

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING  
OR WILDLIFE PURPOSES

(1) Name of Claimant Julian Tomera Ranches, Battle Mountain Division

P.O. Box 276 of Battle Mountain  
Street and No. or P.O. Box No. City or town  
Nevada 89820  
State and Zip code No.

(2) Source of water Hancock Canyon Creek and springs, branches and tributaries  
Name of natural water source.

(3) The water is diverted by natural channel  
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) Headwaters of Hancock Canyon Creek rising in the  
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.

SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Section 19, T. 29 N., R. 45 E., MDM, following the natural channel to its confluence  
Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such reach.

with Unnamed Branch No. 1 in the SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Section 14, T. 29 N., R. 44 E., MDM at a point from  
which the NW corner of Section 15, T. 29 N., R. 44 E., MDM bears N. 63°08' W., 11,776 feet,

thence following the natural channel to the NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> Section 16, T. 29 N., R. 44 E., MDM at  
a point from which the NE corner of said Section 16 bears N. 82°45' E., 4,441 feet; and Unnamed

Branch No. 1 rising in Lot 4 Section 18, T. 29 N., R. 45 E., MDM, following the natural channel  
to its confluence with Hancock Canyon Creek; and Unnamed Branch No. 2 rising in the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>

Section 24, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Unnamed  
Branch No. 1 in the NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of said Section 24; and Unnamed Branch No. 3 rising in the

SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> Section 13, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence  
with Hancock Canyon Creek in the SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> Section 15, T. 29 N., R. 44 E., MDM; and Unnamed

Tributary No. 1 rising in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 15, following the natural channel to its confluence with Unnamed Branch No. 3 in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  said Section 15; and Unnamed Branch No. 4 rising in the SW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 24, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Hancock Canyon Creek in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 15, T. 29 N., R. 44 E., MDM; and Unnamed Tributary No. 2 rising in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 26, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Unnamed Branch No. 4 in the NW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 23, T. 29 N., R. 44 E., MDM; and Unnamed Tributary No. 3 rising in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 26, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Unnamed Branch No. 4 in the NW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 23, T. 29 N., R. 44 E., MDM; and Unnamed Branch No. 5 rising in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 24, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Unnamed Branch No. 4 in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 22, T. 29 N., R. 44 E., MDM; and Unnamed Branch No. 6 rising in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 14, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Unnamed Branch No. 4 in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 15, T. 29 N., R. 44 E., MDM; and Unnamed Tributary No. 4 rising in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 14, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Unnamed Branch No. 6 in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 15, T. 29 N., R. 44 E., MDM; and Unnamed Tributary No. 5 rising in the NW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 14, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Unnamed Branch No. 4 in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 15, T. 29 N., R. 44 E., MDM; and Unnamed Branch No. 7 rising in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 22, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Hancock Canyon Creek in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 15, T. 29 N., R. 44 E., MDM; and Unnamed Branch No. 9 rising in the NW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 26, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Hancock Canyon Creek in the NW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 16, T. 29 N., R. 44 E., MDM; and

Unnamed Branch No. 8 rising in the NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> Section 22, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Unnamed Branch No. 9 in the NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> Section 15, T. 29 N., R. 44 E., MDM; and Unnamed Branch No. 10 rising in the SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> Section 22, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Unnamed Branch No. 9 in the SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> Section 16, T. 29 N., R. 44 E., MDM; and Unnamed Tributary No. 6 rising in the NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> Section 22, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Unnamed Branch No. 10 in the SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> Section 15, T. 29 N., R. 44 E., MDM; and Unnamed Branch No. 11 rising in the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Section 22, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Hancock Canyon Creek in the NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> Section 16, T. 29 N., R. 44 E., MDM.

(5) The water is impounded in natural channel  
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun none Date \_\_\_\_\_  
 and completed \_\_\_\_\_ Date \_\_\_\_\_

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is A combination of private land and public domain with grazing permit  
Patented, deeded, public domain with grazing permit, etc.

(8) The claimant's water right was (was not) recorded in the office of the County Recorder of \_\_\_\_\_ County, at Page \_\_\_\_\_ of Book \_\_\_\_\_ of \_\_\_\_\_ .  
NOTE-Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

(9) The approximate number of animals watered by the claimant during the first year \_\_\_\_\_ Date \_\_\_\_\_  
 was \_\_\_\_\_ cattle \_\_\_\_\_ horses \_\_\_\_\_ sheep or wildlife (describe) \_\_\_\_\_ Other \_\_\_\_\_

The watering was conducted during each of the following months \_\_\_\_\_  
Hancock Canyon Creek lies entirely within the area previously operated by the W. T. Jenkins Ranch. Stock operations for the Jenkins Ranch date back to the late 1889. Water rights in this area therefore date back at least to that period. This portion of the ranch is now a part of the Julian Tomera Ranches, Battle Mountain Division, whose Argenta Unit Grazing Allotment now encompasses these same grazing area previously operated by W. T. Jenkins.

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:

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.

(11) The amount of water which has been necessary to be diverted for this purpose has been \_\_\_\_\_ cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at The Place of Use is as follows: Lot 4 Section 18 and SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>,

Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> Section 19 all located in T. 29 N., R. 45 E., MDM; Lot 4 Section 13 and Lot  
land, it should be stated.

3 Section 24 all located in T. 29 N., R. 44<sup>1</sup>/<sub>2</sub> E., MDM; SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Section 11 and W<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>,

N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub> Section 13 and W<sup>1</sup>/<sub>2</sub>, N<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Section 14 and S<sup>1</sup>/<sub>2</sub>, S<sup>1</sup>/<sub>2</sub>N<sup>1</sup>/<sub>2</sub>,

NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> Section 15 and E<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub> Section 16 and

NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> Section 21 and N<sup>1</sup>/<sub>2</sub>, SE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> Section 22 and SW<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>,

SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> Section 23 and N<sup>1</sup>/<sub>2</sub>, N<sup>1</sup>/<sub>2</sub>S<sup>1</sup>/<sub>2</sub>, SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Section 24 and N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub> Section

26 all located in T. 29 N., R. 44 E., MDM.

Remarks \_\_\_\_\_

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Julian Tomera Ranches, Battle Mountain Division

are full and correct to the best of his knowledge and belief.

the undersigned deponent is acting as Agent for the claimant

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

Julian Tomera Ranches, Battle Mountain Division

Claimant

Telephone No. ( 702 ) 635-5610

By William A. Nesbet Agent

421 Court Street

Street and No., or P.O. Box No.

Elko, NV 89801

City, State, Zip Code No.

Telephone No. ( 702 ) 738-2121

Subscribed and sworn to before me this 20 day of February, 1996.  
by William A. Nesbet  
Coralee Griswold

Notary Public in and for the County of Elko

My commission expires July 12, 1998

**\$50 FILING FEE MUST ACCOMPANY PROOF**

