

STATE OF NEVADA

**PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES**

(1) Name of claimant Thomas I Gardner  
po box 187 of Paragonah  
Street and No. or P.O. Box No. City or town  
Utah 84760  
State and Zip Code No.

(2) Source of water underground  
Name of natural water source.

(3) The water is diverted by well and pipeline  
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) NW 1/4 SE 1/4 section 5  
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.  
T. 12N. R. 50E. from which the SE corner of  
Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such reach.  
section 5 bears 33°54'E 2808 ft

(5) The water is impounded in tank and troughs  
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun well began 1938  
Date  
and completed 1938  
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is the well lies within the BLM  
Patented, deeded, public domain with grazing permit, etc.  
seven Mile grazing allotment. I am the  
seven Mile grazing permittee.

(8) The claimant's water right was (was not) recorded in the office of the County Recorder of Nye County County, at Page \_\_\_\_\_ of Book \_\_\_\_\_ of \_\_\_\_\_

NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

NVE  
10-15-0

(9) The approximate number of animals watered by the claimant during the first year. 1938,  
Date

was 700 cattle 5 horses 3000 sheep or wildlife (describe) pair  
pairs pair Other

The watering was conducted during each of the following months Jan 1 thru Dec 31

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:

700 cow pairs, 5 horses 3000 sheep pairs

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.

The well was not used in 2000, 2001  
because snow made access impossible  
from antelope valley. Winter 2002,  
I intend to water 400 cow pairs, 5 horses  
and 1400 ewe pairs at the well

(11) The amount of water which has been necessary to be diverted for this purpose has been

.055 cubic feet per second.

448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at NW 1/4 SE 1/4 section 5, T12N R50E.

Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed

adjacent to the well

land, it should be stated.

Remarks This application is for the same well  
as application 67823 filed July 17, 2001 by  
Bolvin and son LLC.

I was notified in the spring of 2002 by  
Jeremy Jarnecke, hydrologist Battle Mtn BLM,  
that an application had been filed on the  
Seven Mile well. The well lies within the  
BLM seven mile allotment of which I am the  
permit holder.

cont.

Remarks The seven Mile well is the only reliable water source on the south portion of the Seven Mile allotment. The well was drilled in 1938 by the CCC. It was originally used by the Sequeira family, owners of the Sequeira Ranch and holders of the Seven Mile grazing permit. I am the current owner of both the Sequeira ranch and seven Mile permit.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Thomas I 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.

Telephone No. (435) 477-8990

By Thomas I Gardner  
Thomas I Gardner  
box 187

Paragonah UT 84760

Telephone No. (435) 477 8990

Subscribed and sworn to before me this 2nd day of August, 2002

Judith Jucoschea  
Eureka

Notary Public in and for the County of

My commission expires

10/28/02

STATE CLERK'S OFFICE

02 APR -5 PM 1:06

\$50 FILING FEE MUST ACCOMPANY PROOF



July 19, 2002

The Seven Mile well, located NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  section 5 T12N R50E, was drilled in 1938 by the Civilian Conservation Corps (CCC). The well was first used by the Segura family owners of the Segura Ranch and grazing permit holders of the BLM Seven Mile allotment.

The Seven Mile well has been used since 1938 by the Seguras and their successors at the Seven Mile allotment. Thomas L. Gardner is the present owner of the Segura Ranch and the Seven Mile Allotment.

I, Frank Otegui, am the grandson of William and Maggie Blair who bought the ranch now called the Segura from Jim Butler in 1890. I have been around the ranch throughout my life.

Frank Otegui