

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

(1) Name of claimant...Bright - Holland Corporation, a Nevada Corporation...
2500 Spinnaker Drive of Reno Nevada 89509

(2) Source of water...Three Troughs Spring

(3) The water is diverted by...Improved spring, 75 feet of 1" iron pipe

(4) The water is diverted at the following point(s)...SE 1/4 SW 1/4, Section 11, T. 33N, R. 20E...
M.D.B. & M., or at a point from which the SW corner of said Section 11 bears S. 81° 00' W. a distance of 1,880 feet.

(5) The water is impounded in...1 - 1000 gallon iron tank, 8 - 80 gallon iron tanks

(6) The construction of the ditch or other works was begun...Prior to 1885...
and completed...1885

(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

(8) The claimant's water right was (was not) recorded in the office of the County Recorder of ... 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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(9) The approximate number of animals watered by the claimant during the first year ^{Date} Prior to 1885 was 3000 cattle horses 2000 sheep or wildlife (describe) Other

The watering was conducted during each of the following months March 15 through January 1, each year

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

Numbers have varied over the years, but the average has been approximately 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. as listed under item #9. Wildlife also utilize this spring.

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

0.0217 cubic feet per second. 448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at SE 1/4 SW 1/4 Section 11, T.33N., R.20E., 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 Three Troughs Spring is located on land patented by A. M. Ward in 1885 under

State Land Patent #2348. In 1929, Gerlach and Waltz, successors in interest,

filed application to appropriate #9111. The diversion works described in the application

are listed as completed. In their remarks, they stated that "Gerlach and Waltz

claim a vested right to the waters of Three Troughs Spring through their predecessors

in interest." Three Troughs Springs was for many years prior, used for watering

livestock not only by A. M. Ward, but at various times by Clarks Valley Land and

Sheep Company, Peter Laxalt, and later by Holland Livestock Ranch. The report

on the field investigation conducted on November 2, 1913, recommended approval

Remarks of application #9111. Said report also references Gerlach and Waltz's claim of vested right. This spring is still being used to water livestock and wildlife. Use map on file under application #9111 to illustrate the point of diversion and place of use.

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.

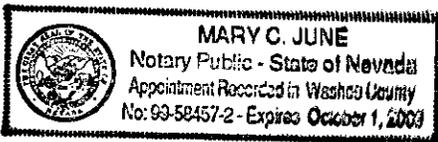
Deponent is an employee of Thiel Engineering Consultants (TEC). TEC has been hired by the Bright - Holland Corporation to prepare this proof.

Bright - Holland Corporation
Claimant

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City, State, Zip Code No.

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Subscribed and sworn to before me this 22nd day of FEBRUARY, 18 2000

Mary C. June

Notary Public in and for the County of WASHOE

My commission expires OCTOBER 1, 2003

\$50 FILING FEE MUST ACCOMPANY PROOF