

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
Street and No. or P.O. Box No. City or town
Nevada 89509
State and Zip Code No.

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

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

(4) The water is diverted at the following point(s) SW 1/4 NW 1/4, Section 9, T.33N., R.20E.,
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.
M.D.B. & M., or at a point from which the NW corner of said Section 9 bears
Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such reach.
N. 10° 5' W., a distance of 1,460 feet.

(5) The water is impounded in 500 gallon trough
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun Prior to 1885
Date
and completed 1885
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 _____ 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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08

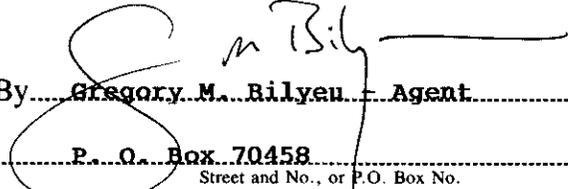
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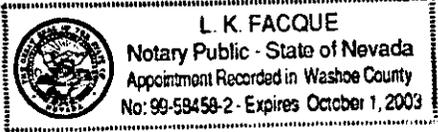
The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Bright - Holland Corporation; a Nevada Corporation are full and correct to the best of his knowledge and belief.

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

Bright - Holland Corporation
Claimant

Telephone No. (775) 825-1888


By Gregory M. Bilyeu Agent
P. O. Box 70458
Street and No., or P.O. Box No.
Reno, Nevada 89570-0458
City, State, Zip Code No.
Telephone No. (775) 352-7800



Subscribed and sworn to before me this 24th day of February, 19 2000


Notary Public in and for the County of Washoe

My commission expires 10/1/2003

\$50 FILING FEE MUST ACCOMPANY PROOF

ATTACHMENT "A"

Twin Spring is located on land patented by Martin E. Ward in 1885 under State Land Patent #2350. The spring was used by Ward and his successor's including J. M. Ward & J. H. Smith, to water livestock. In 1925, J. M. Ward & J. H. Smith filed application #7361 to appropriate the waters of a spring, also referred to as Twin Spring, which is located approximately 150 feet south of this spring.

In November 1929, Gerlach & Waltz filed Application #9118 to appropriate the waters of Twin Spring. In the remarks of that application, Gerlach & Waltz claimed a vested right to the waters of Twin Spring.

Said application was protested by the Clark's Valley Land & Sheep Company. A subsequent field investigation revealed that the spring was located east of an agreed upon range line between the Clark's Valley Land & Sheep Company and Gerlach & Waltz. The Clark's Valley Land & Sheep Company recognized the vested right of Gerlach & Waltz and withdrew the protest. The application was subsequently recommended for approval. Attachment "B" to this proof is a copy of the Report of Field Investigation for Application #9118.

The water of Twin Spring has been continuously used by Martin E. Ward and his successors for the watering of livestock and wildlife. Use the map on file under Application #9118 to illustrate the point of diversion and place of use.

ATTACHMENT "B"

9118

TWIN SPRING

GERLACH AND WALTZ

SW $\frac{1}{2}$ NW $\frac{1}{4}$ Section 9, T. 33 N., R. 20 E.

On November 2, 1931, we investigated Application No. 9118, accompanied by E. Waltz and O. Van Norman.

This spring is located in a small basin, that is a little over two miles southwest of Stockade Spring. The flow is about one pint per minute. It is rocked up and the water is conveyed by 60 feet of pipe to a standard cow trough.

There is another spring about 150 feet south that is covered by Application No. 7361 and Certificate No. 1464 owned by the Clarks Valley Land and Sheep Company. The Clarks Valley Land and Sheep Company protested the granting of this application, but due to the fact that it is located east of a range line agreed upon by both companies, the protest was withdrawn November 1, 1931.

Gerlach and Waltz claim a vested right to the waters of Twin Spring. The Clarks Valley Land and Sheep Company made a verbal declaration at the time the above-named range line was agreed upon that they recognized the vested right of Gerlach and Waltz and in view of the fact that a satisfactory range line had been established between the two companies concerned, they had no objection to the granting of Application No. 9118.

Due to this mutual agreement, we recommend this application be approved.


ALBERT QUILL
J. K. MILLAR