



**THE STATE OF NEVADA**

**PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

**Name of Permittee:** JULIAN TOMERA RANCHES, INC.,  
 BATTLE MOUNTAIN DIVISION

**Source:** SPRING (ARG SPRING)

**Basin:** LOWER REESE RIVER VALLEY

**Manner of Use:** STOCKWATERING

**Period of Use:** JANUARY 1ST THROUGH DECEMBER 31ST

**Priority Date:** 01/01/1889

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**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, to change the point of diversion, place and manner of use of a portion of the waters of Unnamed Creek No. 3, ARG-2 Spring heretofore appropriated under claim of vested right as evidenced by Proof of Appropriation of Water Claim V09648, is issued with the understanding that no other rights on the source will be affected by the change proposed herein. The State reserves the right to regulate the use of the water herein granted at any and all times. This permit is issued subject to any determination of the waters of Unnamed Creek No. 3, ARG-2 Spring that may be made under adjudication proceedings under NRS 533.090 through 533.320.

The total combined duty of water under Permits 84727, 84838 and Claim of Vested Right V09648 shall not exceed 8.06 acre-feet annually, or sufficient to water 150 head of cattle, 10 horses, and 1000 sheep.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

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 point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.0045 cubic feet per second or 3.226 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

December 16 2017

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

December 16 2020

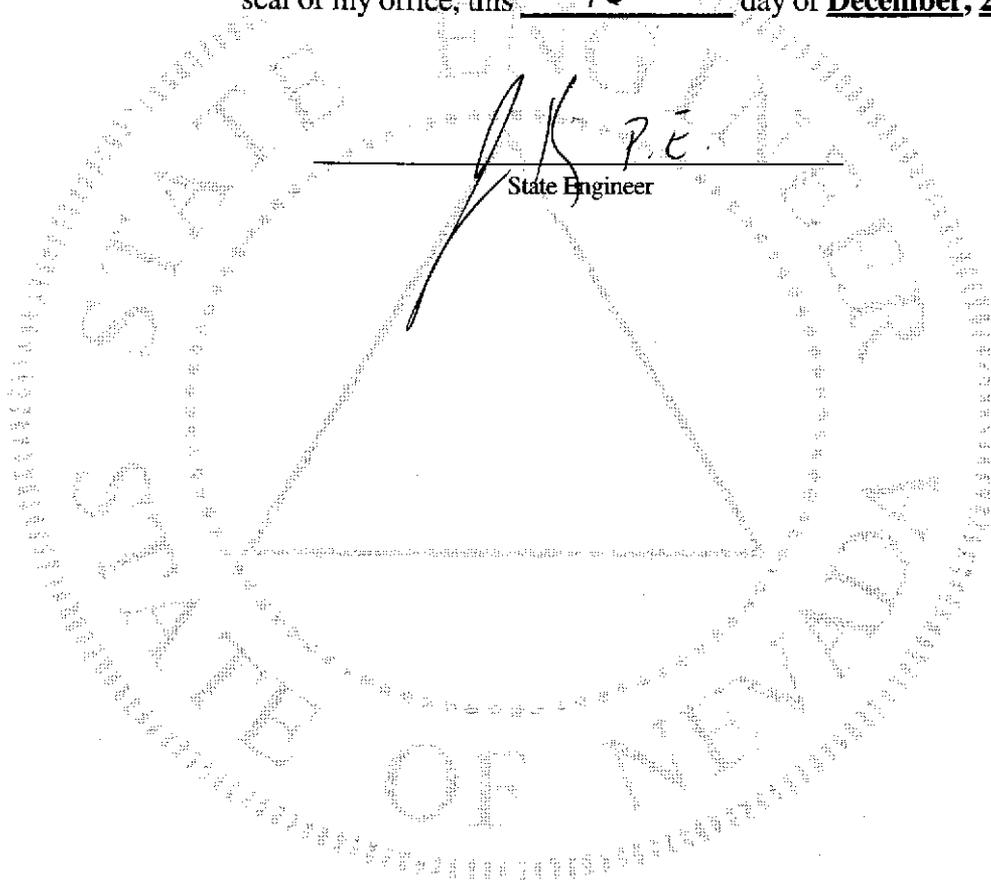
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 16<sup>th</sup> day of **December, 2015**

  
\_\_\_\_\_  
P.E.  
State Engineer



**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office JAN 16 2015

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed FEB 13 2015

The applicant Julian Tomera Ranches, Inc., Battle Mountain Division  
Post Office Box 276 of Battle Mountain  
Street Address or PO Box City or Town  
Nevada 89820-0276 hereby make(s) application for permission to change the  
State and ZIP Code

- Point of diversion       Place of use       Manner of use       of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)  
Vested Proof No. 09648

1. The source of water is a Spring source (ARG Spring) Unnamed Creek No. 3 (ARG-2 Spring)  
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.0045 cubic feet per second and 3.226 acre-feet annually  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Stockwater Purposes  
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use
4. The water heretofore used for Stockwatering and Domestic Purposes  
If for stock, state number and kind of animals.
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)  
within the NE1/4 NE1/4 of Section 25, T.32N., R.46E., M.D.M., or at a point from which the E1/4 corner of said Section 25 bears South 7° 38' 26" East, a distance of 1,487.07 feet. Refer to map filed in support of this application.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
headwaters of Unnamed Creek No. 3 arising in SE1/4 SE1/4 Section 24, and the NE1/4 NE1/4 Section 25, T.32N., R.46E., M.D.M., then following the natural stream channel to a point in the NE1/4 SE1/4 Section 27, T.32N., R.46E., M.D.M., from which the SE corner of Section 35, in said township, bears S. 42°33' E., 8,663 feet distant. Refer to map filed in support of Vested Proof V09646.

RECEIVED  
 2015 JAN 16 PM 2:55  
 STATE ENGINEER'S OFFICE

*KG  
 per  
 letters of  
 2/10/15*

*Lower Reese River Valley  
 4-59  
 La*

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

The place of use is unchanged. Within the SE1/4 SE1/4 Section 24; NE1/4, S1/2 NW1/4, NW1/4 SW1/4 Section 25; SE1/4 NE1/4, N1/2 S1/2 Section 26, and NE1/4 SE1/4 of Section 27, all in T. 32N., R. 46E., M.D.M. Refer to map filed in support of Proof No. V09646. + W 1/2 NW 1/4 Sec. 30, T32N R47E M.D.B.M.

KE  
per  
letter  
of  
2/12/15

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

SE1/4 SE1/4 Section 24; NE1/4, S1/2 NW1/4, NW1/4 SW1/4 Section 25; SE1/4 NE1/4, N1/2 S1/2 Section 26, and NE1/4 SE1/4 of Section 27, all in T. 32N., R. 46E., M.D.M. Refer to map filed in support of Proof No. V09646.

9. Proposed use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Existing use permitted from January 1 to December 31 of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

Spring water collection box with piping to watering troughs.

12. Estimated cost of works \$20,000

13. Estimated time required to construct works Two (2) Years

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Five (5) Years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

This change application is being filed to allow development of the ARG Spring at, or near, the source. Water under this application is proposed to be collected at the spring source in a collection box and piped to stockwatering troughs. The original Vested Proof V09648 was filed based on historical usage information where 150 cattle, 10 horses and 1,000 sheep were watered from the Creek channel as early as 1889. Field investigations show this spring source produces approximately 2 gallons per minute.

16. Miscellaneous remarks:

cfacque@farrwestengineering.com  
E-mail Address  
(775) 853-7268  
Phone No. Ext.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

Chris N. Facque  
Type or print name clearly  
[Signature]  
Signature, applicant or agent  
Farr West Engineering  
Company Name  
5442 Longely Lane, Suite A  
Street Address or PO Box  
Reno, Nevada 89511  
City, State, ZIP Code