

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

Date of filing in State Engineer's Office MAR 30 1994

Returned to applicant for correction

Corrected application filed

Map filed MAR 30 1994

The applicant Julian Tomera Ranches, Inc., Battle Mountain Division, a Nevada Corporation

PO Box 276 Battle Mountain

Street and No. or P.O. Box No. of City or Town

Nevada 89820

State and Zip Code No. 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.) November 21, 1985 - Nevada

1. The source of the proposed appropriation is underground (Dillon well) Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.0155 second-feet One second-foot equals 448.83 gals. per min.

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

3. The water to be used for stockwater and domestic Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one 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 500 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 SW 1/4 SW 1/4 Section 22, T.30 N., R. 44 E., MDM, Describe as being within a 40-acre subdivision of public at a point from which the NW corner of said Section 22 bears N. 00°18' W, 4,270 feet survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated. dist.

6. Place of use SW 1/4 SW 1/4 and the NW 1/4 SW 1/4 of Section 22, T.30 N., R. 44 E., MDM; SE 1/4 SE 1/4 and the NE 1/4 SE 1/4 of Section 21, T.30 N., R. 44 E., MDM. Describe by legal subdivision. If on unsurveyed land, it should be so stated.

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

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 well, pump and motor, storage tank and trough. State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

- 9. Estimated cost of works..... \$3,000.00
- 10. Estimated time required to construct works..... three years  
If well completed, describe works.
- 11. Estimated time required to complete the application of water to beneficial use..... five years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:  
Railroad lease - applicant is that lessee.

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

Compared pm/ bk jr/bk

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.

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

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0155 cubic feet per second, but not to exceed 500 head of cattle.

- Work must be prosecuted with reasonable diligence and be completed on or before April 25, 1997
- Proof of completion of work shall be filed before May 25, 1997
- Application of water to beneficial use shall be filed on or before April 25, 2000
- Proof of the application of water to beneficial use shall be filed on or before May 25, 2000
- Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed.....  
 Proof of beneficial use filed.....  
 Cultural map filed.....  
 Certificate No. .... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
 State Engineer of Nevada, have hereunto set my hand and the seal of my  
 office, this 25th day of April,  
 A.D. 1995

*[Signature]*  
 State Engineer

WITHDRAWN BY agent JUL 10 2000 *[initials]*  
Justinacci, P.E. STATE ENGINEER