

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Smoke Creek & Tributaries  
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Unnamed Ditches  
Name of ditch, flume or pipe line

at the following point(s) SW 1/4 SE 1/4 Section 24, T.32N., R.17E., M.D.B & M., or at a point  
List all points of diversion from this source, appending a sheet if necessary

from which the SE corner of Section 31, T.32.N., R.18E., M.D.B.& M., Bears S. 33°  
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  
32' 22"E.; a distance of 13035.55 ft.

(1) Name of claimant Holland Livestock Ranch, A Nevada General Partnership

Address 3500 Lakeside Court, Suite 101, County of Washoe

State of Nevada, 89509 Telephone No. (775) 826-5500

(2) The means of diversion employed Diversion Structure, Ditches  
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was 1 March 1999

(4) The construction of the ditch or other works was begun 1870  
and completed 1870

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 6 feet, width on top 8 feet, depth 3 feet, on a grade of 20 feet per thousand feet.

(6) The conduit has (has not) been enlarged. Unknown  
NOTE—If enlargement or extension of ditch was made, supply information under (7) and (8)

(7) The work of enlargement of the ditch or canal was begun Unknown and completed .....

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom.....feet, width on top .....feet, depth.....feet, on a grade of.....feet per thousand feet.

(9) The claimant is (~~is not~~) an owner in the above-described conduit.

Land on which ditches are located is owned by Holland Livestock Ranch  
If claimant is an owner in the conduit, state interest held on this line



(16) The years during which no water was used for irrigation or during which the full water right was not used were The full extent of this right has been used continuously except for those  
If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be years in which drought conditions reduced the flow of the creek.  
given, appending a sheet if necessary

(17) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of Washoe County, said record being at page.....of Book.....of  
....., and being a claim for.....  
.....of water for the irrigation of.....  
acres of land in the following legal subdivisions:

NOTE—Failure to record in the county in no way invalidates a water right, but if ditch or right was so recorded, supply full information under (17)

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation:  
Stockwatering & Domestic  
.....  
.....  
.....

(19) The character of the soil is Loam A continuous flow of 75 cubic  
(Sandy, gravelly, loam)  
feet of water per second has been used to irrigate 1651.78 acres of land and 4.5  
acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks... The recorded first settlement of the Smoke Creek occurred in the 1860's. Active cultivation of the bottom lands of Smoke & Rush creeks occurred during this time and was detailed in the 1870 survey notes by Hatch and Eaton. The Smoke Creek Ranch has been in continuous operation since the 1860's. The attached chronology provides historical information relative to the settlement of the Smoke Creek Ranch. Applicant reserves the right to amend this proof as additional information becomes available.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Holland Livestock Ranch, AN UNINCORPORATED PARTNERSHIP are full and correct to the best of his knowledge and belief.

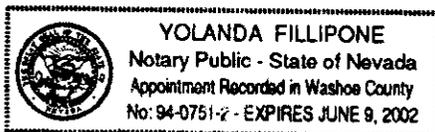
Deponent is an employee of THIEL Engineering Consultants (TEC). TEC has been hired by Holland Livestock Ranch to act as their agent. If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

Gregory M. Bilyeu-Agent  
P.O. BOX 70458  
Reno, NV, 89570

Telephone No. (775) 352-7800

Subscribed and sworn to before me this 16th day of March, 1999

*Yolanda Fillipone*



Notary Public in and for the County of Washoe

My commission expires 6/9/02

STATE ELECTRONIC SERVICE

99 MAR 18 PM 2:25

RECORDED

**\$100 FILING FEE MUST ACCOMPANY PROOF**

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Smoke Creek & Tributaries
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Unnamed Ditches
Name of ditch, flume or pipe line

at the following point(s) SW 1/4 SE 1/4 Section 24, T.32.N., R.17E., M.D.B. & M., or at a point
List all points of diversion from this source, appending a sheet if necessary

from which the SE corner of Section 31, T.32N., R.18E., M.D.B. & M., bears S. 33 degrees
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
32' 22" E., a distance of 13,035.55 ft.

(1) Name of claimant Holland Livestock Ranch, A Nevada General Partnership
Address 3500 Lakeside Ct, Suite 101, Reno, County of Washoe
State of Nevada, 89509 Telephone No. (775) 826-5500

(2) The means of diversion employed Diversion Structure, Ditches
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was 1 March 1999

(4) The construction of the ditch or other works was begun 1870
and completed 1870

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 3 feet, width on top 4 feet, depth 3 feet, on a grade of 20 feet per thousand feet.

(6) The conduit has (has not) been enlarged. UNKNOWN
NOTE--If enlargement or extension of ditch was made, supply information under (7) and (8)

(7) The work of enlargement of the ditch or canal was begun UNKNOWN and completed

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom feet, width on top feet, depth feet, on a grade of feet per thousand feet.

(9) The claimant is (is not) an owner in the above-described conduit.
Land on which ditches are located is owned by Holland Livestock Ranch.
If claimant is an owner in the conduit, state interest held on this line



(16) The years during which no water was used for irrigation or during which the full water right was not used were The full extent of this right has been used continuously except for those  
years in which drought conditions reduced the flow of the creek.  
If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given, appending a sheet if necessary

(17) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of Washoe County, said record being at page.....of Book.....of  
....., and being a claim for.....  
.....of water for the irrigation of.....

acres of land in the following legal subdivisions:

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

NOTE—Failure to record in the county in no way invalidates a water right, but if ditch or right was so recorded, supply full information under (17)

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation:

Stockwatering & Domestic  
.....  
.....  
.....  
.....

(19) The character of the soil is.....Loam..... A continuous flow of.....75.....cubic  
(Sandy, gravelly, loam)  
feet of water per second has been used to irrigate.....1448.54.....acres of land and.....4.5.....  
acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks..... The recorded first settlement of the Smoke Creek occurred in the 1860's.  
Active cultivation of the bottom lands of Smoke & Rush creeks occurred during  
this time and was detailed in the 1870 survey notes by Hatch and Eaton. The  
Smoke Creek Ranch has been in continuous operation since the 1860's. The attached  
chronology provides historical information relative to the settlement of the Smoke  
Creek Ranch. Applicant reserves the right to amend this proof as additional  
information becomes available.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water  
by Holland Livestock Ranch, A Nevada General Partnership are full and correct to the best of his knowledge  
and belief.

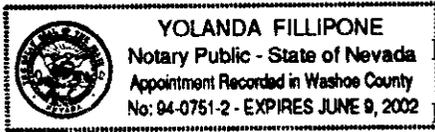
Deponent is an employee of Thiel Engineering Consultants (TEC). TEC has been hired  
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant  
Holland Livestock Ranch to act as their agent.

*G. M. Bilyeu*  
Gregory M. Bilyeu-Agent  
P.O. BOX 70458  
Reno, NV, 89570-0458

Telephone No. (775...) 352-7800

Subscribed and sworn to before me this 13<sup>th</sup> day of May, 1999

*Yolanda Fillipone*



Notary Public in and for the County of Washoe

My commission expires 6/9/02

701120  
12:01 PM 12/21/99

**\$100 FILING FEE MUST ACCOMPANY PROOF**

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source..... Smoke Creek & Tributaries  
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source..... Unnamed Ditches  
Name of ditch, flume or pipe line

at the following point(s)..... SW 1/4 SE 1/4 Section 24, T.32N., R.17E., M.D.B. & M., or at a point from  
List all points of diversion from this source, appending a sheet if necessary  
which the SE corner of Section 31, T.32N., R.18E., M.D.B. & M., bears S. 33° 32' 22"E.,  
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  
a distance of 13,035.55 ft.

(1) Name of claimant..... Holland Livestock Ranch, A Nevada General Partnership  
Address..... 3500 Lakeside Ct, Suite 101, Reno, County of..... Washoe  
State of..... Nevada, 89509 Telephone No. (...775...)..... 826-5500

(2) The means of diversion employed..... Diversion Structure, Ditches  
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was..... 1 March 1999

(4) The construction of the ditch or other works was begun..... 1870  
and completed..... 1870

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom..... 3..... feet, width  
on top..... 4..... feet, depth..... 3..... feet, on a grade of..... 20..... feet per thousand feet.

(6) The conduit has (has not) been enlarged. UNKNOWN  
NOTE—If enlargement or extension of ditch was made, supply information under (7) and (8)

(7) The work of enlargement of the ditch or canal was begun..... UNKNOWN..... and  
completed.....

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom..... feet, width on top  
..... feet, depth..... feet, on a grade of..... feet per thousand feet.

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If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be in which drought conditions reduced the flow of the creek.  
given, appending a sheet if necessary

(17) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of Washoe County, said record being at page \_\_\_\_\_ of Book \_\_\_\_\_ of \_\_\_\_\_, and being a claim for \_\_\_\_\_ of water for the irrigation of \_\_\_\_\_

acres of land in the following legal subdivisions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTE—Failure to record in the county in no way invalidates a water right, but if ditch or right was so recorded, supply full information under (17)

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation:

Stockwatering & Domestic  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(19) The character of the soil is Loam A continuous flow of 75 cubic  
(Sandy, gravelly, loam)  
feet of water per second has been used to irrigate 1449.99 acres of land and 4.5  
acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks... The first recorded settlement of the Smoke Creek occurred in the 1860's. Active cultivation of the bottom lands of Smoke & Rush creeks occurred during this time and was detailed in the 1870 survey notes by Hatch and Eaton. The Smoke Creek Ranch has been in continuous operation since the 1860's. The attached chronology provides historical information relative to the settlement of the the Smoke Creek Ranch. Applicant reserves the right to amend this proof as additional information becomes available.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Holland Livestock Ranch, A Nevada General Partnership are full and correct to the best of his knowledge and belief.

Deponent is an employee of Thiel Engineering Consultants (TEC). TEC has been hired by the Holland Livestock Ranch to act as their agent. If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

*G M Bilyeu*  
Gregory M Bilyeu-Agent  
P.O. BOX 70458  
Reno, NV, 89570-0458

Telephone No. ( 775 ) 352-7800

Subscribed and sworn to before me this 25<sup>th</sup> day of June, 1999  
*Kathleen Ann Coulson*



Notary Public in and for the County of Washoe  
My commission expires June 17, 2001

STATE ENGINEERS OFFICE  
59 JUN 25 PM 3:23

**\$100 FILING FEE MUST ACCOMPANY PROOF**

09063  
2nd  
Amend

ATTACHMENT "A"

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	Twnshtp. (N)	Range (E)
1870	3.27 ✓	SE SE	24	32	17
1870	11.53 ✓	SW SE	24	32	17
1870	12.74 ✓	SE SE	25	32	17
1870	18.41 ✓	NE SE	25	32	17
1870	25.89 ✓	SE NE	25	32	17
1870	40.7 ✓	NE NE	25	32	17
1870	16.59 ✓	NW NE	25	32	17
1870	0.51 ✓	NE NE	36	32	17
1870	7.5 ✓	SW SE	30	32	18
1870	40 ✓	SE SW	30	32	18
1870	40 ✓	SW SW	30	32	18
1870	29.04 ✓	NE SW	30	32	18
1870	40 ✓	NW SW	30	32	18
1870	40 ✓	SW NW	30	32	18
1870	18.41 ✓	NW NW	30	32	18
1870	10.2 ✓	SE NW	30	32	18
1870	0.34 ✓	NE NW	30	32	18
1870	7.94 ✓	NW SE	31	32	18
1870	28.29 ✓	SE SW	31	32	18
1870	4.15 ✓	SW SW	31	32	18
1870	35.81 ✓	NE SW	31	32	18
1870	1.82 ✓	NW SW	31	32	18
1870	27.31 ✓	SW NE	31	32	18
1870	23.23 ✓	NW NE	31	32	18
1870	40 ✓	SE NW	31	32	18
1870	18.04 ✓	SW NW	31	32	18
1870	40 ✓	NE NW	31	32	18
1870	37.96 ✓	NW NW	31	32	18
1870	4.29 ✓	SE SW	5	31	18
1870	39.4 ✓	SW SW	5	31	18
1870	18.41 ✓	NW SW	5	31	18
1870	35.25 ✓	SE SE	6	31	18
1870	5.49 ✓	SW SE	6	31	18
1870	30.78 ✓	NW SE	6	31	18
1870	36.29 ✓	NE SE	6	31	18
789.59					

09063  
2nd  
Amend

ATTACHMENT "A"

Year	Acres	Subdivision	Section	Twncshp. (N)	Range (E)	
1870	12.77	SE	NE	6	31	18
1870	37.42	SW	NE	6	31	18
1870	5.55	NW	NE	6	31	18
1870	15.36	SE	NW	6	31	18
1870	29.86	NE	NW	6	31	18
1870	0.66	NE	SW	6	31	18
1870	11.42	NE	NE	7	31	18
1870	0.54	SE	NE	8	31	18
1870	4.04	NW	NE	8	31	18
1870	25.48	SW	NE	8	31	18
1870	36.79	SE	SE	8	31	18
1870	21.72	NE	SE	8	31	18
1870	40	NW	SE	8	31	18
1870	17.81	SW	SE	8	31	18
1870	7.15	SE	SW	8	31	18
1870	29.38	NE	SW	8	31	18
1870	36.65	SE	NW	8	31	18
1870	24.9	NE	NW	8	31	18
1870	35.3	NW	NW	8	31	18
1870	11.35	SW	NW	8	31	18
1870	8.88	SW	SW	9	31	18
1870	6.15	SE	SW	15	31	18
1870	2.39	NE	SW	15	31	18
1870	2.82	SW	SW	15	31	18
1870	18.31	NW	SW	15	31	18
1870	14.78	NE	SE	16	31	18
1870	10.77	NW	SE	16	31	18
1870	8.14	SE	NE	16	31	18
1870	26.26	SW	NE	16	31	18
1870	7.85	NE	SW	16	31	18
1870	39	SE	NW	16	31	18
1870	6.65	NE	NW	16	31	18
1870	32.22	SW	NW	16	31	18
1870	33.16	NW	NW	16	31	18
1870	12.73	SE	NE	17	31	18
1870	26.14	NE	NE	17	31	18

660.4

Total 1449.99

Of the aboved listed acreage, 297.82 is also irrigated by Rush Creek.