Application No. 79665

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 0 5 2010

Returned to applicant for correction

Corrected application filed Map filed JUL. 22, 1920 under 6052

The applicant Bright Holland Co., a Nevada Corporation

4005 Quail Rock Lane (Street Address or PO 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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Amended Proof 01275

1. The source of water is Cottonwood Creek & tributaries
   Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 50 cfs appurtenant to 1094.84 acres
   Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. 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

4. The water heretofore used for Irrigation, livestock & wildlife
   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.)
   ~~SW~~ NW ¼ ~~SW~~ SW ¼, Section 29, T.~~34~~ 35N., R.23E., MD.B. & M., or at a point bearing S. 66° 32' E., 987 feet from the W ¼ Corner of said Section 29. Refer to map filed under Permit 6052 for proposed point of diversion.

ACE 3/9/10 per email

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   SE ¼ SE ¼, Section 27, T.35N., R.23E., M.D.B. & M., or at a point from whic hthe SE Corner of said Section 27 bears S. 46° 30' E., a distance of 1340 feet. Refer to map filed under Proof 01275 for existing point of diversion

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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.)

See Attachment "B" and map filed under Amended Proof 01275 for existing place of use

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 April 1 (Month and Day) to October 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.)

Existing diversion structure at the Upper Gerlach Ditch, then by ditch and pipeline 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, Hot Springs and Red Mountain Creek to irrigate 2000 acres. Point of diversion is being changed to reflect actual location at which water was historically taken from Cottonwood Creek under Proof 01275 beginning in the 1920's. Documentation has been submitted to the BLM showing the extent of this historical ditch as it existed prior to 1976.

16. Miscellaneous remarks:

Original change application filed in 2000 (Application 65936). 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.

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 89511
City, State, ZIP Code

gregb@tecreno.com
E-mail Address

(775) 352-7800 ext 227
Phone No.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Revised 07/09

$200 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

ATTACHMENT "A"

7. Proposed Place of Use

SW ¼ SW ¼, Section 26, T.35N., R.23E., M.D.B.& M.
SE ¼ SE ¼, Section 27, T.35N., R.23E., M.D.B.& M.
E ½ NE ¼, Section 34, T.35N., R.23E., M.D.B.& M.
NW ¼, Section 35, T.35N., R.23E., M.D.B.& M.
W ½ NE ¼, Section 35, T.35N., R.23E., M.D.B.& M.
E ½ SW ¼, Section 35, T.35N., R.23E., M.D.B.& M.
SE ¼, Section 35, T.35N., R.23E., M.D.B.& M.
NW ¼ SW ¼, Section 36, T.35N., R.23E., M.D.B.& M.
S ½ SW ¼, Section 36, T.35N., R.23E., M.D.B.& M.
W ½ Section 1, T.34N., R.23E., M.D.B.& M.
NW ¼ NE ¼, Section 1, T.34N., R.23E., M.D.B.& M.
E ½, Section 2, T.34N., R.23E., M.D.B.& M.
E ½ W ½, Section 2, T.34N., R.23E., M.D.B.& M.
E ½, Section 11, T.34N., R.23E., M.D.B.& M.
NE ¼ NW ¼, Section 12, T.34N., R.23E., M.D.B.& M.
W ½ W ½, Section 12, T.34N., R.23E., M.D.B.& M.
W ½ W ½, Section 13, T.34N., R.23E., M.D.B.& M.
E ½, Section 14, T.34N., R.23E., M.D.B.& M.

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ATTACHMENT "A" "B"

AMENDED PROOFS 01275 & 01276

ITEM (13) List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with corresponding subdivisions, appending extra sheets if necessary.

Year	Acres	Subdivision		Section	Twnshp. (N)	Range (E)	Description of Culture
1904	13.88	SE	SE	35	35	23	MEADOW
1883	3.62	SE	SW	36	35	23	MEADOW
1904	37.42	SW	SW	36	35	23	MEADOW
1904	40.51	NW	NW	1	34	23	MEADOW
1904	16.41	NE	NW	1	34	23	MEADOW
1904	39.82	SW	NW	1	34	23	MEADOW
1904	5.01	SE	NW	1	34	23	MEADOW
1883	37.74	NW	SW	1	34	23	MEADOW
1883	2.08	NW	SW	1	34	23	IMPROVED PASTURE
1904	31.77	NE	SW	1	34	23	MEADOW
1883	11.05	SW	SW	1	34	23	MEADOW
1883	28.69	SW	SW	1	34	23	IMPROVED PASTURE
1904	31.14	SE	SW	1	34	23	MEADOW
1904	8.55	SE	SW	1	34	23	IMPROVED PASTURE
1904	26.05	NE	NW	2	34	23	MEADOW
1904	18.52	SE	NW	2	34	23	MEADOW
1904	26.9	NW	NE	2	34	23	MEADOW
1904	39.88	NE	NE	2	34	23	MEADOW
1904	39.75	SW	NE	2	34	23	MEADOW
1904	39.76	SE	NE	2	34	23	MEADOW
1904	26.6	NE	SE	2	34	23	MEADOW
1904	13.12	NE	SE	2	34	23	IMPROVED PASTURE
1904	27.73	NW	SE	2	34	23	MEADOW
1904	7.33	NW	SE	2	34	23	IMPROVED PASTURE
1904	24.88	SW	SE	2	34	23	IMPROVED PASTURE
1883	39.64	SE	SE	2	34	23	IMPROVED PASTURE
1904	19.01	NE	NE	11	34	23	IMPROVED PASTURE
1904	1.97	NW	NE	11	34	23	IMPROVED PASTURE
1904	4.16	SE	NE	11	34	23	IMPROVED PASTURE
1904	9.93	SW	SE	11	34	23	ALFALFA
1904	20.35	SE	SE	11	34	23	ALFALFA
1883	23.96	NW	NW	12	34	23	IMPROVED PASTURE
1904	27.94	SW	NW	12	34	23	IMPROVED PASTURE
1904	19.09	NW	SW	12	34	23	IMPROVED PASTURE
1904	8.81	NE	SW	12	34	23	IMPROVED PASTURE
1904	8.95	SW	SW	12	34	23	MEADOW
1904	4.62	SW	SW	12	34	23	IMPROVED PASTURE
1904	3.71	SW	SW	12	34	23	ALFALFA
1904	8.14	SE	SW	12	34	23	IMPROVED PASTURE
1904	5.6	SE	SW	12	34	23	MEADOW
1904	32.28	NW	NW	13	34	23	MEADOW
1904	7.39	NW	NW	13	34	23	ALFALFA
1904	22.92	NE	NW	13	34	23	MEADOW
1904	35.57	SW	NW	13	34	23	MEADOW
1904	4.12	SW	NW	13	34	23	ALFALFA
1904	20.59	SE	NW	13	34	23	MEADOW
1904	34.36	NW	SW	13	34	23	MEADOW
1904	8.05	NE	SW	13	34	23	MEADOW
1904	3.91	NW	NE	14	34	23	ALFALFA
1904	39.83	NE	NE	14	34	23	ALFALFA
1904	0.65	SW	NE	14	34	23	ALFALFA
1904	39.59	SE	NE	14	34	23	ALFALFA
1904	0.99	SE	NE	14	34	23	MEADOW
1904	10.53	NW	SE	14	34	23	ALFALFA
1904	21.79	NE	SE	14	34	23	ALFALFA
1904	8.18	NE	SE	14	34	23	MEADOW
TOTAL	1094.84						