AMENDED

Application No. 09092

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Artesian Well

Name of natural water source (use separate proofs for each major source)

The water is diverted from its source 3 ½" diameter well, depth unknown

Name of ditch, flume or pipe line

at the following point(s) (List all points of diversion from this source, appending a sheet if necessary. 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.)

SW ¼ NE ¼, Section 4, T.31N, R.20E., M.D.B. & M., or at a point from which the NW Corner of said Section 4 bears N. 70°21' 28" W., a distance of 4,029.62 feet.

(1) Name of claimant Bright-Holland Co., a Nevada Corporation

Address 4005 Quail Rock Lane, Reno, County of Washoe

State of Nevada 89511 Telephone No. (775) 825-1888

(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 April 16, 1999

(4) The construction of the ditch or other works was begun 1911

and completed Prior to 1913

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

(6) The conduit has (has not) been enlarged 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 _____

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) the owner in the above-described conduit.

If claimant is an owner in the conduit, state interest held on this line.

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(10) The nature of the title to the land for which the water right is claimed is
Patented Land owned by Bright-Holland Co., a Nevada Corporation

(11) Crops of Wild 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 March 15 (Day of month) to November 15 (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.

1911	12.19	acres in the	Lot 2	of Sec	4	, T	31N.	, R	20	, E.
1911	9.50	acres in the	SW ¼ NE ¼	of Sec	4	, T	31N.	, R	20	, E.
1911	32.64	acres in the	SE ¼ NE ¼	of Sec	4	, T	31N.	, R	20	, E.
1911	31.22	acres in the	NE ¼ SE ¼	of Sec	4	, T	31N.	, R	20	, 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.
		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.

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(14) The maximum acreage irrigated in any year was 85.55 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 (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.)

Unknown. Water still flows from the source and irrigates stands of wild hay and grasses. Well casing has broken off approximately 12" below the ground level.

(17) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of .....

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 and Wildlife purposes

(19) The character of the soil is Sandy Loam (Sandy, gravelly, loam). A continuous flow of 0.54 cubic feet of water per second has been used to irrigate 85.55 acres of land and 4.0 acre-feet per acre per annum have been used to irrigate the crops.

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(20) Remarks

This well was drilled on land patented by Francis Langenbucher under Federal Land Patent #1089861 issued in 1937 and Nevada State Land Patent #7610 issued in 1913. The original application and date of entry under the Federal Land Patent was June 13, 1929 and for the Nevada State Land Patent was August 11, 1877. Copies of these patents are included as Attachments "A" and "B" to this amended Proof. Please refer to the chronology of the settlement of the Buffalo Meadows area submitted under original Proof 09092 for additional information

Flow measurements taken on July 28, 2009 and April 2, 2010.

Please refer to map filed under original Proof 09091 to illustrate the place of use.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by

Bright-Holland Co., a Nevada Corporation are full and correct to the best of his knowledge and belief.

Deponent is an employee of TEC Civil Engineering Consultants (TEC) and has been hired by the claimant to file this proof.

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

Name Gregory M. Bilyeu

Address 9480 Double Diamond Pkwy, Ste 200, Reno, NV 89521

Telephone Number (775) 352-7800 x 227

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Subscribed and sworn to before me this 14 day of September, 20 11

Antoinette K. M

Notary Public in and for the County of Washoe

My commission expires February 8, 20 12

ANTOINETTE K. MORRISON
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 04-88271-2 - Expires February 8, 2012

$100 FILING FEE MUST ACCOMPANY PROOF

Revised 07/09 - poa-irr

ATTACHMENT "A"

APPLICATION No. _____ PATENT No. _____ _____ ACRES

THE STATE OF NEVADA

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

Whereas, _____ of _____ County _____ has deposited with the Register of the State Land Office at Carson City the State Treasurer's receipt, whereby it appears that full payment has been made by the said _____ according to the provisions of an Act of the Legislature approved March 12, 1889, entitled "An act to provide for the selection and sale of lands that have been or may hereafter be granted by the United States to the State of Nevada," and the Acts amendatory thereof and supplementary thereto. For the _____

Mount Diablo base and meridian, containing _____ acres, according to the official plat of the survey of the Public Lands, as made by the United States Surveyor-General for the District of Nevada, which said land has been purchased by the said _____

Therefore, know ye, That the State of Nevada, in consideration of the premises, and in conformity with the Act of the Legislature in such cases made and provided, has given and granted, and by these presents does give and grant, unto the said _____ and to _____ heirs, the said land above described.

To Have and to Hold the same, together with all rights, privileges, immunities and appurtenances of whatever nature thereunto belonging, unto the said _____ and to _____ heirs and assigns forever; provided that all mines of gold, silver, copper, lead, quicksilver and other valuable minerals which may exist in said tract, ~~and also right of way for ditches, flumes and telephone and telegraph lines constructed by authority of the United States~~ are hereby expressly reserved.

In Testimony Whereof, I, _____ Governor of the State of Nevada, have caused these letters to be made Patent and the Great Seal of the State to be hereunto affixed. Given under my hand at Carson City, the _____ day of _____ 19_____.

_____ Governor of Nevada

By the Governor:

_____ Secretary of State

_____ State Land Register

Recorded _____ 19_____

_____ Secretary of State

By _____ Deputy

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ATTACHMENT "B"

Carson City 017256

4—1003-R.

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at Carson City, Nevada,

has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of

Frances M. Langenbucher, formerly Frances M. Smith,

has been established and duly consummated, in conformity to law, for the Lots two, three, and four, the south half of the northwest quarter, and the south half of the northeast quarter of Section four and the southeast quarter of the northeast quarter of Section five in Township thirty-one north of Range twenty east of the Mount Diablo Meridian, Nevada, containing three hundred seventeen acres and six hundredths of an acre,

according to the Official Plat of the Survey of the said Land, on file in the GENERAL LAND OFFICE:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

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IN TESTIMONY WHEREOF, I, Franklin D. Roosevelt,

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWENTY-SIXTH day of APRIL in the year of our Lord one thousand nine hundred and THIRTY-SEVEN and of the Independence of the United States the one hundred and SIXTY-FIRST.

(SEAL.)

By the President: Franklin D. Roosevelt

By Louise Polk Wilson, Secretary.

Evelyn S. Adams

Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number 1089861

U. S. GOVERNMENT PRINTING OFFICE 1937 6—8021

Filing Serial No. 09092

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Artesian Well
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) SW¼ NE¼ Section 4, T.31N., R.20E., M.D.B. & 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 4 bears N. 70° 21' 28" W., a distance of
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

4,029.62 ft.

(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 April 16, 1999

(4) The construction of the ditch or other works was begun 1911

and completed Prior to 1913

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom ..... feet, width on top ..... feet, depth ..... feet, on a grade of ..... 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 owned by the Bright-Holland Corporation

(11) Crops of Wild 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 April 1 (Day of month) to October 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.

Year	Acres	Subdivision	Sec.	T.	R.
1911	12.19	Lot 2 (NW¼ NE¼)	4	31N.	20 E.
1911	9.50	SW¼ NE¼	4	31N.	20 E.
1911	32.64	SE¼ NE¼	4	31N.	20 E.
1911	31.22	NE¼ SE¼	4	31N.	20 E.

(14) The maximum acreage irrigated in any year was 85.55 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 flows from source and irrigates stands of Native Hay & Grasses. Well casing has broken off approximately 12" below ground level.

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:

Livestock, Domestic, & Wildlife purposes

(19) The character of the soil is Sandy Loam (Sandy, gravelly, loam). A continuous flow of 0.15 cubic feet of water per second has been used to irrigate 85.55 acres of land and 4.0 acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks This well was drilled on land patented by Francis M. Langenbucher under U.S. Land Patent # 1089861 and State Land Patent # 7601. Settlement of the Buffalo Meadows area began in 1865 per the attached historical chronology.

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 b the claimant 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, 89509-0458

Telephone No. (775) 352-7800

Subscribed and sworn to before me this 24th day of May, 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

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MAY 25 1999
STATE ENGINEER'S OFFICE

(Rev. 8-89)