

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 Trout 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 Trout Creek rising in the SW $\frac{1}{4}$ NW $\frac{1}{4}$

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.

Section 30, T. 29 N., R. 46 E., MDM, and following the natural channel to its confluence with

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.

Unnamed Tributary No. 1 in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 24, T. 29 N., R. 45 E., MDM, at a point from

which the NW corner of Section 5, T. 29 N., R. 45 E., MDM, bears N. 52°17' W., 33,340 feet;

thence following the natural channel to the divergence of the North Branch of Trout Canyon Creek

in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 10, T. 29 N., R. 44 E., MDM, at a point from which the NE corner of said

Section 10 bears N. 10°01' E., 2,923 feet; thence following the natural channel to its intersection

with SR 305 at the limit of the grazing boundary in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 8, T. 29 N., R. 44 E.,

MDM, at a point from which the NE corner of said Section 8 bears N. 4°37' E., 4,483 feet; and

Unnamed Tributary No. 1 rising in the NW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 19, T. 29 N., R. 46 E., MDM, and

following the natural channel to its confluence with Trout Creek; and Unnamed Tributary No. 2

rising in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 14, T. 29 N., R. 45 E., MDM, following the natural channel to its

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confluence with Trout Creek in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 25, T. 29 N., R. 45 E., MDM; and Unnamed Tributary No. 3 rising in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 26, T. 29 N., R. 45 E., MDM, following the natural channel to its confluence with Trout Creek in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 23, T. 29 N., R. 45 E., MDM; and Unnamed Tributary No. 4 rising in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 23, T. 29 N., R. 45 E., MDM, following the natural channel to its confluence with Trout Creek in the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 23; and Unnamed Tributary No. 5 rising in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 27, T. 29 N., R. 45 E., MDM, following the natural channel to its confluence with Trout Creek in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 22, T. 29 N., R. 45 E., MDM; and Unnamed Tributary No. 6 rising in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 21, T. 29 N., R. 45 E., MDM, following the natural channel to its confluence with Trout Creek in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  said Section 21; and Unnamed Tributary No. 7 rising in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 21, following the natural channel to its confluence with Trout Creek in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, T. 29 N., R. 45 E., MDM; and Unnamed Tributary No. 8 rising in the SE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 18, T. 29 N., R. 45 E., MDM, following the natural channel to its confluence with Trout Creek in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 12, T. 29 N., R. 44 E., MDM; and Unnamed Tributary No. 9 rising in the NW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 11, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Trout Creek in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 10, T. 29 N., R. 44 E., MDM; and Unnamed Tributary No. 10 rising in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 11, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Trout Creek in the SW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 9, T. 29 N., R. 44 E., MDM; and Unnamed Tributary No. 11 rising in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 11, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Unnamed Tributary No. 10 in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 15, T. 29 N., R. 44 E., MDM; and the North Branch of Trout Creek at its divergence from the Main Stem of Trout Creek and following the natural channel to the SE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 33, T. 30 N., R. 44 E., MDM, at a point from which the SW corner of said Section 33 bears S. 81°38' W.,

1,648 feet; and Unnamed Tributary No. 12 rising in the SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> Section 10, T. 29 N., R. 44 E., MDM, and following the natural channel to its confluence with the North Branch of Trout Creek in the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Section 3, T. 29 N., R. 44 E., MDM; and Unnamed Tributary No. 13 rising in the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> Section 11, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with Unnamed Tributary No. 12 in the SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> Section 10, T. 29 N., R. 44 E., MDM; and Unnamed Tributary No. 14 rising in the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> said Section 10, following the natural channel to its confluence with Unnamed Tributary No. 12 in the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Section 3, T. 29 N., R. 44 E., MDM; and Unnamed Tributary No. 15 rising in the NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Section 4, T. 29 N., R. 44 E., MDM, following the natural channel to its confluence with the North Branch of Trout Creek in the SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of said Section 4.

(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 lands and public domain with grazing permits  
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 \_\_\_\_\_  
This portion of Trout Creek is in the historical range of the W. T. Jenkins ranching operation. Stock operations for the Jenkins Ranch date back to 1889. Water usage and rights therefore date back at least to that period. This portion of the ranch is now a part of the Julian Tomera Ranches,



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 C. Aisbit 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**

