

STATE OF NEVADA
AMENDED
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** Indian Creek, Ferris, Grouse and Chicken Creeks (Branches of Indian Creek)
Name of natural water source.
and springs, branches and tributaries

(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 Indian 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.
SW¹/₄NE¹/₄ Section 8, T. 29 N., R. 46 E., MDM, and 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 of Indian Creek in the SW¹/₄NW¹/₄ Section 16, T. 29 N., R. 46 E., MDM
at a point from which the NW corner of Section 5, T. 29 N., R. 45 E., MDM bears N. 72°10' W.,
39,902 feet and thence following the natural channel to the Grazing Area Boundary in the SE¹/₄SW¹/₄
Section 34, T. 29 N., R. 47 E., MDM, at a point from which the NW corner of Section 33, T. 29 N.,
R. 47 E., MDM, bears N. 56°19' W., 9,211 feet; and Unnamed Tributary No. 1 rising in the NE¹/₄NE¹/₄
Section 8, T. 29 N., R. 46 E., MDM and following the natural channel to its confluence with Indian
Creek in the SE¹/₄SE¹/₄ of said Section 8; and Unnamed Branch No. 1 of Indian Creek rising in the
SW¹/₄NE¹/₄ Section 12, T. 29 N., R. 45 E., MDM, and following the natural channel to its confluence
with Indian Box Spring in the NE¹/₄NE¹/₄ Section 17, T. 29 N., R. 46 E., MDM, thence following the
natural channel to its confluence with Indian Creek; and Unnamed Branch No. 2 of Indian Creek
rising in the SE¹/₄NW¹/₄ Section 14, T. 29 N., R. 46 E., MDM and following the natural channel to its

confluence with Indian Creek in the NE¹/₄NE¹/₄ Section 28, T. 29 N., R. 46 E., MDM; and Unnamed Tributary No. 2 rising in the SW¹/₄NE¹/₄ Section 15, T. 29 N., R. 46 E., MDM, and following the natural channel to its confluence with Unnamed Branch No. 2 of Indian Creek in the NE¹/₄SW¹/₄ of said Section 15; and Unnamed Branch No. 3 of Indian Creek rising in the SE¹/₄SE¹/₄ of said Section 15 and following the natural channel to its confluence with Indian Creek in the SE¹/₄NW¹/₄ Section 27, T. 29 N., R. 46 E., MDM; and Unnamed Tributary No. 7 rising in the SW¹/₄NW¹/₄ Section 34, T. 29 N., R. 46 E., MDM and following the natural channel to its confluence with Indian Creek in the NE¹/₄NE¹/₄ of said Section 34; and Unnamed Branch No. 4 of Indian Creek rising in the SW¹/₄NE¹/₄ Section 23, T. 29 N., R. 46 E., MDM, and following the natural channel to its confluence with Indian Creek in Lot 8 Section 6, T. 28 N., R. 47 E., MDM; and Unnamed Tributary No. 3 rising in the NE¹/₄NW¹/₄ Section 25, T. 29 N., R. 46 E., MDM and following the natural channel to its confluence with Unnamed Branch No. 4 of Indian Creek in the SW¹/₄SW¹/₄ of said Section 25; and Unnamed Tributary No. 4 rising in the NW¹/₄SE¹/₄ of said Section 25 and following the natural channel to its confluence with Unnamed Branch No. 4 of Indian Creek in the SE¹/₄NW¹/₄ Section 36, T. 29 N., R. 46 E., MDM; and Grouse Creek (a tributary of Indian Creek) rising in the SW¹/₄NE¹/₄ Section 13, T. 29 N., R. 45 E., MDM, and following the natural channel to its confluence with Unnamed Tributary No. 5 in the NW¹/₄NW¹/₄ Section 20, T. 29 N., R. 46 E., MDM, at a point from which the NW corner of Section 5, T. 29 N., R. 45 E., MDM, bears N. 62°07' W., 37,114 feet and thence following the natural channel to its confluence with Indian Creek in the SE¹/₄NW¹/₄ Section 21, T. 29 N., R. 46 E., MDM; and Unnamed Tributary No. 5 rising in the SE¹/₄SW¹/₄ Section 19, T. 29 N., R. 46 E., MDM, and following the natural channel to its confluence with Grouse Creek; and Unnamed Tributary No. 6 rising in the NW¹/₄NW¹/₄ Section 29, T. 29 N., R. 46 E., MDM and following the natural channel to its confluence with Grouse Creek in the SE¹/₄NW¹/₄ Section 20, T. 29 N., R. 46 E., MDM; and Chicken Creek (a tributary of Indian Creek) rising in the NE¹/₄SW¹/₄ Section 30, T. 29 N., R. 46 E., MDM, and following the natural

channel to its confluence with Unnamed Spring No. 3 rising in the NW¼SW¼ Section 29, T. 29 N., R. 46 E., MDM, at a point from which the NW corner of Section, 5, T.29N., R. 45 E., MDM, bears N 52° 53' W, 41,570 Feet, and thence following the natural channel to its confluence with Unnamed Spring No. 4 rising in the SW¼NE¼ of said Section 29, and thence following the natural channel to its confluence with Unnamed Spring No. 5 rising in the NE¼NE¼ of said Section 29, and thence following the natural channel to its confluence with Indian Creek in the SE¼SE¼ Section 21, T. 29 N., R. 46 E., MDM; and Ferris Creek (a tributary of Indian Creek) rising in the NW¼SE¼ Section 31, T.29 N., R.46 E., MDM, at a point from which the NW corner of Section 5, T.29 N., R. 45 E., MDM, bears N45°09'W, 42,117 feet, and following the natural channel to its confluence with Unnamed Spring No. 7 in the SW¼SW¼ Section 4, T. 28 N., R.46 E., MDM, and following the natural channel to the Grazing Area Boundary in the SE¼SE¼ said Section 4 at a point from which the NW corner of Section 5, T.29 N., R.45 E., MDM, bears N47° 55'W, 55,988 feet; and a portion of Ferris Creek beginning at the Grazing Area Boundary in the SE¼NE¼ Section 2, T.28 N., R.46 E., MDM at a point from which the NE corner of Section 32, T.29 N., R.47 E., MDM, bears N 65°07'E, 20,767 feet, and following the natural channel to its confluence with Indian Creek in the SW¼NW¼ Section 1, T.28 N., R.46 E., MDM; and Unnamed Spring No. 10 rising at Unnamed Spring No. 8 in the SW¼SE¼ Section 31, T. 29N., R.46 E., MDM at a point from which the NW corner of Section 5, T. 29 N., R. 45 E., M.D.M., bears N 42°53' W, 43,322 feet and following the natural channel to its confluence with Ferris Creek in the NE¼SE¼ Section 5, T.28 N., R. 46 E., M.D.M.; and Unnamed Tributary No. 11 rising in the SW¼SE¼ Section 6, T.28 N., R.46 E., MDM, and following that natural channel to its confluence with Ferris Creek in the NE¼SE¼ Section 5, T.28 N., R. 46 E., M.D.M.; and Unnamed Tributary No. 9 Rising in the NE¼SW¼ Section 4, T.28 N., R. 46 E., MDM, and following the natural channel to the Grazing Area Boundary in the SE¼SE¼ said Section 4, at a point from which the NW corner of Section 5 T.29 N., R.45 E., MDM bears N. 48° 13' W., 56,320 feet; and

Unnamed Branch No. 5 of Ferris Creek rising in the NW¼NW¼ Section 32, T. 29 N., R.46 E., MDM, and following the natural channel to the Grazing Area Boundary in the NE¼SW¼ Section 3, T. 28 N., R. 46 E., MDM, at a point from which the NE corner of Section 32, T.29 N., R.47 E., MDM, bears N. 70°06' E., 28,391 feet; and Unnamed Tributary No. 8 rising in Lot #3 Section 4 T.28 N., R. 46 E., MDM, and following the natural channel to the Grazing Area Boundary in the SE¼SW¼ Section 3, T.28 N., R.46 N., MDM, at a point from which the NE corner of Section 32, T.29 N., R.47 E., MDM bears N. 68°32' E., 28,694 feet; and Unnamed Tributary No. 12 rising in the SE¼NE¼ Section 3, T.28 N., R.46 E., MDM, and following the natural channel to the Grazing Area Boundary in the SE¼NE¼ said Section 3 at a point from which the NE corner Section 32 T.29 N., R.47 E., MDM, bears N. 69°54' E., 25,684 feet.

(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, deceded, 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 500 cattle 5 horses 5,000 sheep or wildlife (describe) _____ Other _____

The watering was conducted during each of the following months January 1 through
December 31

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

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: SW¹/₄NE¹/₄, N¹/₂SE¹/₄, SE¹/₄SE¹/₄ Section 12 and S¹/₂NE¹/₄, Section 13 both located in T. 29 N., R. 45 E., MDM; S¹/₂SW¹/₄ Section 7 and SE¹/₄, S¹/₂NE¹/₄, NE¹/₄NE¹/₄ Section 8, SW¹/₄SW¹/₄ Section 9 and NE¹/₄NW¹/₄, N¹/₂NE¹/₄, SW¹/₄NW¹/₄, N¹/₂SW¹/₄, SE¹/₄SW¹/₄, SW¹/₄SE¹/₄ Section 18 and N¹/₂N¹/₂, Section 17 and W¹/₂W¹/₂, SE¹/₄SW¹/₄ Section 16 and S¹/₂NE¹/₄, NW¹/₄SE¹/₄, N¹/₂SW¹/₄, SW¹/₄SW¹/₄, SE¹/₄SE¹/₄ Section 15 and S¹/₂NW¹/₄ Section 14 and N¹/₂NE¹/₄, SE¹/₄NE¹/₄, N¹/₂SE¹/₄, E¹/₂SW¹/₄ Section 19 and NW¹/₄NW¹/₄, S¹/₂N¹/₂, N¹/₂SW¹/₄, SW¹/₄SW¹/₄ Section 20 and SW¹/₄ NW¹/₄, E¹/₂W¹/₂, W¹/₂SE¹/₄, SE¹/₄SE¹/₄ Section 21 and W¹/₂W¹/₂, E¹/₂NE¹/₄, N¹/₂SE¹/₄, SW¹/₄SE¹/₄ Section 22 and SW¹/₄NE¹/₄, SE¹/₄ Section 23 and SW¹/₄SW¹/₄ Section 24 and W¹/₂, W¹/₂SE¹/₄ Section 25 and E¹/₂SE¹/₄, NE¹/₄ Section 26 and NW¹/₄NE¹/₄, NW¹/₄, NE¹/₄SW¹/₄, W¹/₂SE¹/₄ Section 27 and NE¹/₄NE¹/₄, N¹/₂NW¹/₄ Section 28 and E¹/₂NE¹/₄, SW¹/₄NE¹/₄, NW¹/₄NW¹/₄, W¹/₂SE¹/₄, E¹/₂SW¹/₄, NW¹/₄SW¹/₄ Section 29 and N¹/₂SE¹/₄, NE¹/₄SW¹/₄ Section 30 and N¹/₂NE¹/₄, SE¹/₄NE¹/₄, W¹/₂SE¹/₄, NE¹/₄SE¹/₄ Section 31 and N¹/₂SW¹/₄, SE¹/₄SW¹/₄, W¹/₂NW¹/₄, NE¹/₄NW¹/₄, N¹/₂NE¹/₄, SE¹/₄NE¹/₄ Section 32 and S¹/₂NW¹/₄, NE¹/₄SW¹/₄, W¹/₂SE¹/₄, SE¹/₄SE¹/₄ Section 33 and S¹/₂NW¹/₄, NE¹/₄ Section 34 and SW¹/₄NW¹/₄, N¹/₂SW¹/₄, SE¹/₄SW¹/₄, SW¹/₄SE¹/₄ Section 35 and NW¹/₄, W¹/₂NE¹/₄, E¹/₂SW¹/₄, W¹/₂SE¹/₄ Section 36 all located in T. 29 N., R. 46 E., MDM; N¹/₂ Section 1 and N¹/₂NE¹/₄, SE¹/₄NE¹/₄, Section 2 and SE¹/₄NE¹/₄, W¹/₂NW¹/₄, SE¹/₄NW¹/₄, E¹/₂SW¹/₄ Section 3 and N¹/₂NE¹/₄, SE¹/₄NE¹/₄, Lot 3, SE¹/₄SE¹/₄, W¹/₂SE¹/₄, SW¹/₄ Section 4 and N¹/₂S¹/₂, NW¹/₄, W¹/₂NE¹/₄, SE¹/₄NE¹/₄ Section 5 and N¹/₂NE¹/₄, S¹/₂SE¹/₄, NE¹/₄SE¹/₄ Section 6 all located in T. 28

N., R. 46 E. MDM; SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32 and N $\frac{1}{2}$ S $\frac{1}{2}$ Section 33 and W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34 all located in T. 29 N., R. 47 E., MDM; Lots 1, 2, 3, 8, 10, 13, 14 and 15 Section 6 and Lots 3 & 4 Section 5 all located in T. 28 N., R. 47 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. Fickett Agent

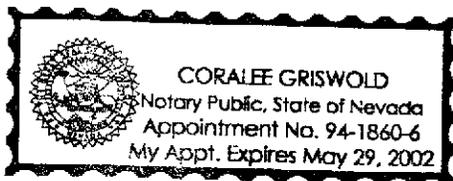
421 Court Street

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 12 day of May, 1999.

Coralee Griswold

Notary Public in and for the County of Elko

My commission expires May 29, 2002

\$50 FILING FEE MUST ACCOMPANY PROOF