

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE COEUR D' ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

Ident. Number 94-7399
Date Received: 7/15/09
Receipt No: W027322A
Received By: ICA

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) New Jersey Mining Company Phone (208) 783-1032
Mailing Address PO Box 1019 Kellogg ID ZIP 83837
Street or Box City State
2. Date of Priority (Only one (1) per claim) August 12, 2004
Month Day Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓)(a) Lone Cabin Creek
which is tributary to (b) North Fork Coeur d'Alene River
4. a. Location of Point of Diversion is: Township T 51 N, Range R 01 W, Section 19,
NW, 1/4 of SW, 1/4 Govt. Lot 3, BM., County of Kootenai

Parcel (PIN) no. _____

Additional points of diversion if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 100 feet of 2-inch diameter HDPE pipe

will be placed upstream from No. 3 portal and divert water from Lone Cabin Creek via gravity to a 83,000 liter storage tank system

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6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Mining purposes from 01-01 to 12-31 amount 0.11 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.11 (cfs) and/or (b) 79.6 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) water to be used for mining operations - paste backfill makeup, drilling

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>51N</u>	<u>01W</u>	<u>19</u>										<u>X</u>							
												<u>L3</u>							

Parcel (PIN) no(s). _____

Total number of acres irrigated _____

10. In which county (ies) are lands listed above as place of use located? Kootenai

11. Do you own the property listed above as place of use? Yes (✓) No (✓) See #13
If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None ()

13. Remarks: cont'd from #8: dust suppression, muck wetting and other miscellaneous uses

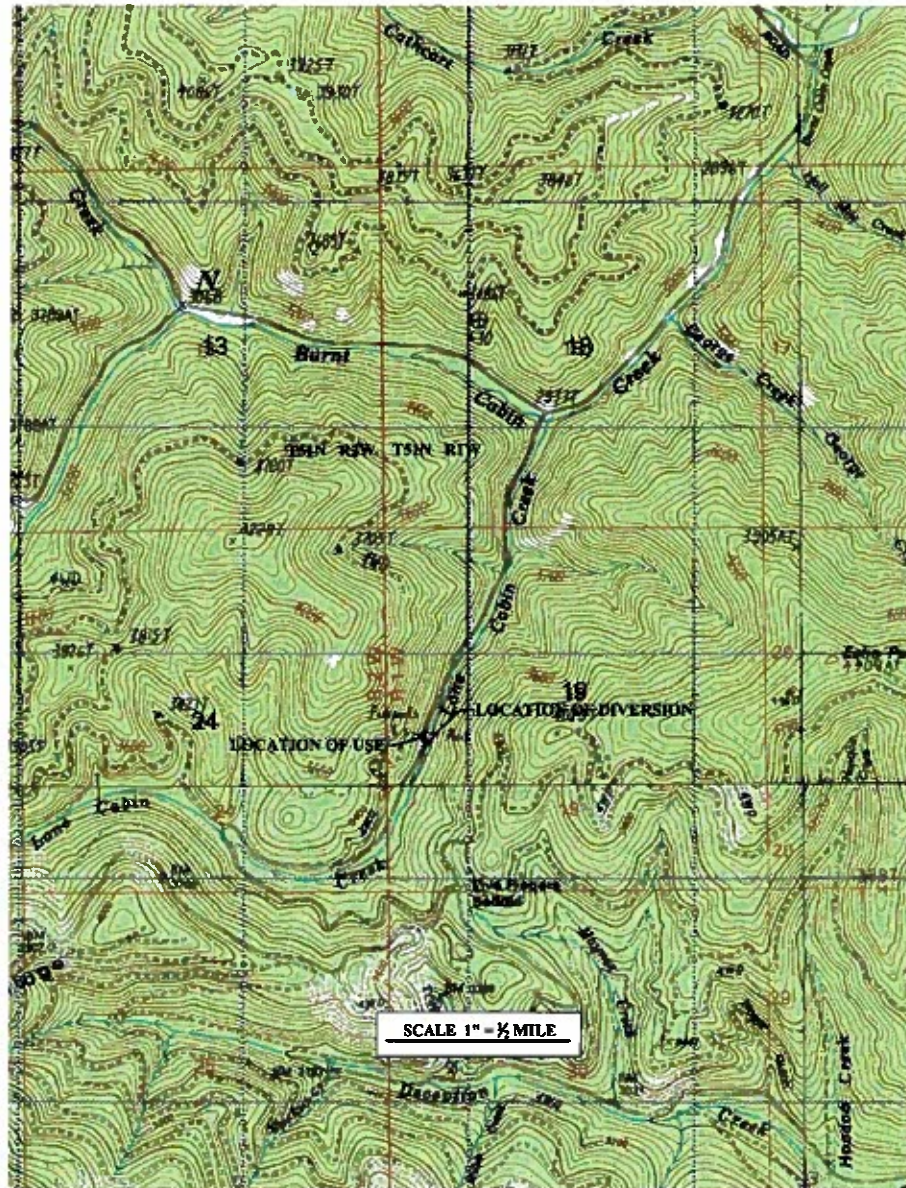
#11: Surface - US Public Domain; Minerals - New Jersey Mining Co

Water for mining operations will primarily be obtained from existing mine discharge from the project site; However, it may be necessary from time to time to obtain water from Lone Cabin Creek.

Last Name New Jersey Mining Co. Identification No. _____

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Map of Project showing location of diversion and of usage, Silver Strand Minesite, Kootenai County, Idaho by New Jersey Mining Company

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License (✓) Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 94-07399

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication." (b.) I/We do () do not () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Frederick W. Brunkelush Date: 15 Jul 09

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

President Title of New Jersey Mining Co. Organization

that I have signed the foregoing document in the space below as

President Title of New Jersey Mining Co. Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Last Name New Jersey Mining Co. Identification No. _____

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