

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 MAR 05 2010

Returned to applicant for correction _____

Corrected application filed _____ Map filed APR 12 2000 under V09188
Sheets 1 & 4 of 8

The applicant Bright Holland Co., a Nevada Corporation
4005 Quail Rock Lane of Reno
Street Address or PO Box 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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 4048, Certificate 7371

- The source of water is Red Mountain Creek
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 1.52 cfs, appurtenant to 151.72 acres
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Irrigation
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use
- The water heretofore used for Irrigation
If for stock, state number and kind of animals.
- 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.)
SW 1/4 SE 1/4, Section 18, T.35N., R.23E., M.D.B. & M., or at a point from which the SE Corner of Section 17, said township and range, bears S. 82° 13' 52" E., a distance of 7342.10 feet. Please refer to map filed under Proof 09188 for proposed point of diversion
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
NW 1/4 SE 1/4, Section 18, T.35N., R.23E., M.D.B. & M. Refer to map filed under Permit 4048 for existing point of diversion

24-1117

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

See Attachment "A" and map filed under Application 65936 for proposed place of use

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.)

37 acres - NE 1/4 NW 1/4, 34.5 acres - SE 1/4 NW 1/4, 40.12 acres - SW 1/4 NE 1/4, 39.5 acres - NW 1/4 SE 1/4, all in Section 35, T.35N., R.23E., M.D.B. & M. Please refer to map filed under Permit 4048 for existing place of use

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

10. Existing use permitted from March 1 to July 1 of each year.
Month and Day Month and Day

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.)

Existing diversion structure on Red Mountain Creek then by existing Red Mountain Creek Ditch to the place of use

12. Estimated cost of works \$100,000.00 to repair and improve existing infrastructure.

13. Estimated time required to construct works Three (3) years

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Five (5) years

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.)

Water will be commingled with rights from Rock Creek, Cottonwood Creek and Hot Springs to irrigate 2000 acres. This application correctly identifies the point of diversion of Permit 4048 (Certificate 7371) which is a change of Proof 01274, a vested right with a 1904 priority. The point of diversion is on privately held land and documentation has been filed with the BLM showing the extent of the historical Red Mountain Ditch as it existed prior to 1976.

16. Miscellaneous remarks:

Original change application filed in 2000 (Application 65940). This application is being filed as a result of recent NV Supreme Court ruling affecting the status of water right applications filed prior to 2003.

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E-mail Address

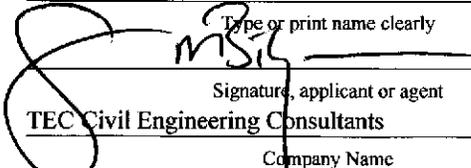
(775) 352-7800 ext 227

Phone No.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Gregory M. Bilyeu

Type or print name clearly



Signature, applicant or agent

TEC Civil Engineering Consultants

Company Name

9480 Double Diamond Parkway, Suite 200

Street Address or PO Box

Reno, NV 89521

City, State, ZIP Code

ATTACHMENT "A"

7. Proposed Place of Use

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, T.35N., R.23E., M.D.B. & M.
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, T.35N., R.23E., M.D.B. & M.
E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 34, T.35N., R.23E., M.D.B. & M.
NW $\frac{1}{4}$, Section 35, T.35N., R.23E., M.D.B. & M.
W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 35, T.35N., R.23E., M.D.B. & M.
E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 35, T.35N., R.23E., M.D.B. & M.
SE $\frac{1}{4}$, Section 35, T.35N., R.23E., M.D.B. & M.
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36, T.35N., R.23E., M.D.B. & M.
S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 36, T.35N., R.23E., M.D.B. & M.
W $\frac{1}{2}$ Section 1, T.34N., R.23E., M.D.B. & M.
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1, T.34N., R.23E., M.D.B. & M.
E $\frac{1}{2}$, Section 2, T.34N., R.23E., M.D.B. & M.
E $\frac{1}{2}$ W $\frac{1}{2}$, Section 2, T.34N., R.23E., M.D.B. & M.
E $\frac{1}{2}$, Section 11, T.34N., R.23E., M.D.B. & M.
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, T.34N., R.23E., M.D.B. & M.
W $\frac{1}{2}$ W $\frac{1}{2}$, Section 12, T.34N., R.23E., M.D.B. & M.
W $\frac{1}{2}$ W $\frac{1}{2}$, Section 13, T.34N., R.23E., M.D.B. & M.
E $\frac{1}{2}$, Section 14, T.34N., R.23E., M.D.B. & M.