

SECOND AMENDED

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUN 1 6 1977
Returned to applicant for correction JUL 2 2 1977
Corrected application filed AUG 1 2 1977
Map filed AUG 1 2 1977

The applicant Julian Tomera Ranches, Inc.
c/o Chilton Engineering 421 Court, of Elko
Nevada 89801, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

(If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

December 27, 1965 Nevada

1. The source of the proposed appropriation is House Well
Name of stream, lake or other source.

2. The amount of water applied for is 0.5 cfs second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet acre-feet

3. The water to be used for Stockwater & Domestic
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)

(b) Stockwater (state number and kinds of animals to be watered) 1,000 head cattle

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: NE 1/4 SW 1/4 Section 10, T.32N.,

R.55E., MDM, at a point from which the SW corner of said Section 10

bears S. 43° 08' W. 2913 feet
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.

6. Place of use NE 1/4 SW 1/4, Section 10, T.32N., R.55E., MDB&M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and case 8" well, 110' deep and equipped with motor and pump to deliver desired amount of water to 1400 gallon stock tank.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 9. Estimated cost of works..... \$8,000.00
- 10. Estimated time required to construct works..... 1 year
- 11. Estimated time required to complete the application to beneficial use..... 5 years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water is to be commingled with other rights of the applicant.

Send copies of all correspondence and notices to Julian Tomero Ranches, Inc. via waysack Elko, Nevada 89801

Applicant Julian Tomera Ranches, Inc.

By s/ William A. Nisbet  
Agent

Compared 1p/ga bl/ga  
421 Court  
Elko, Nevada 89801

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0312 cubic feet per second, nor sufficient water to water 1000 head of cattle.

- Actual construction work shall begin on or before..... August 10, 1978
- Proof of commencement of work shall be filed before..... September 10, 1978
- Work must be prosecuted with reasonable diligence and be completed on or before..... August 10, 1979
- Proof of completion of work shall be filed before..... September 10, 1979
- Application of water to beneficial use shall be made on or before..... AUGUST 10, 1980
- Proof of the application of water to beneficial use shall be filed on or before..... September 10, 1980
- Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed **OCT 3 1978**  
 Completion of work filed **SEP 27 1979**  
 Proof of beneficial use filed **SEP 15 1980**  
 Cultural map filed  
 Certificate No. **10686** Issued **JUN 21 1983**  
 Recorded Bk. **36** Page.....  
 County Recorder

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 10th day of FEBRUARY

A.D. 19 78

*[Signature]*  
State Engineer