

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of Claimant Julian Tomera Ranches, Inc., 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 Unnamed Spring No. 7  
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) Unnamed Spring No. 7 rising in the NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>  
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 24, T. 30 N., R. 45 E., MDM, at a point from which the NW corner of section 5, T. 29 N., R. 46 E., MDM, Bears S 31° 36' E., 18,525 FT.  
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.

(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).

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

The watering was conducted during each of the following months \_\_\_\_\_

Unnamed Spring No. 7 is in the drainage of Lewis Creek which is a source of water for the Martin Ranch, now owned by the Julian Tomera Ranches, Battle Mountain Division. The Martin Ranch was once owned by W.T. Jenkins. Prior to 1885, Jenkins had sole use of these waters, except for a 1" pipe, to support his agricultural and livestock operation. Certificate No. 1380 appropriates use of the waters of Lewis Creek and Ben Creek for the ranch operation. A priority of 1885 is claimed.

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: NW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 24, T. 30 N., R. 45 E., MDM.  
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Remarks \_\_\_\_\_

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  
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, Inc., 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**

