

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

Date of filing in State Engineer's Office. JAN 9 1990

Returned to applicant for correction.....

Corrected application filed.....

Map filed. JAN 9 1990

The applicant Walter J. and Brenda S. Gardner

Ruby Valley, of Wells,
Street and No. or P.O. Box No. City or Town

Nevada 89835, hereby make S 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 Underground
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is .05 cfs second-feet
One second-foot equals 448.83 gals. per min.

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

3. The water to be used for Stockwater
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

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

(b) Stockwater, state number and kinds of animals to be watered. 250 Cattle

(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 SW 1/4 SE 1/4 of Section 14, T 31
Describe as being within a 40-acre subdivision of public

N, R 59 E, MDB & M., at a point from which the SW corner of said
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

Section 14 bears S 72° 00' 47" W, 2917.17 feet.

6. Place of use NE 1/4 of Section 23, T 31 N, R 59 E, MDB & M.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

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

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.) Well, Pipeline, Troughs
State manner in which water is to be diverted, i.e. diversion structure, ditches and

flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$10,000

10. Estimated time required to construct works 3 years
If well completed, describe works.

11. Estimated time required to complete the application of water 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.

BOYACK SURVEYING, AGENT
s/Duane V. Merrill
By Duane V. Merrill
515 South Fifth Street
Elko, NV 89801

Compared cc/ bp bp/vw

Protested

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 period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. 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 but does not take responsibility for the use of the Federal range.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.008 cubic feet per second, or sufficient to water 250 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before August 10, 1991

Proof of completion of work shall be filed on or before September 10, 1991

Application of water to beneficial use shall be made on or before August 10, 1993

Proof of the application of water to beneficial use shall be filed on or before September 10, 1993

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed AUG 20 1991

Proof of beneficial use filed OCT 04 1993

Cultural map filed

Certificate No. 13792 Issued NOV 22 1993

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 10th day of August,

A.D. 19 90
[Signature]
State Engineer