

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

Date of filing in State Engineer's Office MAY 16 1977

Returned to applicant for correction

Corrected application filed

Map filed MAY 16 1977

The applicant Kenneth G. Garey and Jean Ridpath Garey

P.O. Box 6, BBQ Ranch, of Lathrop Wells

Street and No. or P.O. Box No.

City or Town

Nevada 89020, hereby make 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; if a copartnership or association, give names of members.) n/a

State and Zip Code No.

1. The source of the proposed appropriation is an existing well and pump. Name of stream, lake or other source.

2. The amount of water applied for is maximum of 25 Ac.Ft./Yr., 0.16 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 purposes Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) five 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 SE 1/4 of the SW 1/4 of Sec. 9, T.16S., R.49E., MDM, at a point bearing N. 10° 02' 24" W., 1010.80 feet from the South 1/4 corner of said Section 9. 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.

6. Place of use is the East One-Half (E 1/2) of the Southeast One-Quarter (SE 1/4) of the Southeast One-Quarter (SE 1/4) of the Southwest One-Quarter (SW 1/4) of Section 9, T.16S., R.49E., MDM, Nye County, Nevada. Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1st and end about December 31st, 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.) gated irrigation pipe

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 \$300.00
- 10. Estimated time required to construct works one week
- 11. Estimated time required to complete the application to beneficial use one week
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant Kenneth G. Garey and Jean Ridpath Garey
 State Water Rights Surveyor
 Certificate No. 498

By s/Kay L. Adams
 Kay L. Adams
 2155 Pama
 Las Vegas, Nevada 89120

Compared bl/dh bl/dh

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 amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

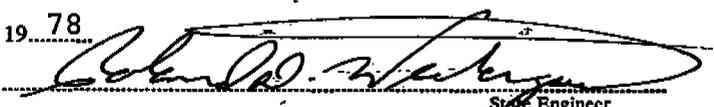
The total combined amount of water granted under this permit and Permits 24585 and 29521 is limited to what the well covered under the three permits is capable of producing. If certificates of appropriation are issued under this permit and Permits 24585 and 29521, the total combined amount of appropriation granted in said certificates shall not exceed what the well covered under the three permits is capable of producing.

This permit is issued subject to the final decision by the Supreme Court of the United States dated June 7, 1976 in the matter of Francis Leo Cappaert et al., v. United States et al., Nos. 74-1107 and 74-1304.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.16 cubic feet per second, but not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

- Actual construction work shall begin on or before March 16, 1978
- Proof of commencement of work shall be filed before April 16, 1978
- Work must be prosecuted with reasonable diligence and be completed on or before March 16, 1978
- Proof of completion of work shall be filed before April 16, 1978
- Application of water to beneficial use shall be made on or before March 16, 1979
- Proof of the application of water to beneficial use shall be filed on or before April 16, 1979
- Map in support of proof of beneficial use shall be filed on or before April 16, 1979

Commencement of work filed MAR 14 1978
 Completion of work filed MAR 14 1978
 Proof of beneficial use filed JUL 20 1978
 Cultural map filed JUL 20 1978
 Certificate No. 9318 Issued 2-1-79
 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 16th day of JANUARY,
 A.D. 19 78

 State Engineer