



THE STATE OF NEVADA
PERMIT TO APPROPRIATE WATER

Name of applicant: THOMAS I. GARDNER
Source: UNDERGROUND
Basin: ANTELOPE VALLEY (EUREKA & NYE)
Manner of Use: STOCKWATERING
Period of Use: January 1st to December 31st
Priority Date: 06/20/2007

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.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.033 cubic feet per second or sufficient to water 360 head of cattle and 2000 head of sheep, but not to exceed 17.03 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

April 30, 2009

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

April 30, 2011

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 30th day of April, A.D. 2008

Handwritten signature of Tracy Taylor, P.E., State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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

THIS SPACE FOR OFFICE USE ONLY	
Date of filing in State Engineer's Office	<u>JUN 20 2007</u>
Return to applicant for correction	<u>JUN 29 2007</u>
Corrected application field	<u>AUG 1 0 2007</u> Map Filed <u>AUG 1 0 2007</u>

The applicant Thomas I. Gardner

PO Box 187 of Paragonah
Street and No. or P. O. Box No. City and Town

Utah 84760, hereby make s application for permission to
State and Zip Code No.

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.)

1. The source of the proposed appropriation is underground (North well)
Name of stream, lake, underground, spring or other source

2. The amount of water applied for is 0.033 second feet.
One second foot equals 448.83 gallons per minute

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

3. The water to be used for stockwater
Irrigation, power, mining, comercial, domestic or other use. Must limit to one major use.

4. If use is for:

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

(b) Stockwater, state number and kind of animals 360 cattle, 8 horses, 2000 sheep

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

(d) Power:

(1) Horse power developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T.16N.,
Describe as being within a 40-acre subdivision of
R.50E., M.D.M. (unsurveyed) from which the SW corner of Sec. 34, in said township, bears S.50°37'W.,
public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
8,966 feet distant.

6. Place of use SW $\frac{1}{4}$ Sec. 26, T.16N., R.50E., M.D.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
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.) drilled well with pump and motor with piping to
State manner in which water is to be diverted, i.e. diversion structure,
adjacent troughs, storage tank and small earthen reservoir (see accompanying log).

9. Estimated cost of works estimated: \$3,000.00

10. Estimated time required to construct works one year (all works completed in 1947)
If well completed, describe works.

11. Estimated time required to complete the application of water for beneficial use two years.

12. Remarks: for use other than irrigation or stock watering, state number of type of units to be served or
annual consumptive use:
The well and works have been used continuously since 1947 by the permittees of the BLM
Seven Mile Allotment. Applicant is the present Seven Mile grazing permittee.
Please send copies of notices and correspondence to the undersigned agent.

TELEPHONE NUMBER
(435) 990-1024 (applicant)

By William A. Nisbet Agent
Type or print name clearly
William A. Nisbet
Signature, applicant or agent

421 Court Street
Street and No., or P.O. Box No.
Elko, NV 89801
City, State, Zip Code No.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

\$250 FILING FEE MUST ACCOMPANY APPLICATION