AMENDED

Serial No. 58707

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 APR 9 1993

Returned to applicant for correction APR 22 1993

Corrected application filed MAY 18 1993 Map filed MAY 27 1993

The applicant John David Stanley Sr., & Marlyse Reed Stanley

94 Julian LANE (Street and No. or P.O. Box No.) of Yerington (City or Town)

Nevada 89447 (State and Zip Code No.) hereby make application for permission to change the

Point of Diversion (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Permit 3830, Cert. 1178 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Birmingham Slough (A part of Walker River) (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 0.8782 c.f.s. 263.46 AF Season (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Irrigation (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Irrigation (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
5. The water is to be diverted at the following point Of the NE¼ SW¼, Sec. 20, T.15N., R.26E., (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.) M.D.B.&M. or at a point from which the E¼ Corner of said Sec. 20, bears N 75° 06' 38" E a distance of 3932' (Walker River)
6. The existing permitted point of diversion is located within the North part of the NE¼ SW¼, Sec. 29, (If point of diversion is not changed, do not answer.) T.15N., R.26E., M.D.B.&M. situated in Lyon County (Birmingham Slough)
7. Proposed place of use See Attached Exhibit "A" (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use Same as Above (Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
9. Use will be from March 15th (Month and Day) to October 31st (Month and Day) of each year.
10. Use was permitted from March 15th (Month and Day) to October 31st (Month and Day) of each year.
11. 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.) Diesel Pump, continuously metered in U.S. Gallons, and pumped directly from the Walker River into existing ditch. (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.)
12. Estimated cost of works $30,000
13. Estimated time required to construct works 3 Years

14. Estimated time required to complete the application of water to beneficial use 5 Years

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

Irrigation only

By s/Katherine A. Rice
Katherine A. Rice, Agent
P.O. Box 130
Smith, NV 89430

Compared bc/bc cl/jr

Protested

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 to change the point of diversion of the waters of the Birmingham Slough, a part of the Walker River as heretofore granted under Permit 3830, Certificate 1178 and the Walker River Decree is issued subject to the terms and conditions imposed in said Permit 3830, Certificate 1178 and the Walker River Decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and maintained to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

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 amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.8782 cubic feet per second, but not to exceed 263.46 acre-feet per season, and not to exceed a seasonal duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before April 9, 1997

Proof of completion of work shall be filed before May 9, 1997

Application of water to beneficial use shall be made on or before April 9, 1998

Proof of the application of water to beneficial use shall be filed on or before May 9, 1998

Map in support of proof of beneficial use shall be filed on or before May 9, 1998

Completion of work filed JUN 17 1999

Proof of beneficial use filed JUN 22 2000

Cultural map filed JUN 22 2000

Certificate No. 15496 Issued AUG 09 2000

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 9th day of April, A.D. 19 96

State Engineer

(O)-1108 (Rev. 6-81)

EXHIBIT "A"

Description of irrigated land to which water is appurtenant is as follows:

7.76	acres	grass and brush	in the	NE¼	SW¼	Sec.	20,	T.	15	N.,	R. 26 E., MDB&M.
2.40	"	clear grass									
2.40	"	alfalfa	"	"	"	"	"	"	"	"	"
3.44	"	"	"	"	SE¼	NW¼	"	"	"	"	"
7.06	"	clear grass	"	"	"	"	"	"	"	"	"
13.12	"	" "	"	"	SW¼	NE¼	"	"	"	"	"
4.86	"	alfalfa	"	"	"	"	"	"	"	"	"
5.86	"	grain	"	"	"	"	"	"	"	"	"
1.76	"	garden	"	"	"	"	"	"	"	"	"
1.12	"	clear grass	"	"	NW¼	SE¼	"	"	"	"	"
2.48	"	grain	"	"	"	"	"	"	"	"	"
10.34	"	alfalfa	"	"	"	"	"	"	"	"	"
1.32	"	"	"	"	NE¼	SE¼	"	"	"	"	"
.24	"	grain	"	"	"	"	"	"	"	"	"
.30	"	"	"	"	SE¼	NE¼	"	"	"	"	"
1.06	"	alfalfa	"	"	"	"	"	"	"	"	"

87.82 acres - total