

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 Clear Creek and Unnamed Spring #1 and tributaries
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 2) Lot 11, Section 25, T. 43 N., R. 55 E., MDM
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.

at a point from which the SW corner of Section 30, T. 43 N., R. 56 E., MDM, bears S. 39°32' E.,
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.

3,680 feet which follows the natural channel to a point in the SE¼SE¼ Section 26 T. 43 N.,

R. 55 E., MDM, from which the SW corner of Section 30, T. 43 N., R. 56 E., MDM, bears

S. 68°17' E., 7,743 feet.

Unnamed Spring #1 (Map 2) - SE¼SW¼ Section 25, T. 43 N., R. 55 E., MDM, at a point from

which the SW corner of Section 30, T. 43 N., R. 56 E., MDM, bears S. 62°27' E., 5,336 feet.

(5) The water is impounded in natural channel and spring area
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 Deeded and Public domain with grazing permit
Patented, deeded, public domain with grazing permit, etc.
(Map 2) S½S½ of Section 25; a portion of the SE¼SE¼ of Section 26, all within T. 43 N.,
R. 55 E., MDM.
Unnamed Spring #1 (Map 2) - SE¼SW¼ of Section 25, T. 43 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 Map 2

The 14,860 cows and calves listed in this proof are the same as listed in the proofs filed under
Owyhee River, Hanks, Delaware, 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. Pishel 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

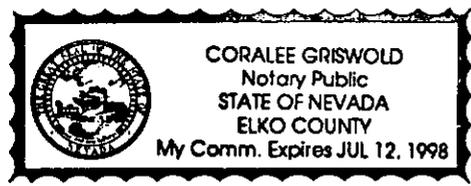
Subscribed and sworn to before me this 2 day of August, 19 94.

Coralie 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

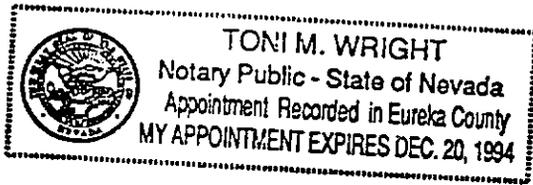
State of Nevada)
 EUREKA) SS
County of ~~Eureka~~)

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 06780

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Elias Fernando Goicoechea, Family Trust Agreement

Claimant

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By William A. Probit 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.

Carolee Griswold

Notary Public in and for the County of Elko

My commission expires July 12, 1994

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