ORIGINAL

Filing Serial No. 05817

# THE STATE OF NEVADA
# PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source underground
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Home Ranch Reservoir Well
Name of ditch, flume or pipe line

at the following point(s) NE¼SW¼ Section 18, T. 30 N., R. 45 E., MDM.
List all points of diversion from this source, appending a sheet if necessary

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

(1) Name of claimant Julian Tomera Ranches, Inc., Battle Mountain Division, A Nevada Corporation

Address PO Box 276, Battle Mountain, County of Lander

State of Nevada 89820

(2) The means of diversion employed drilled well and ditch system
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was unknown

(4) The construction of the ditch or other works was begun Prior to 1936

and completed _____ .

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom _____ feet, width on top _____ feet, depth _____ feet, on a grade of _____ feet per thousand feet. (unknown)

(6) The conduit has not been enlarged.
NOTE - If enlargement or extension of ditch was made, supply information under (7) and (8)

(7) The work of enlargement of the ditch or canal was begun NA

and completed _____ .

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(8) The dimensions of the ditch or canal as enlarged are: Width on bottom_____feet, width on top_____feet, depth_____feet, on a grade of_____feet per thousand feet. NA

(9) The claimant is an owner in the above-described conduit.

_____
If claimant is an owner in the conduit, state interest held on this line

(10) The nature of the title to the land for which the water right is claimed is_____

Deeded
Fee simple, public domain, etc.

(11) Crops of native hay have been grown upon the land irrigated. (e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)

(12) The water has been used for irrigation from January 1st (Day of month) to December 31st (Day of month) of each year.

(13) List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with corresponding subdivisions, appending extra sheets if necessary.

See Remarks

(14) The maximum acreage irrigated in any year was See Remarks acres.

(15) The water claimed has not been used for irrigation each and every year since the right was initiated. Strike out one not wanted

(16) The years during which no water was used for irrigation or during which the full water right was not used were unknown
If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given, appending a sheet if necessary

(17) The claimant's water right was not recorded in the office of the County Recorder of _____County, said record being at page_____of Book_____of _____, and being a claim for_____ _____of water for the irrigation of_____ acres of land in the following legal subdivisions: _____

NOTE - Failure to record in the county in no way invalidates a water right, but if ditch or right was so recorded, supply full information under (17)

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(18) Water from the source given and through the works described is also used for the following purposes other than irrigation: stockwater

(19) The character of the soil is loam (Sandy, gravelly, loam). A continuous flow of 2½ cubic feet of water per second has been used to irrigate 100 acres of land and 4.0 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks: We are claiming a priority on this well before 1936. It was used as a supplemental to Proof 01238 and Permit 7559 Certificate 1332.

Enclosed is also a statement, made by Thomas J. Marvel, which should be made part of this proof.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Julian Tomera Ranches, Inc. Battle Mountain Division, a Nevada Corporation are full and correct to the best of his knowledge and belief Peter Tomera, President

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

Peter Tomera, President

PO Box 276, Battle Mtn., Nevada 89820

Subscribed and sworn to before me this 21 day of September, 1992

Coralee Griswold

CORALEE GRISWOLD
NOTARY PUBLIC - STATE of NEVADA
Elko County - Nevada
APPT. EXP. JUL-12-94

Notary Public in and for the County of Elko

My commission expires July 12, 1994

**$100 FILING FEE MUST ACCOMPANY PROOF**