

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 Creek No. 1 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) Unnamed Creek No. 1 rising in the NW $\frac{1}{4}$ NE $\frac{1}{4}$

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 19, T. 30 N., R. 46 E., MDM 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 Spring No. 1 in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, T. 30 N., R. 46 E., MDM and thence in the

natural channel to a point in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, T. 30 N., R. 45 E., MDM, from which the

SW Corner of Section 31, T. 31 N., R. 46 E., MDM bears N. 29°16' E., 7,243 feet; and Unnamed

Tributary No. 1 rising in Lot 3, Section 18, T. 30 N., R. 46 E., MDM, following the natural channel

to its confluence with Unnamed Spring No. 2 in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, T. 30 N., R. 45 E., MDM,

and thence to its confluence with Unnamed Creek No. 1 in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T. 30 N.,

R. 45 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 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 _____

Unnamed Creek No. 1 is in close proximity to Rock Creek which is a source of water for the Chiara Ranch, a component of the Julian Tomera Ranches, Battle Mountain Division. Earliest dated rights for this ranch is 1891. Ranching operations, including stockwatering, domestic and agricultural uses are therefore known to date back to 1891 in this area. W.T. Jenkins ranch operations encompassed the place of use of this creek also dating back to the 1890's. Jenkins ranching operation included alfalfa, grains, native hay, gardens, domestic use and year-around stock grazing, including stockwatering.

(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 $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19 and W $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 18 and Lots 4 & 5 Section 7 all located in T. 30 N., R. 46 E., MDM; E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13 and SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 12 all located in T. 30 N., R. 45 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, 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, 19 96.
by William A. Nesbet
Coralie Griswold

Notary Public in and for the County of Elko

My commission expires July 12, 1998

\$50 FILING FEE MUST ACCOMPANY PROOF

