sup>2</sup> Report by Clarence Gordon, U.S. Tenth Census June 1, 1880, report on Cattle, Sheep and Swine, Page 106

<sup>3</sup> Report by Clarence Gordon, U.S. Tenth Census June 1, 1880, report on Cattle, Sheep and Swine, Page 105

<sup>4</sup> Report by Clarence Gordon, U.S. Tenth Census June 1, 1880, report on Cattle, Sheep and Swine, Page 109

<sup>5</sup> Report by Clarence Gordon, U.S. Tenth Census June 1, 1880, report on Cattle, Sheep and Swine, Page 109

<sup>6</sup> Nevada's Northeast Frontier, Page 214

<sup>7</sup> Nevada's Northeast Frontier, Page 230

<sup>8</sup> Nevada's Northeast Frontier, Page 321, and Haws, Alelaide- Valley of Tall Grass

<sup>9</sup> Nevada's Northeast Frontier, Page 418-19

(10) The approximate number of animals watered by the claimant in subsequent years was as

follows: 3000 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 1880.

(11) The amount of water which has been necessary to be diverted for this purpose has been

0.09 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at Josephine Reservoir Permit #11553, within Section 11

Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

T. 46 N., R. 49 E., MDM and two small reservoirs, one in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 33, T. 47 N.,  
land, it should be stated.

R. 49 E., MDM, the other in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 21, T. 46 N., R. 49 E., MDM.

Remarks Use Maps #50, #51, #52, and #53

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. Fisket 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**

