

AMENDED

Serial No. 05888

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING OR WILDLIFE PURPOSES

Fred G. & Pauline Beitia, Charleston, Nevada

(1) Name of claimant Frank G. & Helen Beitia, 13194 N. Yellowstone, Pocatello, Idaho 83202

..... of

Street and No. or P.O. Box No.

City or town

.....
State and Zip Code No.

(2) Source of water House Spring, Annie Creek drainage, Tributary of Bruneau River
Name of natural water source.

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

(4) The water is diverted at the following point(s) POD X is within Lot 3 Sec. 4, T43N, R57E,
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.

MDM, at a point from which NW corner of Sec. 33, T44E, R57E bears N 23° 00' W. ←

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.
6242 feet

(5) The water is impounded in Head Box - diverted to house and trough by 3/4" pipe
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun 1899 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 deeded land
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).

36
EL

(9) The approximate number of animals watered by the claimant during the first year.....
 was 10 cattle 4 horses 80 sheep or wildlife (describe) Family of 4 people
Date
Other
 The watering was conducted during each of the following months Jan. 1 thru Dec. 31

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:
Full contents of the Spring are used daily for culinary use and by varied numbers of
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.
cattle, horses and sheep depending on how many are in the spring area that day.

Approximately 5 to 10 cattle, 2-6 horses and 20 to 30 sheep.

(11) The amount of water which has been necessary to be diverted for this purpose has been
0.02 cubic feet per second.
448.83 gallons per minute equals 1 cubic foot per second.

(12) The works are located at same as point of diversion.
Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Remarks The land adjacent this spring in Lot 3 Sec.T43NR57E MDM, contains the ranch
dwelling, corrals, barns and yard. The spring water is used primarily for dwelling
but it also flows by pipe into a trough used by livestock. It is believed that the
spring was first diverted for stock and human consumption in the late 1800's by
Jessen Nephiu and others. No homestead application could be found, but Elko Co.
Tax rolls of August 1899 indicate 160 acres of unsurveyed land in Annie Creek
consisting of buildings, fences and water ditches were used to graze 3 work horses,

Remarks... One saddle horse and 22 herd of cattle. P.R. Prunty acquired the lands on which the spring is located from Samuel E. Hutton and John J. Joslyn in 1915. Then John Guerrica Beitia (later shortened to Beitia) purchased the land from P.R. Prunty in 1919. This spring has been constantly used by the Beitia family ever since for domestic use and for horses, cattle and sheep.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Beitia Ranch are full and correct to the best of his knowledge and belief.

The claimants are Fred & Frank Beitia, sons of John mentioned above.

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

Also see Exhibits EGF attached "Certificates of Register"

Fred G. Beita & Frank G. Beitia

Claimant

Telephone No. (.208.) 237-2528

By *Frank G. Beitia*

13194 N. Yellowstone

Street and No., or P.O. Box No.

Pocatello, Idaho 83202

City, State, Zip Code No.

Telephone No. (.208.) 237-2528

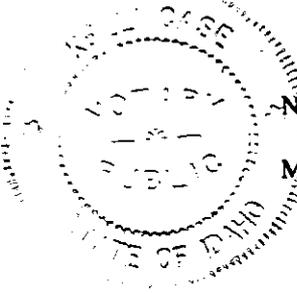
Subscribed and sworn to before me this 26th day of February, 1993.

Keei Coe

4-19-93

Notary Public in and for the County of

My commission expires



\$50 FILING FEE MUST ACCOMPANY PROOF