

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

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

The water is diverted from its source Natural Channel
Name of ditch, flume or pipe line

at the following point(s) Lot 3, Section 18, T.34N., R.22E., 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 18 bears N. 75° 4' 40" W., a distance of 1,006.79 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

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

Address 2500 Spinnaker Dr., Reno, County of Washoe

State of Nevada, 89509 Telephone No. (775) 825-1888

(2) The means of diversion employed Natural Channel
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 1888
and completed 1888

(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)~~ an owner in the above-described conduit.

Located on 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 Meadow
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 to October 30
of each year. Day of month Day of month

(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.

1887, 0.41 acres in the Lot 14 of Sec. 7, T. 34N, R. 22 E.
Year

1887, 16.51 acres in the Lot 3 of Sec. 18, T. 34N, R. 22 E.

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

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

(14) The maximum acreage irrigated in any year was 16.92 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 N/A
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 (~~XXXXXX~~) recorded in the office of the County Recorder of Washoe County, said record being at page 610 of Book G of Leins & Miscellaneous, and being a claim for 500 inches 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 Sandy Loam A continuous flow of 0.35 cubic feet of water per second has been used to irrigate 16.92 acres of land and 4.0 acre-feet per acre per annum have been used to irrigate the crops.
(Sandy, gravelly, loam)

(20) Remarks..... This vested right is being filed for the waters of an unnamed spring which is tributary to Squaw Valley Creek. This spring is located on lands patented by Alford Jeankins in 1926 under US Land Patent #545819. Prior to that, this spring had been used since 1888 by the Gerlach Livestock Company as handed down in the findings of facts, conclusions of law and final decree in the case of "The Gerlach Livestock Company, a Corporation, Plaintiff, vs. C.W. Fiske, Defendant". Entered in the second Judicial Court of the State of Nevada in and for the County of Washoe on June 17, 1915. Said decree stated that the plaintiff, Gerlach Livestock Company, "is the prior appropriator and entitled to the use of all the water flowing in said Squaw Valley Creek and it's tributaries..." As the unnamed spring is a tributary to Squaw Valley Creek, Bright-Holland Corporation is entitled to the waters of said spring by virtue of the fact that they are the successor's in interest to the property and water rights of the Gerlach Livestock Company.

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 prepare this proof.

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 4th day of August, 1999.

Marie Wright



Notary Public in and for the County of Washoe

My commission expires March 9, 2003

RECEIVED
69:7 WA 9-511755

\$100 FILING FEE MUST ACCOMPANY PROOF