

**THE STATE OF NEVADA**  
**PROOF OF APPROPRIATION OF WATER FOR IRRIGATION**

Source Thompson Creek and Tributaries  
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Thompson Ditch  
Name of ditch, flume or pipe line

at the following point(s) SEE ATTACHED SHEET  
List all points of diversion from this source, appending a sheet if necessary

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

(1) Name of claimant Walter J. and Brenda S. Gardner

Address Ruby Valley, County of Elko

State of Nevada Telephone No. (702) 779-2238

(2) The means of diversion employed Dams, Ditches and Natural Channels  
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was Unknown

(4) The construction of the ditch or other works was begun N/A  
 and completed N/A

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom varies feet, width on top varies feet, depth varies feet, on a grade of varies feet per thousand feet.

(6) The conduit ~~was~~ (has not) been enlarged.

NOTE—If enlargement or extension of ditch was made, supply information under (7) and (8)

(7) The work of enlargement of the ditch or canal was begun N/A  
 and completed N/A

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom N/A feet, width on top N/A feet, depth N/A feet, on a grade of N/A feet per thousand feet.

(9) The claimant is ~~is not~~ an owner in the above-described conduit.

Full Ownership

If claimant is an owner in the conduit, state interest held on this line

(10) The nature of the title to the land for which the water right is claimed is Fee Simple

Fee simple, public domain, etc.

(11) Crops of Native Hay, Pasture and Diversified Pasture have been grown upon the land irrigated. (e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)

(12) The water has been used for irrigation from January 1 to December 31 of each year.  
Day of month Day of month

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(13) List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with corresponding subdivisions, appending extra sheets if necessary.

N/A	1880	0.02 acres in the	Lot 12 <sup>SESW</sup>	of Sec. 15	T. 31N., R. 59	E.
✓	1880	9.41 acres in the	SW $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 15	T. 31N., R. 59	E.
✓	1875	17.93 acres in the	SE $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 15	T. 31N., R. 59	E.
✓	1875	39.65 acres in the	SW $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 14	T. 31N., R. 59	E.
✓	1885	40.00 acres in the	SE $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 14	T. 31N., R. 59	E.
✓	1885	40.00 acres in the	SW $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 14	T. 31N., R. 59	E.
✓	1885	40.00 acres in the	SE $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 14	T. 31N., R. 59	E.
-	1875	39.75 acres in the	NE $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 22	T. 31N., R. 59	E.
	1872	38.18 acres in the	NW $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 22	T. 31N., R. 59	E.
✓	1872	24.98 acres in the	NE $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 22	T. 31N., R. 59	E.
	1890	6.42 acres in the	NW $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 22	T. 31N., R. 59	E.
	1890	26.20 acres in the	SW $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 22	T. 31N., R. 59	E.
	1872	38.38 acres in the	SE $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 22	T. 31N., R. 59	E.
	1872	36.31 acres in the	SW $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 22	T. 31N., R. 59	E.
-	1872	40.00 acres in the	SE $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 22	T. 31N., R. 59	E.
✓	1877	38.63 acres in the	NE $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 22	T. 31N., R. 59	E.
✓	1877	36.33 acres in the	NW $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 22	T. 31N., R. 59	E.
✓	1871	40.00 acres in the	NE $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 22	T. 31N., R. 59	E.
✓	1871	38.27 acres in the	NW $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 22	T. 31N., R. 59	E.
✓	1871	20.52 acres in the	SW $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 22	T. 31N., R. 59	E.

(SEE ATTACHED SHEET)

(14) The maximum acreage irrigated in any year was 1830.35 acres.

(15) The water claimed has (has not) been used for irrigation each and every year since the right was initiated. ~~Strike out one not wanted~~

(16) The years during which no water was used for irrigation or during which the full water right was not used were N/A

If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given, appending a sheet if necessary

(17) The claimant's water right was (was not) recorded in the office of the County Recorder of \_\_\_\_\_ County, said record being at page \_\_\_\_\_ of Book \_\_\_\_\_ of \_\_\_\_\_, and being a claim for \_\_\_\_\_

\_\_\_\_\_ of water for the irrigation of \_\_\_\_\_ acres of land in the following legal subdivisions: \_\_\_\_\_

NOTE—Failure to record in the county in no way invalidates a water right, but if ditch or right was so recorded, supply full information under (17)

THOMPSON CREEK & TRIBUTARIES

(13) List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with corresponding subdivisions, appending extra sheets if necessary.

✓	1871	40.00 acres in the	SE $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 22	T. 31N	R. 59	E.
✓	1877	40.00 acres in the	SW $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 22	T. 31N	R. 59	E.
✓	1877	40.00 acres in the	SE $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 22	T. 31N	R. 59	E.
-	1885	40.00 acres in the	NE $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
	1885	40.00 acres in the	NW $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
	1885	40.00 acres in the	NE $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
	1877	40.00 acres in the	NW $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
	1877	39.62 acres in the	SW $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
	1885	40.00 acres in the	SE $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
	1885	40.00 acres in the	SW $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
	1885	40.00 acres in the	SE $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
	1885	40.00 acres in the	NE $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
	1885	40.00 acres in the	NW $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
✓	1877	39.68 acres in the	NE $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
	1877	39.81 acres in the	NW $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
	1877	40.00 acres in the	SW $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
	1877	40.00 acres in the	SE $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
	1885	40.00 acres in the	SW $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
-	1885	38.47 acres in the	SE $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 23	T. 31N	R. 59	E.
-	1885	31.58 acres in the	NE $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 26	T. 31N	R. 59	E.
	1884	39.21 acres in the	NW $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 26	T. 31N	R. 59	E.
	1884	40.00 acres in the	NE $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 26	T. 31N	R. 59	E.
✓	1884	37.53 acres in the	NW $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 26	T. 31N	R. 59	E.
	1884	36.54 acres in the	SW $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 26	T. 31N	R. 59	E.
	1884	40.00 acres in the	SE $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 26	T. 31N	R. 59	E.
	1884	33.66 acres in the	SW $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 26	T. 31N	R. 59	E.
✓	1885	27.96 acres in the	SE $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 26	T. 31N	R. 59	E.
	1885	27.02 acres in the	NE $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 26	T. 31N	R. 59	E.
	1884	28.11 acres in the	NW $\frac{1}{4}$ SE $\frac{1}{4}$	of Sec. 26	T. 31N	R. 59	E.
✓	1884	37.47 acres in the	NE $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 26	T. 31N	R. 59	E.
✓	1884	3.58 acres in the	NW $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 26	T. 31N	R. 59	E.
✓	1884	8.14 acres in the	SE $\frac{1}{4}$ SW $\frac{1}{4}$	of Sec. 26	T. 31N	R. 59	E.
✓	1892	28.30 acres in the	NE $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 27	T. 31N	R. 59	E.
✓	1883	11.76 acres in the	NW $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 27	T. 31N	R. 59	E.
✓	1883	14.82 acres in the	NE $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 27	T. 31N	R. 59	E.
✓	1883	0.22 acres in the	NW $\frac{1}{4}$ NW $\frac{1}{4}$	of Sec. 27	T. 31N	R. 59	E.
✓	1883	15.89 acres in the	SE $\frac{1}{4}$ NE $\frac{1}{4}$	of Sec. 27	T. 31N	R. 59	E.

GARDNER - POINTS OF DIVERSION:

POD #1 in Lot 10, Section 15, T 31 N, R 59 E, MDB & M., at a point from which the SW corner of said Section 15 bears S 23° 47' 00" W, 2000.00 feet, POD #2 in Lot 10, Section 15, T 31 N, R 59 E, MDB & M., at a point from which the SW corner of said Section 15 bears S 28° 25' 00" W, 1950.00 feet, POD #3 in Lot 12, Section 15, T 31 N, R 59 E, MDB & M., at a point from which the SW corner of said Section 15 bears S 66° 09' 00" W, 1595.00 feet, POD #4 in Lot 12, Section 15, T 31 N, R 59 E, MDB & M., at a point from which the SW corner of said Section 15 bears S 69° 04' 00" W, 1630.00 feet, POD #5 in the NE¼ NW¼ of Section 22, T 31 N, R 59 E, MDB & M., at a point from which the NW corner of said Section 22 bears N 83° 08' 00" W, 1990.00 feet, POD #6 in the NE¼ NW¼ of Section 22, T 31 N, R 59 E, MDB & M., at a point from which the NW corner of said Section 22 bears N 71° 49' 00" W, 4040.00 feet, POD #7 in the SW¼ NE¼ of Section 22, T 31 N, R 59 E, MDB & M., at a point from which the NW corner of said Section 22 bears N 56° 55' 00" W, 3445.00 feet, POD #8 in the SW¼ SW¼ of Section 23, T 31 N, R 59 E, MDB & M., at a point from which the NW corner of Section 22, T 31 N, R 59 E, MDB & M., bears N 54° 39' 00" W, 6825.00 feet, POD #9 in the SW¼ SW¼ of Section 23, T 31 N, R 59 E, MDB & M., at a point from which the NW corner of Section 22, T 31 N, R 59 E, MDB & M., bears N 51° 08' 00" W, 7640.00 feet.

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation: Stockwater

(19) The character of the soil is Sandy, Gravelly. A continuous flow of 3 cubic feet of water per second has been used to irrigate each 100 acres of land and 5 acre-feet per acre per annum have been used to irrigate the crops.

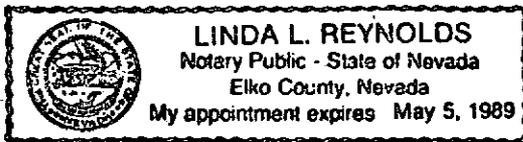
(20) Remarks:

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Walter J. & Brenda S. Gardner are full and correct to the best of his knowledge and belief.

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the

claimant

Walter J. Gardner  
Brenda S. Gardner  
Telephone No. (702) 779-2281



Subscribed and sworn to before me this 22nd day of August, 1988

Linda L. Reynolds

Notary Public in and for the County of Elko

My commission expires May 5, 1989

**\$50 FILING FEE MUST ACCOMPANY PROOF**

RECEIVED  
STATE ENGINEERS OFFICE

88 SEP 26 P4:24