

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

Date of filing in State Engineer's Office SEP 29 1988

Returned to applicant for correction OCT 25 1988

Corrected application filed

Map filed OCT 28 1988

The applicant Julian Tomera Ranches, Inc.

P.O. Box 276 of Battle Mountain Nevada 89820

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 1965 - Nevada

1. The source of the proposed appropriation is Hilltop Stockwater Well

2. The amount of water applied for is 0.05 cfs second-feet

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

3. The water to be used for Stockwater & Domestic

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 Within Lot 2 Section 31, T 31 N, R

46 E, MDM, from which the SW corner of said section bears S 23° 40' W 3,320 feet

distance

6. Place of use Lot 2, SE 1/4 NW 1/4, SW 1/4 NE 1/4 Section 31, T 31 N, R 46 E, MDM

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

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, submersible pump, discharge line to storage tank and stock troughs

9. Estimated cost of works \$12,000.00

10. Estimated time required to construct works..... 2 years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 3 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Please send copies of all notices and correspondence to undersigned agent
and to Pete Tomera, Battle Mtn. Div. P.O. Box 276, Battle Mountain, NV 89820

By s/ William A. Nisbet Agent
421 Court
Elko, Nevada 89801

Compared pm/kh pm/se

Protested.....

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.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

No perforations shall be put in the production casing from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.031 cubic feet per second, or sufficient to water

1,000 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before June 29, 1991

Proof of completion of work shall be filed on or before July 29, 1991

Application of water to beneficial use shall be made on or before June 29, 1994

Proof of the application of water to beneficial use shall be filed on or before July 29, 1994

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JUL 12 1989 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed AUG 23 1994 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 29th day of June

Cultural map filed.....

Certificate No. 13946 Issued OCT 19 1994 A.D. 19 89
Peter G. Morros
State Engineer