AMENDED

№ 37982

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

Date of filing in State Engineer's Office APR 20 1979

Returned to applicant for correction. OCT 10 1979

Corrected application filed DEC 3 1979

Map filed DEC 3 1979

The applicant John Sustacha c/o Boyack Surveying, Inc.

515 South 5th St., of Elko,
Street and No. or P.O. Box No. City or Town

Nevada 89801, hereby make.... 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 or other source.

2. The amount of water applied for is 6 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
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 320

(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: Lot 7 (SW¼ NW¼) Sec. 18, T 34 N, R 57 E, MDM at a point from which the NW corner of said
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
Section 18 bears N 19° 37' 16" W 2079.47 feet.
it should be stated.

6. Place of use N½ Sec. 18, T 34 N, R 57 E, MDM
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.
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.) Well, pipeline, ditches, and sprinkler system.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

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9. Estimated cost of works $30,000

10. Estimated time required to construct works 3 yrs

11. Estimated time required to complete the application to beneficial use 5 yrs.

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application is for a Desert Land Entry

Applicant John Sustacha

By /s/ Alan S. Boyack
Alan S. Boyack
515 South 5th St.
Elko, Nev. 89801

Compared lp/ga bl/bc

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, subject to the following limitations and conditions:

This application is herewith denied on the grounds that to grant the application for irrigation purposes on lands that the applicant does not own or control and cannot demonstrate the ability to place the water to beneficial use, would not be in the public interest and welfare.

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

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

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

Commencement of work filed
Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
Recorded Bk. Page
County Recorder

IN TESTIMONY WHEREOF, I PETER G. MORROS State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 4th day of April, A.D. 19 85

Peter G. Morros
State Engineer

218 (Rev.)