

AMENDED  
STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING  
OR WILDLIFE PURPOSES

(1) Name of Claimant Elias Fernando Goicoechea Family Trust Agreement

HC 31, Box 90 of Elko  
Street and No. or P.O. Box No. City or town  
Nevada 89801  
State and Zip code No.

(2) Source of water Delaware Creek and tributaries  
Name of natural water source.

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

(4) The water is diverted at the following point(s) (Map 3) a branch of Delaware starts in the  
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.

NE 1/4 NE 1/4 Section 12, T. 42 N., R. 54 E., MDM, at a point from which the SE corner of Section  
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.

7, T. 42 N., R. 55 E., MDM, bears S. 50°53' E., 8,261 feet and follows the natural channel to a

point in (Map 4) Lot 4, Section 5, T. 42 N., R. 55 E., MDM, from which the NE corner of Section

29, T. 43 N., R. 55 E., MDM, bears N. 22°41' E., 11,530 feet and Delaware Creek starts in the

(Map 3) NW 1/4 SE 1/4 Section 3, T. 42 N., R. 54 E., MDM, at a point from which the SE corner of

Section 7, T. 42 N., R. 55 E., MDM, bears S. 66°04' E., 18,996 feet and follows the natural channel

to a point in (Map 4) Lot 1, Section 6, T. 42 N., R. 55 E., MDM, from which the NE corner of

Section 29, T. 43 N., R. 55 E., MDM, bears N. 30°08' E., 12,352 feet.

The water is impounded in natural channel  
Troughs, tanks, pools, reservoir, natural channel, etc.

The construction of the ditch or other works was begun none

and completed \_\_\_\_\_ Date

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  
Patented, deeded, public domain with grazing permit, etc.  
(Map 3) N $\frac{1}{2}$ SW $\frac{1}{4}$  and the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 6, T. 42 N., R.55 E., MDM, E $\frac{1}{2}$ SE, NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 1; N $\frac{1}{2}$ S $\frac{1}{2}$  of Section 2; N $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 3; NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 12; all within T. 42 N., R. 54 E., MDM, (Map 4) S $\frac{1}{2}$ N $\frac{1}{2}$  of Section 1, T. 42 N., R. 54 E., MDM, Lot 4 of Section 5; NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$  and Lot 3 of Section 6, all within T. 42 N., R. 55 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 Prior to 1905,  
Date  
 was 7,430 cattle \_\_\_\_\_ horses \_\_\_\_\_ sheep or wildlife (describe) \_\_\_\_\_ .  
Other

The watering was conducted during each of the following months \_\_\_\_\_  
BLM - May 1st thru December 31st  
Private - January 1st thru December 31st  
Enclosed is an Affidavit from Julian Goicoechea

(10) The approximate number of animals watered by the claimant in subsequent years was as follows: 7,430 Cow/Calf 14,860  
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.  
(See Remarks)

(11) The amount of water which has been necessary to be diverted for this purpose has been 0,459 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 Maps 3 and 4

The 14,860 cows and calves listed in this proof are the same as listed in the proofs filed under  
Owyhee River, Clear, Hanks, Chicken, Jacks, and Crooked Creeks.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of  
water by Elias Fernando Goicoechea Family Trust Agreement  
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.

Elias Fernando Goicoechea Family Trust Agreement  
Claimant

Telephone No. ( 702 ) 758-6443

By William A. Fishel Agent

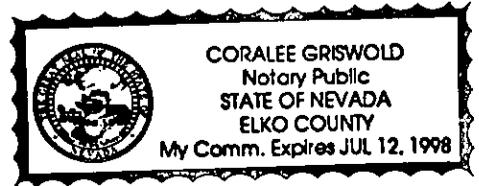
421 Court Street  
Street and No., or P.O. Box No.  
Elko, NV 89801  
City, State, Zip Code No.  
Telephone No. ( 702 ) 738-2121

Subscribed and sworn to before me this 2 day of August, 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**



Original affidavit filed under Proof of Appropriation #06767 (Hanks Creek)

AFFIDAVIT

To Whom it May Concern:

I, Julian Goicoechea, retired, was born March 4, 1914, at Elko, Nevada. My parents, Pete and Guadalupe Goicoechea, were living at the Home Ranch on Hanks Creek at the time. The Home Ranch was purchased from Pete Corta Sheep Company in 1912 by the Goicoechea Brothers. I lived on the Home Ranch for many years. I went to school in Gold Creek at the Island Mtn. School. About 60 acres of hay on the Home Ranch were irrigated from ditches within the fenced property when purchased. It was my understanding that the Home Ranch on Hanks Creek was settled in about 1898. In those early times, hay land was fenced to protect against other cattle and sheep users. It was also my understanding that the Charlie Howard's main homestead on the upper Owyhee River, two miles from the Mountain City Highway on the Charleston Road and 3 miles northeast of Home Ranch, was also settled about the same time as the Home Ranch. From the time I can remember, these properties were fenced, hayed and watered. It was also my understanding that the Pete Corta Sheep Company was running about 10,000 head of sheep in 1912, at the time of purchase, and that it had done so for at least 10 years previous. It is also my understanding that Clayton and Hylton, which were property owners on the North Fork of the Humboldt River, grazed livestock in both the North Fork of the Humboldt River and the Upper Owyhee River watersheds in 1898, being some 10,000 head of cattle and 5,000 head of sheep.

I freely and willingly submit this information as a matter of public record.

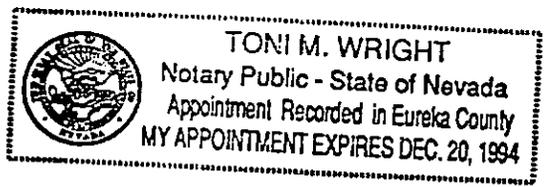
*Julian Goicoechea*  
 \_\_\_\_\_  
 Julian Goicoechea

State of Nevada )  
                  EUREKA ) SS  
County of ~~Eureka~~ )

On this 16 day of July, 1994, personally appeared before me, Julian Goicoechea, who acknowledged that he executed the above instrument.

Toni M. Wright  
Notary Public

\_\_\_\_\_  
Date  
December 20, 1994  
Commission Expires



ORIGINAL

Serial No. 06779

STATE OF NEVADA

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OR WILDLIFE PURPOSES**

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Elias Fernando Goicoechea, Family Trust Agreement

Claimant

Telephone No. ( 702 ) 758-6443

By William A. Nisbet Agent

421 Court Street

Street and No., or P.O. Box No.

Elko, NV 89801

City, State, Zip Code No.

Telephone No. ( 702 ) 738-2121

Subscribed and sworn to before me this 22 day of June, 19 94.

Coralee Griswold

Notary Public in and for the County of Elko

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