Serial No. 06797

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of Claimant Buck Creek Ranch, Inc.

HC 85, Box 275 of Grandview
Street and No. or P.O. Box No. City or town

Idaho 83624
State and Zip code No.

(2) Source of water Sonovia Creek, Unnamed Spring #6 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) NE¼SW¼ Section 34, T. 47 N., R. 57 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 NE corner of said Section 34, bears N. 38°51' E., 4,925 feet,
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.

and also the NE¼NE¼ Section 3, T. 46 N., R. 57 E., MDM, at a point from which the NE corner of Section 34, T. 47 N., R. 57 E., MDM, bears N. 07°46' E., 5,435 feet and also the NE¼NE¼ Section 3, T. 46 N., R. 57 E., MDM, at a point from which the NE corner of Section 34, T. 47 N., R. 57 E., MDM, bears N. 00°41' E., 6,287 feet and also the NW¼NW¼ Section 36, T. 47 N., R. 57 E., MDM, at a point from which the NW corner of said Section 36, bears N. 61°18' W., 1,043 feet, and also the NE¼SW¼ Section 36, T. 47 N., R. 57 E., MDM, at a point from which the NW corner of said Section 36, bears N. 25°13' W., 3,453 feet, and also Lot 3, Section 30, T. 47 N., R. 58 E., MDM, at a point from which the SW corner of Section 25, T. 47 N., R. 57 E., MDM, bears S. 78°24' W., 6,290 feet and also Lot 3, T. 47 N., R. 58 E., MDM, at a point from which the SW corner of Section 25, T. 47 N., R. 57 E., MDM, bears S. 72°13' W., 5,766 feet which all the

06797

above listed points follows the natural channels to a point in the (Map 6) SW¼NW¼ Section 9, T. 47 N., R. 58 E., MDM, from which the NW corner of said Section 9 bears N. 13°41' W., 2,004 feet.

Unnamed Spring #6 (Map 3) - SW¼NE¼ Section 25, T. 47 N., R. 57 E., MDM, at a point from which the NW corner of said Section 25 bears N. 66°35' W., 3,990 feet.

(5) The water is impounded in natural channel
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 3) NW½NW¼ Section 2; NE¼NE¼ Section 3; within T. 46 N., R. 57 E., MDM (Map 3) 4 JN 4/18/03
SE¼SE¼, NW¼SE¼, E½SW¼, SW¼NE¼ and the E½NE¼ Section 24; NE¼NE¼, S½NE¼, NE¼NW¼, S½NW¼ and the S½ of Section 25; SE¼SE¼ Section 26; NE¼SW¼, N½SE¼ and the SE¼SE¼ Section 34; SW¼, SE¼NW¼, SW¼SE¼, N½SE¼, SW¼NE¼, and the E½NE¼ Section 35; NW¼NW¼, SE¼NW¼, NE¼SW¼, and the W½NE¼ Section 36, all within T. 47 N., R. 57 E., MDM, (Map 3) W½NE¼, SE¼NW¼, SW¼SE¼, NE¼SW¼, and Lots 3 and 4, Section 18; W½E½ and the W½ of Section 19; N½SW¼ and the NW¼ of Section 30; all within T. 47 N., R. 58 E., MDM, (Map 4) NW¼NW¼ Section 17; E½E½ Section 18; NE¼NE¼ Section 19; all within T. 47 N., R. 58 E., MDM, (Map 6) S½SW¼, NE¼SW¼, NW¼SE¼, a portion of the SE¼NE¼, a portion of the NE¼SE¼ and a portion of the H.E.S. #57, Section 8; SW¼NW¼ Section 9; all within T. 47 N., R. 58 E., MDM.

Unnamed Spring #6 (Map 3) - SW¼NE¼ Section 25, T. 47 N., R. 57 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 1200 cattle 20 horses_____sheep or wildlife (describe)_____. (Other)

The watering was conducted during each of the following months 2218-U.S. Forest-July 1st thru October 15th; 2420-BLM-January 1st thru December 31st; 2420-Private-January 1st thru December 31st.

"On the Diamond A Desert, between the Jarbidge and Bruneau Rivers, from the 1860's to 1889, Longhorn herds of southern Idaho's cattle barons (Dan Murphy, Byrne Brothers, and Barney Horne) ran in common with Pete Columbet's and John Dorsey's horse bands. Columbet and Dorsey were known as horse kings in this vicinity, from 1868 to 1889, and both had creeks named after them. After the severe winter of 1889-90, many of the large cattle and horse operations broke up and were replaced by smaller cattle outfits and flocks of sheep. Some of those were Ben Larios Ranch on Buck Creek; Fred Lancaster, located on Columbet Creek; Lou Eastman and Frank Winter on Dorsey Creek." (Nevada's Northeast Frontier - Page 649.)

Buck Creek Ranch is made up of two ranch units, the Larios Ranch and Brailsford Brothers. The U.S. Forest Paid Permit Record Cards indicate the following for the Larios Ranch:

In 1912, being the first record found, B.B. Larios had a paid permit of 50 cattle and 17 horses for the period of April 15 to October 31. In 1920, a permit to Pete Olabarria for 945 sheep with use from June 16 to October 15, was made. However, in 1928, an additional acquisition from Olabarria of a permit for 3,075 sheep, July 1 to October 15, was made. An additional permit of Fred L. Anderson was also transferred to Larios. The first permit record of Anderson in 1912 was for 725 cattle and 50 horses, year long, in the Diamond A Division. By 1947, Daniela Larios was licensed for 171 cattle July 1 to October 15 and 120 cattle July 1 to August 31. It appears that a greater number had been grazed. In the distribution of the Estate of Ben B. Larios to Daniela Larios, the Order being in 1926 and recorded in Book 13 of Miscellaneous Records at Page 605, Elko County, Nevada Records, the estate inventory was for 450 head of cattle, 32 horses and 50 sheep.

The same Forest Service records show the following for the Brailsford Brothers:

A portion of the permit was acquired from Fred Lancaster, who was an original permittee, for 35 cattle and 25 horses. They also acquired, in 1945, a permit issued to Curran & Elorriaga for 1,250 sheep, June 11 to October 15.

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

follows: 1200 cow/calf = 2400 + 20 Horses, total 2420 (See Remarks)

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.

06797

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

0.075 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 3, 4 and 6

The 2420 cows, calves, and horses listed in this proof are the same as listed in the proofs filed under Buck, East Fork of Buck, West Fork of Buck, Columbet, Corral, Cow, Deer, Dorsey, Branch of Dorsey, Fawn Creeks, Unnamed Creek #1 and springs.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Buck Creek Ranch, 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.

Buck Creek Ranch, Inc.

Claimant

Telephone No. (208) 834-2231

By William A. Disbit 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 17 day of August, 19 94.

Coralee Griswold

Notary Public in and for the County of Elko

My commission expires July 12, 1998

CORALEE GRISWOLD
Notary Public
STATE OF NEVADA
ELKO COUNTY
My Comm. Expires JUL 12, 1998

$50 FILING FEE MUST ACCOMPANY PROOF