

THE STATE OF NEVADA  
PROOF OF APPROPRIATION OF WATER FOR  
STOCK WATERING PURPOSES

(1) Name of claimant Bright-Holland Corporation, A Nevada Corporation  
2500 Spinnaker Drive of Reno  
Street and No. or P.O. Box No. City or town  
Nevada, 89509  
State and Zip Code No.

(2) Source of water Barker Springs  
Name of natural water source.

(3) The water is diverted by Improved Spring, Channel  
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) Lot 1 (NE $\frac{1}{4}$ , NE $\frac{1}{4}$ ) Section 10, T.34N., R.23E.,  
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  
M.D.B. & M., or at a point from which the SE corner of Section 11, said township &  
be stated. Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such  
range, bears S. 49° 10' 37" W., a distance of 8,034.17 ft.  
reach.

(5) The water is impounded in Spring Pool, Natural Channel  
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun 1872  
Date  
and completed Prior to 1905  
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use  
are located is Patented land owned by the Bright-Holland Corporation  
Patented, deeded, public domain with grazing permit, etc.

(8) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of  
Washoe County, at Page        of Book        of         
NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

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wt

(9) The approximate number of animals watered by the claimant during the first year.....<sup>1872,</sup>  
Date  
was..... 800 cattle 100 horses.....sheep or..... The watering  
Other  
was conducted during each of the following months. January 1 through December 31.....

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:

800 Cattle & 100 Horses

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.

(11) The amount of water which has been necessary to be diverted for this purpose has been

0.0444 cubic feet per second.  
448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located at Lot 1 (NE $\frac{1}{4}$  NE $\frac{1}{4}$ ) Section 10, T.34N., R.23E., M. D.B., & M.  
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed  
land, it should be stated.

Remarks Barker Springs, located on what is now known as the Fly Ranch, lies on land patented by Emmanuel Barker in 1918 under Federal Land Patent DC 652232. Prior to that, the waters of this spring were used for stockwatering by settlers as early as 1872. The 1872 G.L.O. survey of this area noted that there was one settler who was engaged in hay cutting and stockwatering. By 1890, Fred Gerlach, of the Gerlach Livestock Company, began homesteading the Fly Ranch. The Fly Ranch eventually encompassed over 4000 acres in this area. Proof R-05487 filed by the BLM makes a claim for a reserved right on this spring based on the claim that the spring is on land owned by the U.S. Government. As

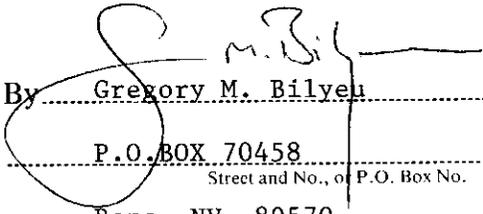
Remarks attachments "A" & "B" show, Barker Spring is located on privately-owned land.  
All rights to the waters of Barker Spring should vest with the claimant, Bright-Holland Corporation and not with the BLM.

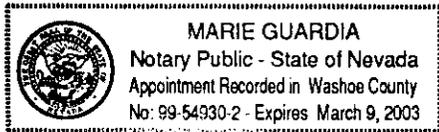
The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Bright-Holland Corporation, A Nevada Corporation are full and correct to the best of his knowledge and belief.

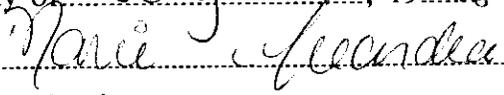
Deponent is an employee of Thiel Engineering Consultants (TEC). TEC has been hired by Bright-Holland Corporation to file this proof.  
If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

Bright-Holland Corporation, A Nevada Corporation  
Claimant

Telephone No. (775) 825-1888

By  Gregory M. Bilyeu  
P.O. BOX 70458  
Street and No., or P.O. Box No.  
Reno, NV, 89570  
City, State, Zip Code No.  
Telephone No. (775) 352-7800



Subscribed and sworn to before me this 9th day of July, 1999.  
  
Notary Public in and for the County of Washoe  
My commission expires March 9, 2003

**\$50 FILING FEE MUST ACCOMPANY PROOF**