

APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office OCT 22 1974

Returned to applicant for correction.....

Corrected application filed.....

Map filed Oct. 22, 1974, under 28771

The applicant Jerry F. Gardner

c/o Tonopah Stage, of Ely,  
Street and No. or P.O. Box No. City or Town

Nevada 89301, hereby make<sup>s</sup> application for permission to appropriate the public  
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

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

2. The amount of water applied for is 1.5 cfs second-feet  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....acre-feet

3. The water to be used for Irrigation and Domestic  
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated).....200 acres

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: in the NW¼ SW¼ Section 31,  
T.13N., R.61E., M.D.B. & M. or at a point from which the W¼ Corner  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,  
of said Section 31 bears N. 23°10'00" W., 1260.00 feet distant.  
it should be stated.

6. Place of use W½ SW½; NE¼ SW¼; SE¼ NW¼; SW¼ NE¼ Section 31, T.13N.,  
Describe by legal subdivision, if on unsurveyed land it should be so stated.  
R.61E., M.D.B. & M.

7. Use will begin about 1st of January and end about 31st of December, of each year.  
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Through Ditches

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 9. Estimated cost of works \$2,000.00
- 10. Estimated time required to construct works 3 years
- 11. Estimated time required to complete the application to beneficial use 5 years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant Jerry F. Gardner

By s/ Richard W. Forman  
Richard W. Forman, Agent  
P. O. Box 150  
Ely, Nevada 89301

Compared bs/lk lk/ga

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. A substantial headgate and measuring device must be  
installed and maintained to facilitate the measurement and  
control of water. 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 1.5 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

- Actual construction work shall begin on or before December 10, 1975
- Proof of commencement of work shall be filed before January 10, 1976
- Work must be prosecuted with reasonable diligence and be completed on or before December 10, 1976
- Proof of completion of work shall be filed before January 10, 1977
- Application of water to beneficial use shall be made on or before December 10, 1978
- Proof of the application of water to beneficial use shall be filed on or before January 10, 1979
- Map in support of proof of beneficial use shall be filed on or before January 10, 1979

Commencement of work filed JAN 19 1976  
 Completion of work filed FEB 3 1977  
 Proof of beneficial use filed JUN 7 1979  
 Cultural map filed JUN 7 1979  
 Certificate No. 9487 Issued 12/2/80  
 Recorded          Bk.          Page           
         County Recorder

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD,  
 State Engineer of Nevada, have hereunto set my hand and the seal of  
 my office, this 10th day of June,  
 A.D. 1975  
Roland D. Westergard  
 State Engineer