

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

MAY 16 1977

Date of filing in State Engineer's Office.....

Returned to applicant for correction..... JUL 22 1977

Corrected application filed..... AUG 12 1977

Map filed..... AUG 12 1977 under 31718

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 Bench Canyon Well Name of stream, lake or other source.

2. The amount of water applied for is 7.0 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 Irrigation Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 640 acres

(b) Stockwater (state number and kinds of animals to be watered).....

(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: SW 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. 16° 08' W. 560 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: Portions of Sections 3, 4, 9, and 10, T. 32N., R. 55E., MDB&M. Describe by legal subdivision, if on unsurveyed land it should be so stated. Section 3: S 1/2, Section 4: N 1/2 S 1/2, SE 1/4 SW 1/4, S 1/2 SE 1/4, Section 9: portions of N 1/2 NE 1/4, SE 1/4 NE 1/4 & NE 1/4 SE 1/4 (58.8 ac.) Section 10: All, all in T. 32N., R. 55E., MDM, 1298.8 acres

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 cased well equipped with deep well turbine. 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..... \$10,000.00
- 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 Tomera
 Ranches, Inc. via waysack Elko, Nevada 89801.

Applicant Julian Tomera Ranches, Inc.

By s/ William A. Nisbet
 Agent

Compared lp/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 amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. 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.

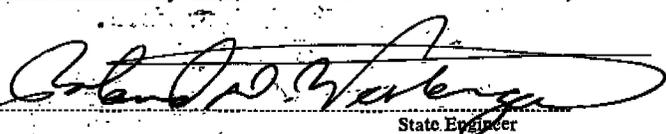
The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.0 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

- 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, 1982
- Proof of the application of water to beneficial use shall be filed on or before..... September 10, 1982
- Map in support of proof of beneficial use shall be filed on or before..... September 10, 1982

Commencement of work filed..... OCT 3 1978
 Completion of work filed..... SEP 15 1980
 Proof of beneficial use filed.....
 Cultural map filed.....
 Certificate No..... Issued.....
 Recorded..... Bk..... 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



State Engineer