Application No. 78590 3

# 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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office MAY 29 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAY 29 2009 under 78588

The applicant Bright Holland Corporation, a Nevada corporation

4005 Quail Rock Lane (Street Address or P.O. Box) of Reno (City or Town)

Nevada 89511 (State and Zip Code), hereby make(s) application for permission to change the

☒ Point of diversion ☒ Place of use ☒ Manner of use ☐ of a portion

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)
Proof No. V09074

1. The source of water is Underground (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 0.22 cfs - ~~1,370.32 afa.~~ (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for municipal and domestic purposes (Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use.)
4. The water heretofore used for Irrigation, stock water and domestic purposes (If for stock, state number and kind of animals.)
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
   w/in NE1/4 NW1/4 Section 21 T33N, R22E, MDM or at a point from which the NE corner of Section 9 T33N, R22E, MDM bears North 19 degrees 52 minutes 43 seconds East, a distance of 12,095.26 feet. SQ-3 Well
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   NE1/4 NW1/4 Section 27, T33N, R22E, MDM or at a point from which the NW corner of said Section 27 bears North 47 degrees 04 minutes 13 seconds West, a distance of 2,203.33 feet (Refer to map under Proof No. V-09074)

21-WD

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Refer to attached Exhibit "A"

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

21.44 ac. in NW1/4 NW1/4, 24.08 ac. in NE1/4 NW1/4, 26.73 ac. in SE1/4 NW1/4, 40.37 ac. in SW1/4 NW1/4, 38.41 ac. in NW1/4 SW1/4, 24.91 ac. in NE1/4 SW1/4 Section 27 T33N, R22E, MDM. 0.87 ac. in NE1/4 NE1/4, 37.26 ac. in SE1/4 NE1/4, 32.02 ac. in SW1/4 NE1/4, 34.77 ac. in NW1/4 SE1/4, 26.40 ac. in NE1/4 SE1/4, 22.84 ac. in SE1/4 NW1/4, 12.48 ac. in NE1/4 SW1/4 Section 28 T33N, R22E, MDM totaling 342.58 acres (Refer to map under Proof No. V-09074)

9. Proposed use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.

10. Existing use permitted from January 1 (Month and Day) to December 31 (Month and Day) of each year.

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)(State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

Drilled and cased well, equipped with motor, pump, flow meter and pipeline to place of use.

12. Estimated cost of works $100,000,000.00 for project

13. Estimated time required to construct works 15 years for project (If well completed, describe well.)

14. Estimated time required to complete the application of water to beneficial use 30 years for project

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

This application along with other applications propose to change existing water rights owned by the applicant for exportation from Smoke Creek Valley Basin No. 21 for municipal purposes within the proposed place of use. This project will require many years to complete due to its magnitude and construction of water distribution systems to customers. Washoe County planning studies show a demand for additional municipal water resources to supply existing development and projected growth.

16. Miscellaneous remarks:

2009 MAY 29 PM 2:28
STATE ENGINEERS OFFICE

(775) 355-9628
Phone No.

mike@mbuschelman.com
E-mail

By Michael D. Buschelman
Print or type name clearly

Michael D. Buschelman
Signature, applicant or agent

Michael D. Buschelman Consulting, Inc.
Company Name

Post Office Box 51371
Street Address or P.O. Box

Sparks, Nevada 89435
City, State, Zip Code

***APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT***

***$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION***

Protested: July 31, 2009, by John Espil Sheep Co.; by David Rumsey, Michael Moore, Linda Fleming and Jim G. and Rachel Bogard; by Great Basin Water Network Progressive Leadership Alliance and Sierra Club, Toiyabe Chapter; August 3, 2009, by Richard L. and Janice L. Olson and by the Pyramid Lake Paiute Tribe of Indians

Serial No. 78590

ITEM NO. 7
EXHIBIT A - Refer to map under Application No. 77634
PROPOSED PLACE OF USE - Entirely within Washoe County, Nevada

| Aliquot Part | Section | Township North | Range East | Base & Meridian |
|---|---|---|---|---|
| ALL | 5 & 6 | 16 | 20 | M.D.B & M. |
| ALL | 1 - 36 | 17 | 19 | M.D.B & M. |
| ALL | 1 - 36 | 17 | 20 | M.D.B & M. |
| ALL | 1 - 5 | 18 | 18 | M.D.B & M. |
| E1/2 | 6 & 7 | 18 | 18 | M.D.B & M. |
| ALL | 8 - 17 | 18 | 18 | M.D.B & M. |
| E1/2 | 18 & 19 | 18 | 18 | M.D.B & M. |
| ALL | 20 - 29 | 18 | 18 | M.D.B & M. |
| E1/2 | 30 & 31 | 18 | 18 | M.D.B & M. |
| ALL | 32 - 36 | 18 | 18 | M.D.B & M. |
| ALL | 1 - 36 | 18 | 19 | M.D.B & M. |
| ALL | 2 - 35 | 18 | 20 | M.D.B & M. |
| W1/2 | 36 | 18 | 20 | M.D.B & M. |
| ALL | 1 - 5 | 19 | 18 | M.D.B & M. |
| E1/2 | 6 & 7 | 19 | 18 | M.D.B & M. |
| ALL | 8 - 17 | 19 | 18 | M.D.B & M. |
| E1/2 | 18 & 19 | 19 | 18 | M.D.B & M. |
| ALL | 20 - 29 | 19 | 18 | M.D.B & M. |
| E1/2 | 30 & 31 | 19 | 18 | M.D.B & M. |
| ALL | 32 - 36 | 19 | 18 | M.D.B & M. |
| ALL | 1 -36 | 19 | 19 | M.D.B & M. |
| ALL | 1 - 12 | 19 | 20 | M.D.B & M. |
| ALL | 14 - 23 | 19 | 20 | M.D.B & M. |
| ALL | 26 - 35 | 19 | 20 | M.D.B & M. |
| ALL | 1 - 5 | 20 | 18 | M.D.B & M. |
| E1/2 | 6 & 7 | 20 | 18 | M.D.B & M. |
| ALL | 8 - 17 | 20 | 18 | M.D.B & M. |
| E1/2 | 18 & 19 | 20 | 18 | M.D.B & M. |
| ALL | 20 - 29 | 20 | 18 | M.D.B & M. |
| E1/2 | 30 & 31 | 20 | 18 | M.D.B & M. |
| ALL | 32 - 36 | 20 | 18 | M.D.B & M. |
| ALL | 1 - 36 | 20 | 19 | M.D.B & M. |
| ALL | 1 - 36 | 20 | 20 | M.D.B & M. |
| ALL | 1 - 36 | 20 | 21 | M.D.B & M. |

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|---|---|---|---|---|
| ALL | 1 - 5 | 21 | 18 | M.D.B & M. |
| E1/2 | 6 & 7 | 21 | 18 | M.D.B & M. |
| ALL | 8 - 17 | 21 | 18 | M.D.B & M. |
| E1/2 | 18 - 19 | 21 | 18 | M.D.B & M. |
| ALL | 20 - 29 | 21 | 18 | M.D.B & M. |
| E1/2 | 30 & 31 | 21 | 18 | M.D.B & M. |
| ALL | 32 - 36 | 21 | 18 | M.D.B & M. |
| ALL | 1 - 36 | 21 | 19 | M.D.B & M. |
| ALL | 1 - 36 | 21 | 20 | M.D.B & M. |
| ALL | 1 - 36 | 21 | 21 | M.D.B & M. |
| ALL | 1 - 36 | 21 | 22 | M.D.B & M. |
| ALL | 1 - 5 | 22 | 18 | M.D.B & M. |
| E1/2 | 6 & 7 | 22 | 18 | M.D.B & M. |
| ALL | 8 - 17 | 22 | 18 | M.D.B & M. |
| E1/2 | 18 - 19 | 22 | 18 | M.D.B & M. |
| ALL | 20 - 29 | 22 | 18 | M.D.B & M. |
| E1/2 | 30 & 31 | 22 | 18 | M.D.B & M. |
| ALL | 32 - 36 | 22 | 18 | M.D.B & M. |
| ALL | 1 - 36 | 22 | 19 | M.D.B & M. |
| ALL | 1 - 36 | 22 | 20 | M.D.B & M. |
| ALL | 1 - 36 | 22 | 21 | M.D.B & M. |
| ALL | 3 - 10 | 22 | 22 | M.D.B & M. |
| ALL | 15 - 23 | 22 | 22 | M.D.B & M. |
| ALL | 26 - 35 | 22 | 22 | M.D.B & M. |
| Those portions outside of the Pyramid Lake Indian Reservation | 2, 11, 14 | 22 | 22 | M.D.B & M. |
| ALL | 1 - 5 | 23 | 18 | M.D.B & M. |
| E1/2 | 6 & 7 | 23 | 18 | M.D.B & M. |
| ALL | 8 - 17 | 23 | 18 | M.D.B & M. |
| E1/2 | 18 - 19 | 23 | 18 | M.D.B & M. |
| ALL | 20 - 29 | 23 | 18 | M.D.B & M. |
| E1/2 | 30 & 31 | 23 | 18 | M.D.B & M. |
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|---|---|---|---|---|
| ALL | 4 - 10 | 23 | 21 | M.D.B & M. |
| ALL | 14 - 36 | 23 | 21 | M.D.B & M. |
| Those portions outside of the Pyramid Lake Indian Reservation | 3, 11, 13 | 23 | 21 | M.D.B & M. |
| ALL | 30 - 33 | 23 | 22 | M.D.B & M. |
| Those portions outside of the Pyramid Lake Indian Reservation | 18, 19, 20, 27, 28, 29, 34, 35 | 23 | 22 | M.D.B & M. |
| ALL | 1 - 5 | 24 | 18 | M.D.B & M. |
| E1/2 | 6 & 7 | 24 | 18 | M.D.B & M. |
| ALL | 8 - 17 | 24 | 18 | M.D.B & M. |
| E1/2 | 18 - 19 | 24 | 18 | M.D.B & M. |
| ALL | 20 - 29 | 24 | 18 | M.D.B & M. |
| E1/2 | 30 & 31 | 24 | 18 | M.D.B & M. |
| ALL | 32 - 36 | 24 | 18 | M.D.B & M. |
| ALL | 1 - 36 | 24 | 19 | M.D.B & M. |
| ALL | 2 - 11 | 24 | 20 | M.D.B & M. |
| ALL | 14 - 36 | 24 | 20 | M.D.B & M. |
| Those portions outside of the Pyramid Lake Indian Reservation | 1, 12, 13 | 24 | 20 | M.D.B & M. |
| ALL | 30 - 32 | 24 | 21 | M.D.B & M. |
| Those portions outside of the Pyramid Lake Indian Reservation | 18, 19, 20, 28, 29, 33, 34 | 24 | 21 | M.D.B & M. |