

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. 11

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. 11 rising in the SW 1/4 SE 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 4, T. 29 N., R. 46 E., MDM, at a point from which the NE corner of Section 34, T.30 N., R.46 E., MDM, Bears N 34° 31' E, 11,980 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. 11 is in the general drainage for the East Fork of Rock Creek. The waters of the East Fork mingle with those of the West Fork to form the main stem of Rock Creek which is the source for the Chiara Ranch, a component of the Julian Tomera Ranches, Battle Mountain Division. Earliest dated rights for this ranch is 1981. 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: SW¹/₄SE¹/₄ Section 4, T. 29 N., R. 46 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

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By William A. Nisbet 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. Nisbet

Coralie Griswold

Notary Public in and for the County of Elko

My commission expires July 12, 1998

\$50 FILING FEE MUST ACCOMPANY PROOF

