

AMENDED  
STATE OF NEVADA

Serial No. 05890

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

Street and No. or P.O. Box No. of City or town

State and Zip Code No.

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

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

(4) The water is diverted at the following point(s) POD J is within SW 1/4 SW 1/4 Sec. 32  
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.

T44N, R57E, MDM, at a point from which the NE corner of said Sec. 32 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.  
~~N44° 47'~~ 7062 feet.

*N 20° 00' E  
F. G. Beitia*

*N. 44° 41' E. ~ I gave the incorrect bearing in the correction letter dated 10-21-99*

(5) The water is impounded in small earth dam  
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun 1898 Date  
and completed 1900 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 Public domain BLM  
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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(9) The approximate number of animals watered by the claimant during the first year 1898  
Date  
was 20 cattle 3 horses sheep or wildlife (describe) deer and people  
Other

The watering was conducted during each of the following months January thru December  
.....  
.....  
.....

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:  
10 to 150 cattle, depending on how many stock in the fenced field. The small  
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.  
pasture of 2.11 acres adjacent the spring is also watered from the source between  
April and September.  
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.....  
.....

(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 the 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.  
.....  
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Remarks There is enough local history to believe that the land around Tinkay Spring was  
settled in the late 1800's. Remains of a cabin and a dump site remained here until  
the 1930's. No tax records or Homestead applications were found for this area. As  
in this location, many other natural spring and meadow areas in Charleston were  
settled by singles or couples who built a cabin, acquired some cattle. They lived  
at the spring, grazed their cattle on the nearby mountains and raised some hay from  
the meadow areas for winter hay. Although water was diverted for irrigation, their  
Homesteads were never proved up. P.R. Prunty acquired 80+ acres of the land  
south and east of the spring from Lydda Title in 1917. In 1919, John Guerricabeita

Remarks. (shortened later to Beitia) purchased this property from P.R. Prunty. The Beitia's have continued using this spring for stock water and pasture irrigation since 1919.

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 G. 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 G & H attached "Certificates of Register"

Fred G. Beitia & Frank G. Beitia  
Claimant

Telephone No. (.208.) 237-2528

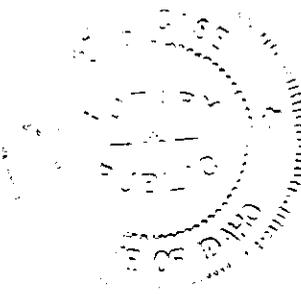
By Frank G. Beitia  
13194 N. Yellowstone  
Street and No., or P.O. Box No.  
Pocatello, Idaho, 83202  
City, State, Zip Code No.  
Telephone No. (208) 237-2528

Subscribed and sworn to before me this 26<sup>th</sup> day of February, 1995

*[Signature]*

Notary Public in and for the County of Danahoe

My commission expires 4-19-97



**\$50 FILING FEE MUST ACCOMPANY PROOF**