AMENDED

APPLICATION FOR PERMIT Serial No. 15981

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JAN 21 1955

Returned to applicant for correction JUN 11 1956

Corrected application filed AUG 9 1956

The undersigned Raymond Gardner (Name of applicant)

of Ruby Valley, County of Elko,

State of Nevada, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is (Name of stream, lake, or other source) Cherry Springs

2. The amount of water applied for is 0.25 (One second-foot equals 40 miners' inches) second-feet.

3. The water to be used for Stockwatering (Irrigation, power, mining, manufacturing, domestic, or other use)

4. The water is to be diverted from its source at the following point: SE¼ SW¼ Section 2, T. 26 N., R. 59 E.,MDM., or at a point from which the (Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.) northwest of section 9, T. 26 N., R. 58 E.,MDM., bears S. 89°57' W., 44,679.00 feet.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is

(b) Description of land to be irrigated (Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.)

(c) Use will begin about (Month) and end about (Month), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION

(d) Power to be developed is horsepower.

(e) Place of use SE¼ SW¼ of Section 2, T. 26 N., R. 59 E., MDM. (Give location of place of use by legal subdivision)

(f) Point of return of water to stream (Describe in same manner as point of diversion)

(g) State number and kinds of animals to be watered 150 cattle

(h) Use will begin about Jan.1st (Month) and end about Dec.31st (Month), of each year.

(i) Remarks

DESCRIPTION OF PROPOSED WORKS

Clear Spring and install facilities for watering livestock.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works $600.00

6. Estimated time required to construct works 2 years

7. Remarks

For use of applicant

Raymond Gardner, Applicant.

By s/W. H. Settelmeyer,
W. H. Settelmeyer, agent

Compared HS/BB

This sheet inspected

, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the number of stock watered daily, which number must be stated in the proof of beneficial use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0046 cubic feet per second, or sufficient to water 150 head of cattle.

Actual construction work shall begin on or before June 19, 1957

Proof of commencement of work shall be filed before July 19, 1957

Work must be prosecuted with reasonable diligence and be completed on or before June 19, 1958

Proof of completion of work shall be filed before July 19, 1958

Application of water to beneficial use shall be made on or before June 19, 1958. Proof of the application of water to beneficial use must be filed with State Engineer on or before July 19, 1958

Map Filed Aug. 9, 1956

Proof of commencement of work filed JUN 26 1957

Proof of completion of work filed JUN 26 1957

PROOF OF BENEFICIAL USE FILED JUN 26 1957

WITNESS MY HAND AND SEAL this 19th day of December, 1956

State Engineer.

Certificate No. 4609 Issued Dec. 30, 1957 for 0.046 c.f.s. for watering

Recorded Jan. 8, 1958 Bk 4 Page 77-WR

Elko County Records