

ORIGINAL
STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

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

The water is diverted from its source Diversion dam, ditches
Name of ditch, flume or pipe line

at the following point(s) NW 1/4 SW 1/4, Section 28, T.34N., R.18E., M.D.B. & M., or at a
List all points of diversion from this source, appending a sheet if necessary

point from which the SW corner of said Section 28 bears S. 0°53'8"W., a distance
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
of 2,431.07 feet.

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

Address 2500 Spinnaker Drive, County of Washoe

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

(2) The means of diversion employed Diversion dam, ditches, laterals
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was September 1927

(4) The construction of the ditch or other works was begun 1875
and completed 1875

(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.

Ditch located on land now owned by Bright - Holland Corporation.
If claimant is an owner in the conduit, state interest held on this line

125 18

(16) The years during which no water was used for irrigation or during which the full water right was not used were.....~~unknown~~.....~~Creek channel has sifted the old ditch line~~.....~~Water still irrigates~~
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
.....~~portions of the original place of use by flood.~~.....
given, appending a sheet if necessary

(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 watering~~.....
.....
.....
.....

(19) The character of the soil is...~~Gravelly loam~~..... A continuous flow of...~~1.25~~.....cubic
(Sandy, gravelly, loam)
feet of water per second has been used to irrigate...~~33~~.....acres of land and...~~4.5~~.....
acre-feet per acre per annum have been used to irrigate the crops.

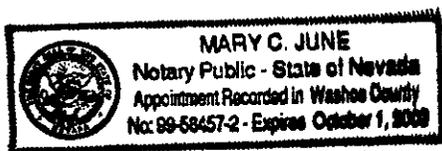
(20) Remarks... The land on which this claim is being filed was patented by Theodore... Winters in 1885 under State Land Patent #2352. The point of diversion is located on land patented by Patrick Flanigan in 1900 under State Land Patent #4337. The G.L.O. survey of the southern portion of T.34N., R.18E., M.D.B. & M., conducted by G.W. Garside in 1880 mentions a settler engaged in farming in Section 29. Both the survey plat and field notes make reference to a field in Section 29. Copies of both documents, the notes and plat, are being submitted as attachments to this proof. In 1928, proof #02144 was filed by the Clarks Valley Land & Sheep Co., Inc. for stockwatering purposes. Item #3 of said proof stated the water was primarily used for irrigation. The supporting map illustrated a diversion dam, across Cottonwood Creek along with a ditch system. This proof is being filed to account for that irrigation use on Cottonwood Creek first cited in 1880.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Bright-Holland Corporation, a Nevada Corp. 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.

Gregory M. Bilyeu - Agent

[Handwritten Signature]
 Telephone No. (.775...) 352-7800



Subscribed and sworn to before me this 7th day of February, 2000

[Handwritten Signature]

Notary Public in and for the County of Washoe

My commission expires October 1, 2003

COPIES OF THIS PROOF
 45 11 01 01 0000

\$100 FILING FEE MUST ACCOMPANY PROOF