

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 Cooks 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) The Headwaters of Cooks Creek rising at
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.

Unnamed Spring No. 2 in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16, T.28 N., R.45 E., MDM, and following the
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.

natural channel to its confluence with Unnamed Spring No. 3 rising in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said

Section 16, thence following the natural channel to its confluence with Unnamed Spring No. 4 in

the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, thence following the natural channel to its confluence with Unnamed

Spring No. 5 in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 16, thence following the natural channel to its

confluence with Unnamed Spring No. 6 in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 16, thence following the

natural channel to its confluence with Unnamed Spring No. 7 in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section

16 at a point from which the NW corner of Section 4, T.28 N., R.45 E., MDM, bears N 7° 49' W,

14,512 feet, thence following the natural channel to the Grazing Area Boundary in the SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 22, T.28 N., R.45 E., MDM, at a point from which the NW corner of Section 4, T.28 N.,

R.45 E., MDM, bears N 18° 09' W, 18,807 feet; and a portion of Unnamed Branch No. 11

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(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, 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 Cook's Creek lies entirely within the area previously operated by the W. T. Jenkins Ranch. Stock operations for the Jenkins operation date back to 1889; therefore, water usage and accompanying rights also date back to that period. This portion of the ranch is now a part of the Julian Tomera ranches, Battle Mountain Division, whose Argenta Unit Grazing Allotment now encompasses these same grazing areas previously operated by W.T. Jenkins.

(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: W¹/₂SW¹/₄ Section 13 and S¹/₂S¹/₂, NW¹/₄SW¹/₄, SW¹/₄NW¹/₄ Section 14 and SE¹/₄NE¹/₄, S¹/₂, W¹/₂NW¹/₄, NE¹/₄NW¹/₄ Section 15 and E¹/₂NE¹/₄, S¹/₂SE¹/₄, SE¹/₄NW¹/₄, N¹/₂SW¹/₄, SE¹/₄SW¹/₄ Section 16 and E¹/₂NE¹/₄ Section 21 and

N¹/₂NW¹/₄, SW¹/₄NW¹/₄, N¹/₂NE¹/₄, SW¹/₄NE¹/₄ Section 22 and N¹/₂NW¹/₄, SW¹/₄NW¹/₄, NW¹/₄NE¹/₄

Section 23 all located in T.28 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, 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. 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

Coralee Griswold

Notary Public in and for the County of Elko

My commission expires July 12, 1998

\$50 FILING FEE MUST ACCOMPANY PROOF

