Filing Serial No. 09079

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source: Artesian Well #16
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source: 3½" diameter well, depth unknown
Name of ditch, flume or pipe line

at the following point(s): NE¼ SW¼ Section 27, T.33N., R.22E., M.DB. & M., or at a point from
List all points of diversion from this source, appending a sheet if necessary

which the NW corner of said Section 27 bears N. 27° 59' 12" W., a distance of 3,983,83 ft.
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

(1) Name of claimant: Bright-Holland Corporation, A Nevada Corporation

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: Ditches
Dam and ditch, pipe line, flume, etc.

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

(4) The construction of the ditch or other works was begun: Unknown, but definately prior to 1916

and completed: prior to 1916

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom: 1.5 feet, width on top: 2.5 feet, depth: 1 feet, on a grade of: 4 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 (XXXX) an owner in the above-described conduit.

Patented Land owned by the Bright-Holland Corporation
If claimant is an owner in the conduit, state interest held on this line

(10) The nature of the title to the land for which the water right is claimed is Patented land now owned by Bright-Holland Corporation

(11) Crops of Alfalfa, Pasture, Hay have been grown upon the land irrigated. (e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)

(12) The water has been used for irrigation from January 1 (Day of month) to December 31 (Day of month) of each year.

(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.

1889 (Year), 21.44 acres in the NW¼ NW¼ of Sec. 27, T. 33N., R. 22 E.

1889, 24.08 acres in the NE¼ NW¼ of Sec. 27, T. 33N., R. 22 E.

1889, 26.73 acres in the SE¼ NW¼ of Sec. 27, T. 33N., R. 22 E.

1889, 40.37 acres in the SW¼ NW¼ of Sec. 27, T. 33N., R. 22 E.

1889, 38.41 acres in the NW¼ SW¼ of Sec. 27, T. 33N., R. 22 E.

1889, 24.91 acres in the NE¼ SW¼ of Sec. 27, T. 33N., R. 22 E.

1889, 0.87 acres in the NE¼ NE¼ of Sec. 28, T. 33N., R. 22 E.

1889, 37.26 acres in the SE¼ NE¼ of Sec. 28, T. 33N., R. 22 E.

1889, 32.02 acres in the SW¼ NE¼ of Sec. 28, T. 33N., R. 22 E.

1889, 34.77 acres in the NW¼ SE¼ of Sec. 28, T. 33N., R. 22 E.

1889, 26.40 acres in the NE¼ SE¼ of Sec. 28, T. 33N., R. 22 E.

1889, 22.84 acres in the SE¼ NW¼ of Sec. 28, T. 33N., R. 22 E.

1889, 12.48 acres in the NE¼ SW¼ of Sec. 28, T. 33N., R. 22 E.

....., ... acres in the ..... of Sec. ....., T. ....., R. ..... E.

....., ... acres in the ..... of Sec. ....., T. ....., R. ..... E.

....., ... acres in the ..... of Sec. ....., T. ....., R. ..... E.

....., ... acres in the ..... of Sec. ....., T. ....., R. ..... E.

....., ... acres in the ..... of Sec. ....., T. ....., R. ..... E.

....., ... acres in the ..... of Sec. ....., T. ....., R. ..... E.

....., ... acres in the ..... of Sec. ....., T. ....., R. ..... E.

(14) The maximum acreage irrigated in any year was 342.58 acres.

(15) The water claimed has (~~has not~~) been used for irrigation each and every year since the right was initiated.

(16) The years during which no water was used for irrigation or during which the full water right was not used were Unknown-Water still irrigates stands of native hay & grasses

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 XXXX (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:

Livestock, Domestic & Wildlife purposes

(19) The character of the soil is Sandy Loam (Sandy, gravelly, loam). A continuous flow of 0.272 cubic feet of water per second has been used to irrigate 342.58 acres of land and 4.0 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks. The Deep Hole Ranch area was originally settled in 1852 as a stop on the Noble's Emigrant Trail between the Blackrock Desert and the Honey Lake Valley. Agriculture was first noted in 1873 and by 1890, the Deep Hole Ranch had become the headquarters of Louis Gerlach's vast land and livestock holdings. The attached chronology provides additional detail of the history of this ranch. Artesian wells were first noted in 1916 by G.L.O. surveyors. These generally date from about 1914 or earlier. The lands claimed under this proof were also irrigated from Squaw Creek and Deep Hole Springs. Reference is made to Proofs 01279 and 01280 and Permit 13943, Certificate 5588.

Flow measured at 0.272 cfs in February 1999.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Bright-holland Corporation, A Nevada Corporation 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 Bright-Holland Corporation 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 14th day of April, 1999.

Yolanda Fillipone

YOLANDA FILLIPONE
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 94-0751-2 - EXPIRES JUNE 9, 2002

Notary Public in and for the County of Washoe

My commission expires 6/9/02

$100 FILING FEE MUST ACCOMPANY PROOF