

THE STATE OF NEVADA

**APPLICATION TO CHANGE POINT OF DIVERSION,
MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

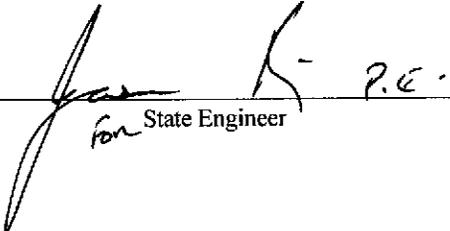
Name of applicant: **JOE SUSTACHA & SON RANCH**
Source: **LAMOILLE CREEK**
Basin: **LAMOILLE VALLEY**
Manner of Use: **IRRIGATION**
Period of Use: **April 15th to August 15th**
Priority Date: **AS DECREED**

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that the Applicant has not submitted the information requested by the State Engineer's Office, and that without this information granting of the application would threaten to prove detrimental to the public interest.

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 September, A.D. 2008



for State Engineer

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAY 20 1996

Returned to applicant for correction _____

Corrected application filed _____

Map filed proposed pod see Decree map 00410

The applicant **JOE SUSTACHA JR. & SON RANCH**, hereby makes application for permission to change the **point of diversion** of water heretofore appropriated under **Proof 00406 Bartlett Decree Mrs. Johanna Eisenberg to O.P. McDermott Ditch Proof 00410 Bartlett Decree**

1. The source of water is **Lamoille Creek**
2. The amount of water to be changed **.406**
3. The water to be used for **Irrigation (as decreed)**
4. The water heretofore permitted for **Irrigation (as decreed)**
5. The water is to be diverted at the following point **O.P. McDermott headgate Sec 6 T 32N R 58E NW¼ of NE¼ in upper Powerhouse Campground, M.D.B.&M.**
6. The existing permitted point of diversion is located within **Sec 31 T 33N R 58E NW¼ of NE¼, M.D.B.&M.**
7. Proposed place of use **Same place of use NE¼ Sec 31 Tp 33N., R 58E., M.D.B.&M.**
8. Existing place of use **99 acre feet of water NE¼ Sec 31, Tp 33N., R 58E., M.D.B.&M.**
9. Use will be from **4-15 to 8-15** of each year.
10. Use was permitted from **4-15 to 8-15** of each year.
11. Description of proposed works **Dam and headgate built to plan of Brian A. Randall, court-appointed engineer.**
12. Estimated cost of works **\$6,000.00**
13. Estimated time required to construct works **Done April 12, 1996**
14. Estimated time required to complete the application of water to beneficial use **done**
15. Remarks:

By **s/John Sustacha**

Compared **cms/bk**

Protested **9/5/96** by; **Dale N. Bosworth**
 Pro. Overruled **2/26/97**;
 Ruling No. **4501**

62142

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: