

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-05010
Date Received: 7/05/1989
Receipt No: W 00 3456
Received By: SL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLAY MILLER 208-343-0969
Address: HC 34
C/O MAYFIELD STAGE
BOISE, ID 83706

AND/OR

Name: BETTY MILLER 208-343-0969
Address: HC 34
C/O MAYFIELD STAGE
BOISE, ID 83706

2. Date of Priority: JAN 01, 1885

3. Source: BLACKS CREEK Trib. to: TEN MILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	04E	28	NE	SW			ADA
			NE	SE			ADA

5. Description of diverting works:
DITCHES AND SLUICE BOXES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MINING	01/01	12/31	0.500		

7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
MINING

A63-05010

Page 1

Date: 07/05/89

MICROFILMED
AUG 20 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04E	29	NE	SE		MINING	
			SE	SE		MINING	

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

SOURCE WAS ORIGINALLY RECORDED AS UPPER BLACKS CREEK AND SHOWN AS
TRIBUTARY TO BLACKS CREEK RESERVOIR.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not X 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 that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Clay Miller Date: July 5, 1989
Betty May Miller Date: July 5, 1989

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5 day

of July 19 89

Lori Harris
Notary Public

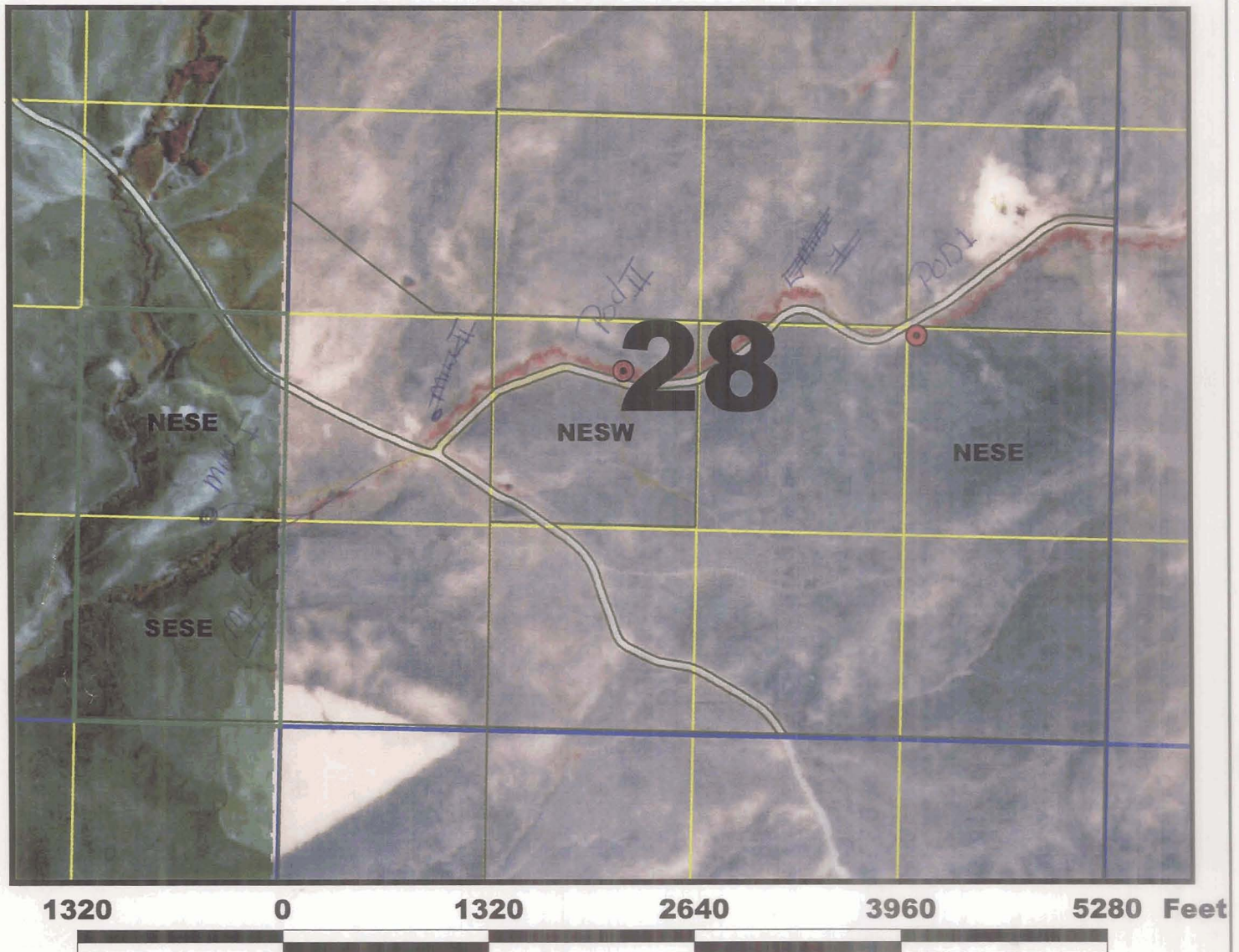
Seal

Residing at Boise, Idaho

My Commission Expires 12-8-94



POU location Map 1987 Photography 63-05010



● Point of Diversion (?)

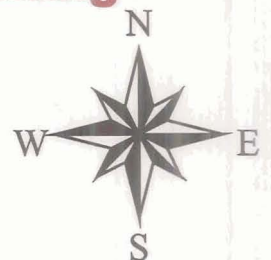
□ Claimed POU

□ Ada County Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Total claimed Acres: Mining



Prepared by: C. Saxton
Date: December 2003

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-5010

CLAY MILLER

~~HC 34~~

~~C/O MAYFIELD STAGE~~

~~BOISE ID 83706~~

Telephone Number: (208)343-0969

BETTY M MILLER

~~HC 34~~

~~C/O MAYFIELD STAGE~~

~~BOISE ID 83706~~

Telephone Number: (208)343-0969

RECEIVED

OCT 20 2006

WATER RESOURCES
WESTERN REGION

15100 Blacks Creek Road
Boise, Idaho 83716

changed
10-23-06

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

address - everything else seems to be the same.

2. Describe the changes you wish to make in the proposed recommendation:

15100 Blacks Creek Road
Boise, Idaho 83716

3. Give a brief explanation as to why you disagree with these portions:

We live at the same residence
But have a house No. 15100 Blacks Creek Road
and the Zip Code is 83716 now.

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

Oct. 15, 2006

SIGNATURE:

Betty M. Miller

Please print your name:

BETTY M. MILLER

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

10/29/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-5010

NAME AND ADDRESS: CLAY MILLER
HC 34
C/O MAYFIELD STAGE
BOISE ID 83706

BETTY M MILLER
HC 34
C/O MAYFIELD STAGE
BOISE ID 83706

SOURCE: BLACKS CREEK

TRIBUTARY: TENMILE CREEK

QUANTITY: 0.500 CFS

PRIORITY DATE: 01/01/1903

POINT OF DIVERSION:

T02N R04E S28 NESW Within ADA County

T02N R04E S28 NESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINING	1/01 12/31	0.500 CFS

PLACE OF USE: MINING Within ADA County

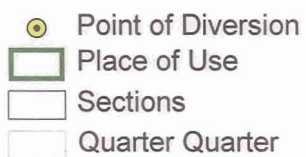
T02N R04E S29	NESE	T02N R04E S29	SESE
---------------	------	---------------	------

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

T02N R04E S29



0 1320 Feet

1987 Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5010

WATER RIGHT NUMBER: 63-5010

Owner Type Name and Address
 Current Owner CLAY MILLER
 HC 34
 C/O MAYFIELD STAGE
 BOISE, ID 83706
 (208)343-0969
 Current Owner BETTY M. MILLER
 HC 34
 C/O MAYFIELD STAGE
 BOISE, ID 83706
 (208)343-0969

Priority Date: 01/01/1885 1903

Basis: Statutory Claim Bu

Status: Active ✓

*per photocopy of Report of Inspector of Mines
(in file)*

Source Tributary
 BLACKS CREEK ✓ TENMILE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MINING ✓	1/01 to 12/31 ✓	0.500 CFS ✓	_____
<u>Total Diversion:</u>		0.500 CFS	

Location of Point(s) of Diversion

BLACKS CREEK	NE1/4SW1/4 ✓	Sec. 28, Twp 02N, Rge 04E, B.M. ✓
ADA County		
BLACKS CREEK	NE1/4SE1/4 ✓	Sec. 28, Twp 02N, Rge 04E, B.M. ✓
ADA County		

Place of Use

MINING

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	04E	29													X				X

Conditions of Approval:

1. SOURCE WAS ORIGINALLY RECORDED AS UPPER BLACKS CREEK AND SHOWN AS TRIBUTARY TO BLACKS CREEK RESERVOIR.

Remarks:

11-17-05

Burke says:

Clay is deceased

sluice box was just

put in the stream

& water run over it.

it was movable

no real diversion

occurred

not used for last

3-4 years

Clay was the one who

used the sluice box

Betty doesn't know if

she even wants to

keep water right.

Clay and/or Betty Miller
HC34
C/O Mayfield stage
Boise Idaho 83706

Source Black Creeks Tributary to Ten mile Creek

On 10-13-05 met with Betty Miller, Mr. Clay Miller had passed away 07-03-05.

Mrs. Miller supplied an Executor's Deed for the mining rights for the claim. She also gave me a copy out of an inspection-mining book about the history of the Golden Eagle mine. Mrs. Miller also thought that her husband had also filed on for Stock water use and was very concerned if he didn't because they have watered cattle their since 1957. Mrs. Miller also sent a cancelled check for her evidence of priority for stock use. With other documents if needed. Clay and Betty miller inherited the property from a Mr. John Muller in 1965 (but leased the land since 1951) John Miller bought the mines from a CC Anderson in 1923. Betty Claims that she has a cancelled check from Mr. Muller to CC Anderson for the Mine. Mrs. Miller is looking for that check for evidence of priority.

Mrs. Miller and I hiked down to the **first POD** gps 43.28.649- 115.59.642. This spring seeps out of the ground down a natural drain Mrs. Miller states that they also us for stock water for cattle and mining. In 1987, they had as many as 200 head. Cattle where present at time of exam. The water is more like a bogged area and a measurement of 18 feet wide and 24 inches deep at high water mark. There was just swampy seepage at time of exam (no water running on 10-13-05). Mrs. Miller had record of the dates that the water started to flow but no measurements. The water runs down a natural drain to a mine. Where they have used the water for gold slues.

Date Jan 6 2002
Jan 28 2003
Feb 26 2004
Feb 14 2005

The water then flows down a natural drain. To the **second POD** gps 43.28.294 -115.60⁵⁹011 northeast to a mine on the right side of a hill. The POD where no accrual ditches just a natural drain with green vegetation and seepage from the ground. The POU gps 43.28.102- 115.60.001. Mine tailing and a slues box was present, no water present just a natural drain. That was completely dry. A measurement of 20 inches wide and 15 inches deep where water had ran at one time.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-05010Owner: Betty Miller Phone No. 208-343-0969Current Address: HC 34 c/o Mayfield Stage Boise ID 83706

- ☐ No change NAME IS THE SAME
- ☐ NEW OWNER Mr Miller HAS PASSED AWAY 7-2-05
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property? _____

Accompanied by: Betty Miller**PRIORITY DATE**

- ☐ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

_____Source: Blacks Creek Tributary to Ten Mile Creek

- ☐ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
			NE	SW	28	2N	4E	Ada	
			NE	SE					

Description of diverting works

OVERLAP REVIEWOther water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES☐ No change☒ Different Uses

Use Stock From 1-1 To 12-31 Amount .044 CFS _____ AFA _____
Use Mining From 1-01 To 12-31 Amount _____ CFS _____ AFA _____
Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

TOTAL VOLUME – Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____
☐ Changes found, the new total is, Amount _____ CFS _____ AFA _____
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:☐ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

See Attached

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

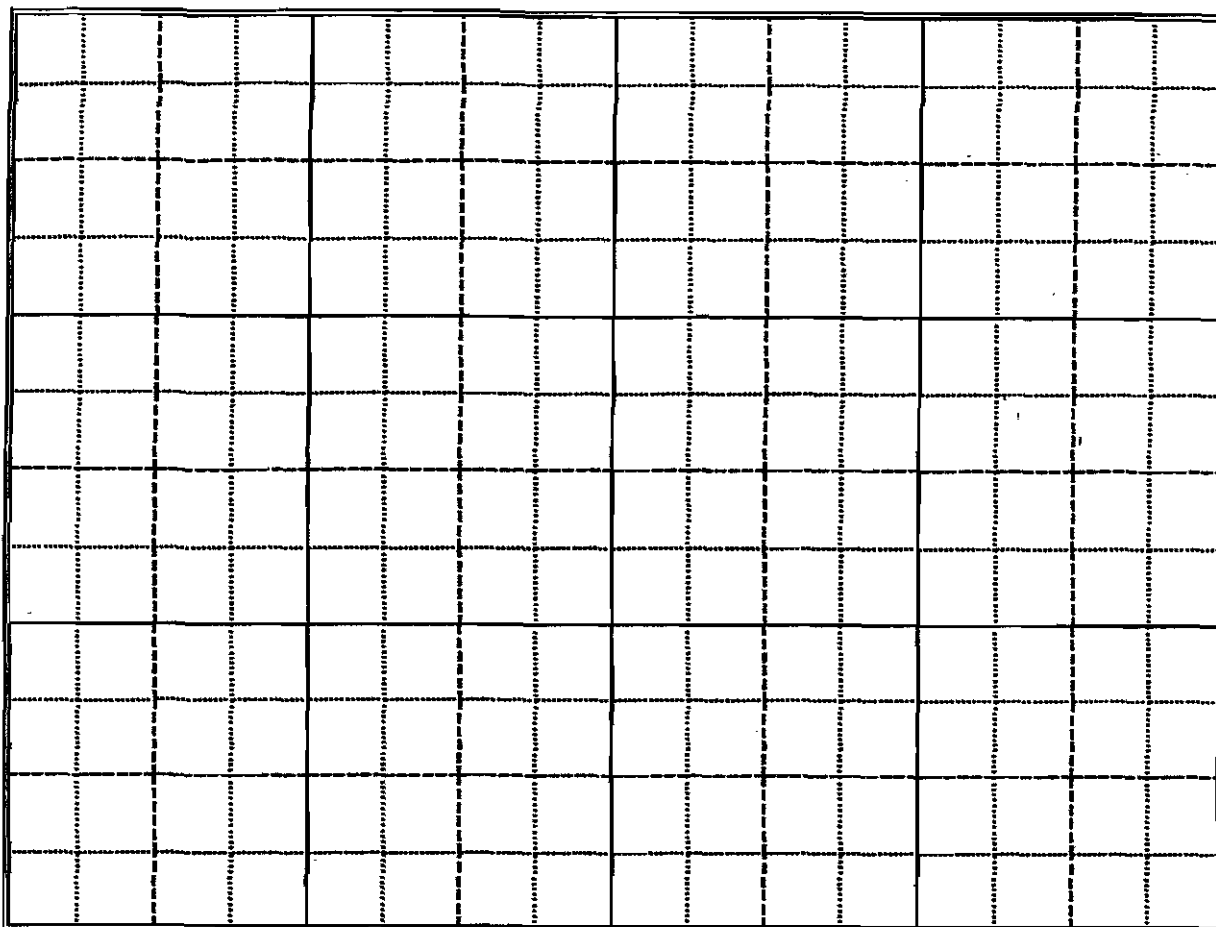
DATE EXAM CONDUCTED:

10-13-05

FIELD EXAMINER:

J. M. J. B. S. B.

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

See Attached MAP

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: _____

CONVERSATION MEMORANDUM



SUBJECT _____

WITH

Betty Miller

Claim/WR #

63-6010

Agent: _____

Date:

10-13-05

Clay = Betty Miller moved to farm in 1951 Betty inherited
Property in 1966 1959 Got Patton mining claims
Golden Eagle mines In history Book dating back 1885
Betty has letters & checked check - from prior owner to C
Anderson in 1923.



Pod I ~~11:05~~



Pod II



Pod I ^{GPS} 43.28.649
115.59.642



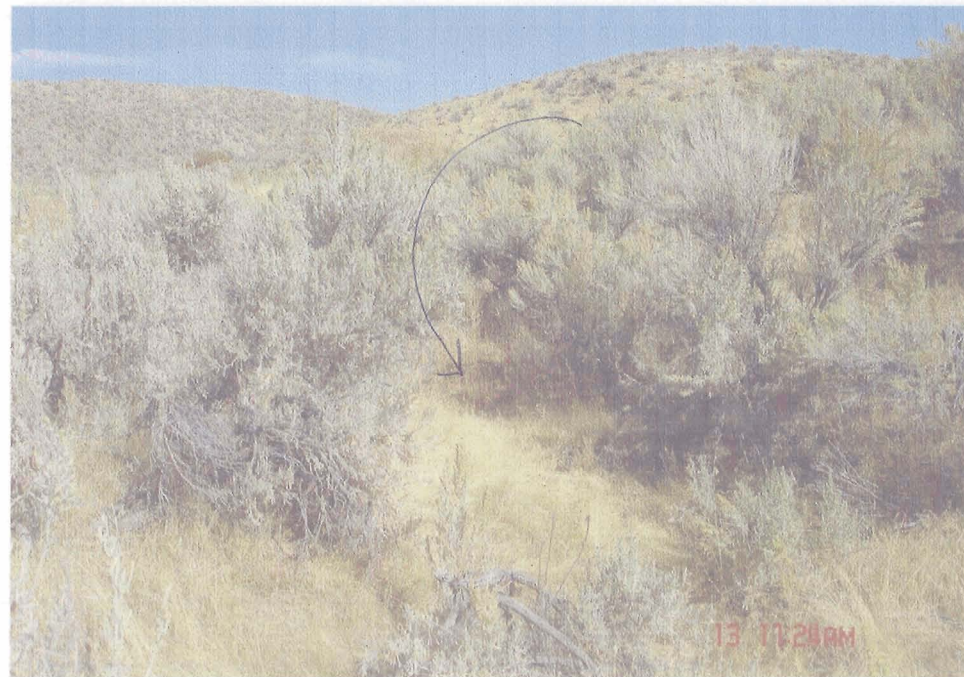
Natural drain. Pod II
GPS 43.28.649. 115.59.642



Mine-GPS-

GPS 43.28.102

115.60.001



Place of use

GPS = 4328.102
115.60.001

	DATE	CHECK NO.	FROM WHOM PURCHASED	QUANTITY AND KIND	COST OF LIVESTOCK PURCHASED	PAYMENTS ON LIVESTOCK PURCHASED	COST OF CROPS PURCHASED	PAYMENTS ON CROPS PURCHASED	COST OF OTHER PRODUCTS PURCHASED	PAYMENTS OTHER PROD PURCHASED
	1952	1951	Mrs. J. R. Owen	5 Pigs	25.00					
✓	Oct 31	1952	Jack Davis	2 Dows Pigs	15.00					
✓	Dec 30	1952	J. O Beck	Milking S. horn cow	165.00					
✓	1953	1953	Jack Davis	Boar & Pig	47.25					
✓	Sept.	1953	Traded with Miltine	Heifer						
✓	Aug.	1953	J. R. Owen	Buck skin horse	50.00					
✓	Jan 19	1954	Bore Pig Wallace	McCormell	18.00					
✓	10 25	1954	Baise V. Lind	1 Bore Pig	40.25					
✓	12	1954	Ollie Lord	2 Bull calves	160.00					
✓	10 28	1954	2 gilts from J. R. Owen		80.00					
✓	Sold	55	1 Boar & Pig	Joy Mc Celland	22.50					
✓	Sept-14	1955	E. B. McFarland	Shepherd boy	75.00					
✓	Nov. 20	1955	Jack Davis	Milk Jersey Cow	35.00					
✓	Aug 9	1956	Fred Wight	Brown cow	60.00					
✓	Nov 14	1956	O. L. Harris	Jersey Heifer	140.00					
✓	Nov 1	1957	Amos N. Eckert	White Face Bull	300.00					
✓	Dec 31	1957	Hamp fender Pigs	Meridian Sale	34.00					
✓	Feb 14	1958	Black Bore (Callahan)	Swine Sale	50.00					
✓	12/20/60		Halstine Bull calf	Meridian Sale	12.00					
✓	11/1/60		Reg'd White Face Bull	Idaho Bull Sale	340.00					
✓	7/26/61		Jersey Cow	Syl Miller	(Sold 9-26-61) 100.00					
✓	Fall of 1958		1 Lord Bull	(Sold #330.35)	200.00					
✓	Jan 19/61		2 Reg Polled Heifers	Int'l	500.00					
✓	March 31/62		J. N. R. Red Bull	Midway Sale (Jacoby)	510.00					
✓	Sept 21/62		5 yr. Polled Cow	Midway Sale (Jacoby)	230.00					
✓	Nov. 24/62		2 Polled Cows	J. O. Livestock Co.	600.00					
✓	Oct. 5/63		1 Bay horse (money)	Joe Palmer	783.00					
✓	Feb. 12/63		Jerby cow	Ironbridge	135.00					
✓	Oct. 18/64		Reg. Norn Bull	Tom Sharr	400.00					
✓	5-26-61		Handrace Bore	John Eddleman	55.00					
✓	1-21-65		Land race Bore	John Eddleman	50.00					
✓	10-4-65		Zats Heir 22 Bull	Art Bruner	600.00					
✓	May 17-65		Jersey Cow	Picknell	130.00					
✓	Aug 10-65		Jack Ph Owen / Bore	McConnell	30.00					
				TOTALS	30.00					

died askd about this exp
 Sold to Smith Brothers for 40.

Sold Tick to Julius McDonald 100.

Sold
 Sold Lloyd Hansen 300.00 Sept 7

Sold 4-4-62
 Sold 53 to Cliff Miller 10/1/74

Sold Cattleman's 337.90 1-4-68
 Sold
 (Sold no 10 - 7-16-69 262.98) 5-14-78 10

Sold 3-22-67 for 316.99 Cattleman's
 Sold 1st Jan 21/68 Sold well Hod Davis

Sold 12-6-66 Meridian Sale
 Sold 12-4-68 398.47
 Sold 10-13-70 249.32

P11196189

RE 042
 TA 1100

WRITTEN PERMIT

(Use only within the State of Idaho)

I hereby authorize the transportation within the State of Id. of the following described animals bearing my Recorded Brand.

DATE Nov. 1/57

(1) LOADED AT Barber Ranch

(2) ~~DESTINATION~~ Boise Idaho

(3) CONSIGNEE TO Clay Miller

CONSIGNEE'S ADDRESS Mayfield Idaho

NUMBER OF HEAD	SEX	AGE	COLOR OR BREED	BRAND	LOCATION	EARMARKS
1	Bull	3	W.H.	C E	R.R.	

(4) Amos H Eckert
(SIGNATURE OF OWNER OF RECORDED BRAND)

Barber Ranch Rt 5 Boise Idaho
(ADDRESS)

ORIGINAL—With Shipment

BOISE OFFICE

First Security Bank of Idaho

NATIONAL ASSOCIATION

BOISE, IDAHO Nov. 1 1957 NO. 92-6 1241

PAID TO THE ORDER OF Amos H Eckert

Three hundred and no

1 WHITE FACE RILEY

378 048 - 08410 C E R.R.

Clay Miller

Mayfield Idaho

100 DOLLARS

BOISE OFFICE

First Security Bank of Idaho

NATIONAL ASSOCIATION

BOISE, IDAHO Nov. 7 1957 NO. 92-6 1241

PAID TO THE ORDER OF Clay Miller

1 - 4 year old bull

yellow. Brand C E

left shoulder

Clay Miller

Mayfield Idaho

40 DOLLARS

Co. 36

A G R E E M E N T

THIS AGREEMENT, entered into this 31st day of May, 1965, between JOHN MUELLER, a single man, party of the first part, and CLAY MILLER and BETTY MAY MILLER, husband and wife, parties of the second part, W I T N E S S E T H:-

WHEREAS, First Party is the owner of certain real property situated in Ada County, Idaho, particularly described as follows:

E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 32, Township 2 North, Range 4 East, B.M., Ada County, Idaho;

Mary Deggen and No. 3 in Lot 1, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, Township 2 North, Range 4 East, B.M., Ada County, Idaho;

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, Township 2 North, Range 4 East, B.M., Ada County, Idaho.
Containing 900 acres, more or less.

WHEREAS, First and Second parties are now operating said property on a share crop basis and have been for some time last past, and intend to continue to operate on the same basis, and

WHEREAS, First and Second parties each now own their separate livestock and machinery, and will continue to do so, and

WHEREAS, it is the desire of the parties hereto to provide for an incentive and bonus payment for second parties to continue on with first party on the same terms as they have heretofore operated.

NOW THEREFORE, for and in consideration of the covenants herein contained, the parties hereto mutually agree as follows:

1. In consideration of second parties continuing on with first party in the operation of the above described property, and the necessary maintenance, improvements, up-keep and other considerations deemed necessary for the improvement of said ranch, first party agrees to pay to second parties the sum of \$1,000.00 per year, beginning with the year 1965, for each year from the date hereof that second parties continue on with first party in the operation of said ranch, said \$1,000.00 per year payable only at the expiration or cancellation of this agreement, as herein-after provided.

Co, 24

2. This agreement may be cancelled in the event that either of the parties hereto desire not to continue in the share-crop operation of the above described property, at which time first party will pay to second parties their accumulated bonus interest as hereinbefore set forth. Further, that in the event first party should sell the above described property, he agrees to pay to second parties all such accumulated bonus interests up to the date they are required to quit.

3. Second parties specifically agree that they will farm and operate said property in a good and farmerlike manner, as though the same were owned by them and they agree to devote necessary time to the operation of said property.

4. This agreement shall continue in full force and effect until cancelled or until the death of both parties. It is agreed that in the event of first party's death, second parties shall have a valid creditor's claim against his estate for all accumulated bonus interest.

5. In the event of the death of second parties, the accumulated bonus interest shall be paid to their children, Donnie Clay Miller and Robert James Miller, equally.

6. This agreement shall be binding on the heirs and legal representatives of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals, the day and year in this agreement first above written.

John Mueller
John Mueller Party of the First Part

Clay Miller
Clay Miller

Betty May Miller
Betty May Miller Parties of the Second Part

Copy

STATE OF IDAHO)
 : ss.
County of Ada)

On this 31st day of May, 1965, before me, the undersigned,
a Notary Public in and for said State, personally appeared
JOHN MUELLER, a single man, and CLAY MILLER and BETTY MAY MILLER,
husband and wife, known to me to be the persons whose names are
subscribed to the foregoing instrument, and acknowledged to me
that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal, the day and year in this certificate first above
written.

(SEAL)

Mildred H. Adams
Notary Public for Idaho
Residence: Meridian, Idaho.
Boise
My Comm. Expires 4-1-69

copy

IN WITNESS WHEREOF, The said part y of the first part ha S hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of

_____ } *John Mueller* (Seal)
_____ } (Seal)
_____ } (Seal)
_____ } (Seal)

STATE OF IDAHO,

County of

Ada

SS.

On this 8th day of September

in the year 19 61 , before me

the undersigned

, a Notary Public

in and for said State, personally appeared

JOHN MUELLER, a single man,

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Kathryn A. McLeak
Notary Public for the State of Idaho,
Residing at Meridian , Idaho.

No. 510987

WARRANTY DEED

John Mueller

TO—
Henry Clay Mueller et ux

Dated _____, 19 _____

STATE OF IDAHO,

County of *Ada* } SS.

I hereby certify that this instrument was filed for record at request of

Henry Clay Mueller
at *30* minutes past *9* o'clock *A.M.*, this *12* day of *Sept*, A.D. 19 *61* in my office, and duly recorded in Book *481* of *Deeds* at page *596* VERN THOMAS

Ex-Officio Recorder.

By *Marie Handy* Deputy.
Fees, \$ *1.80*

Mailed to *C/o Mayfield Stage*
Boise, Idaho

BOOK 481 PAGE 596

*Copy**Indorse*

THIS INDENTURE, Made this 8th day of September,

in the year of our Lord one thousand nine hundred and sixty-one, between

JOHN MUELLER, a single man,

of _____, County of Ada, State of Idaho,

the party of the first part, and HENRY CLAY MILLER and BETTY MAE MILLER,
husband and wife, *xcm.*

of _____, County of Ada, State of Idaho,

the parties of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of TEN (\$10.00) and other good and valuable consideration----- DOLLARS, lawful money of the United States of America. to him in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate, situated in _____, County of Ada, State of Idaho, to-wit:

SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, in Section 28,
Township 2 North, Range 4 East, Boise Meridian,
in Ada County, State of Idaho.

1.10
Rev. stamps



TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever and the said party of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said party of the first part, and his heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

EXECUTORS' DEED

THIS INDENTURE Made this 17th day of November, 1959 by and

between J. L. DRISCOLL and MARCEL LEARNED, the duly appointed, qualified and acting Executors of the estate of Columbus C. Anderson, deceased, hereinafter called Grantors and JOHN MUELLER, hereinafter called Grantee,

WITNESSETH:

STATE OF IDAHO: WHEREAS, said Grantors sold to said Grantee the property hereinafter described belonging to the estate of Columbus C. Anderson, deceased, and said sale was duly confirmed by the Probate Court of Ada County on the 17th day of November, 1959 in the estate of Columbus C. Anderson, deceased, and directed a deed to be executed and delivered by said Grantors to said Grantees.

NOW, THEREFORE, the said Grantors for and in consideration of the sum of ONE THOUSAND FORTY and NO/100 (\$1,040.00) DOLLARS to them in hand paid by said Grantee, receipt whereof is hereby acknowledged, official seal this 17th day of November, 1959, bargain, sell and convey unto said Grantee all of the right, title and interest and estate of said Columbus C. Anderson, deceased, at the time of his death and also all the right, title and interest that said estate may have acquired in and to the following described property situate in Ada County, State of Idaho, to wit:

That certain mining property known as Max, Max No. 2, Max No. 3, Mary Deggen, Mary Deggen No. 2, and Mary Deggen No. 3, lode mining claims as shown by patent of the United States, recorded in Book 5 of Patents at page 453, records of Ada County, Idaho, comprising approximately 100 acres.

Together with the tenements, hereditaments and appurtenances to the same belonging or in anywise appertaining and to have and to hold all and singular the above mentioned and described premises, together with such appurtenances unto said Grantee, his heirs and assigns forever.

Copy

IN WITNESS WHEREOF, the said Grantors, Executors as aforesaid,
have hereunto set their hands and seals, the day and year first above written.

[Signature]
Executors of the Estate of Columbus C. Anderson, deceased.

STATE OF IDAHO,)
; ss.
County of Ada.)

On this 17th day of November, 1959 before me, a Notary Public in and
for the State of Idaho, personally appeared J. L. DRISCOLL and MARCEL LEARNED,
known to me to be the persons whose names are subscribed to the within instru-
ment as the executors of the estate of Columbus C. Anderson, deceased, and
acknowledged to me that they, as such executors, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal this 17th day of November, 1959.

Margaret L. Eastman
Notary Public for Idaho
Residing at Boise, Idaho



STATE OF IDAHO, COUNTY OF ADA ss

This instrument was filed for record at the request of

at 50 minutes past 10 o'clock A.M., this 19th day of Nov, 19 59

By Marie Handy Deputy

John Mueller

Recorded in BK 463-Page 183

VERN THOMAS
Ex-Officio Recorder

Fees Due

*Mayfield Stage
Boise, Idaho*

[illegible]

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

 [Seal]
 Henrietta N. Anderson [Seal]
 [Seal]
 [Seal]

County of ADA

53.

On this first day of July in the year 1933, before me

 , a Notary Public

in and for said State, personally appeared **C. C. ANDERSON** and **HENRIETTA W. ANDERSON**,
his wife.

known to me to be the person s whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for the State of Idaho,
Residing at **BOISE**, Idaho.

• 2000-2001 •

(REF) OF SECTION 100-1-100 (100) IS IN THE SAME SECTION 100-1-100 (100) OF THE SAME ONE-
 AND SECTION 100-1-100 (100) OF THE SAME ONE-

[illegible]

WITNESSETH that the said party of the first part has duly read the foregoing and has signed the same in presence of the undersigned witnesses and in presence of the undersigned notary public for the State of New York.

No. 101
WARRANTY DEED
C. C. Anderson
TO
John M. Miller
COUNTY OF IDAHO,
State of Idaho
Dated July 19, 1903
I hereby certify that this instrument was filed for record at request of John M. Miller
at 11 minutes past 10 o'clock P. M., this July 19, A. D. 1903
In my office, and duly recorded in Book 203 of Records at page 298
of Surphes State
Ex-Officio Recorder.
By J. W. Surphes
Fees, \$1.20
Mall to Mayfield
ymudd Statesman Shop, Boise, Idaho 613-A

EXHIBIT

Copy

THIS INDENTURE, Made this **1st** day of **July**
 in the year of our Lord one thousand nine hundred and **thirty-three**, between
C. C. ANDERSON and HENRIETTA W. ANDERSON, his wife
 of **BOISE**, County of **ADA**, State of **IDAHO**,
 the parties of the first part, and **JOHN MUELLER**
 of _____, County of **ADA**, State of **IDAHO**,
 the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
TEN and no/100 - - - - - DOLLARS,
 lawful money of the United States of America, to **them** in hand paid by the said
 party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained
 and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party
 of the second part, and to **his** heirs and assigns forever, all of the following described real estate,
 situated in _____, County of **Ada**, State of Idaho, to-wit:

**The Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of
 Section Twenty (20) and the East One-half (E $\frac{1}{2}$) of the Northeast Quarter
 (NE $\frac{1}{4}$) of Section Twenty-nine (29), all in Township Two (2) North of
 Range Four (4) East of Boise Meridian, Ada County, State of Idaho,
 subject to taxes and assessments.**

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto
 belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents,
 issues and profits thereof; and all estate, right, title and interest in and to the said property, as well
 in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together
 with the appurtenances, unto the party of the second part, and to **his** heirs and assigns forever,
 and the said parties of the first part, and **their** heirs, the said premises in the quiet and peaceable
 possession of the said party of the second part, **his** heirs and assigns, against the said parties
 of the first part, and **their** heirs, and against all and every person and persons whomsoever, lawfully
 claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

ity, and should reduce 15 to 20 tons of ore a day of this class. While it is too early to state what the magnitude and importance of this deposit is going to be until some drifts are run out on the vein from where it has been intersected, it certainly makes a splendid showing and gives eminent promise of shortly becoming a valuable mine and an important producer of gold bullion.

A crew of 12 men is now employed on the property and Mr. J. J. Oberbillig is the president and general manager of the company, and also manager and chief promoter of the neighboring Picket Pin and Twentieth Century mines. The Celtic Company has a million shares of capital stock with a par value of a dollar, and a present selling value of 35 cents per share.

Rich ore has been found at a number of points over its quite extensive area in the direction of Highland Valley, to the southeast, and across Cottonwood Creek, to the northwest. The Celtic development has greatly increased the interest of claim owners in the district and considerable activity is now being manifested in its numerous prospects.

Twentieth Century Mine.—This property embraces an extensive group of claims covering a total of approximately 700 acres. It is situated 9 miles east of Boise on the slope towards the Boise River, opposite the Barber dam. It has 2,000,000 shares of capital stock of a par value of \$1 a share and a present selling value of 5 cents a share. It covers a zone of mineralized granite that strikes north and south and dips west at an angle of 45 degrees. This zone is 100 feet wide and is impregnated throughout its width with iron sulphides and carries average values of from \$3 to \$4 per ton in gold with very little free gold but is believed to be a fine cyanide deposit, by which method it has been tested and found to yield a high extraction of its total values.

Its total development, consisting of crosscut tunnels and drifts, amounts to 4,000 feet, of which 1,000 feet was run during 1907. The longest tunnel is 1,000 feet in from the portal and taps the zone 400 feet deep on its dip. Another tunnel 600 feet long, at a point 2,000 feet further south, is nearly completed and will tap the vein at 300 feet in depth. In addition to these main openings, there

are a number of shallower tunnels and considerable open cut work, and wherever the zone is penetrated it is said to carry fairly uniform values in gold of about the tenor mentioned, and is believed will make a big source of concentrating and cyaniding ore that will warrant a large milling equipment.

These properties embrace the most active development of this district during the past year, but a number of other claims were worked to a lesser degree and some promising ore showings were made.

June Mine and Others.—Some milling tests were made on the June mine, near the southeast end of the district, where a considerable body of \$4 to \$5 ore is reported that yields \$3 per ton as free gold by recent tests.

The Ironsides Mine. in the same vicinity, with considerable development, and with a record of rich ore production, remained idle during the year, but negotiations are now in progress for its equipment with a good size milling plant.

The ore deposits of this district are closely akin to those of Pearl and Neal, and with a like amount of development may prove equally valuable.

The Golden Eagle Mine.—Just inside the Ada County line, really forming a part of the Neal District to which it was erroneously credited last year, the Golden Eagle mine was operated during part of the year. This property is developed by an incline shaft 400 feet deep, with 4 levels. It carries a big fissured zone in granite, containing some good sized lense shaped shoots of high grade shipping ore, and has yielded several carloads of massive, hand picked sulphide mineral and concentrates that were shipped to the Salt Lake Valley smelters, where they sampled at the rate of \$70 to \$100 per ton in gold, in addition to which considerable bullion is saved by amalgamation in treating the ore, and minted in Boise. In addition to its lenses of rich ore, this deposit carries a wide body of the lower grade milling ore that ranges from \$4 to \$6 per ton, and the development on the property is said to disclose gross ore resources approximating half a million dollars in value. The mine ceased operations early in the year, owing to the coal famine and the unsatisfactory recovery of the values in the milling plant with which it is

that warrant extensive development at depth, but none of the properties have been given a chance to show their merits in this respect but have been worked on the group principle. Yet there are evidences of permanency in both size and value at depth.

The principal properties under operation during the year were the Golden Eagle, the Hidden Treasure, Homestake and Ella Hill. The Golden Eagle and Homestake mills were operated for a few months. The Hidden Treasure is being developed by a force of men this winter under the management of one of the best known mining engineers of Colorado and is locally considered as having a very promising future.

A small force is kept at work on the Daisy mine block ing out ore. This property was carefully and critically sampled during the year by a well known expert, who found fifteen thousand tons of measurable ore that carried an average value of sixteen dollars and twenty cents per ton, of which over seventy per cent could be saved as free gold and a very large proportion of the balance by cyaniding, with a clean cut contact vein showing every evidence of permanency at depth.

The Homestake is quite extensively developed and is being operated at the present time. It has a vertical shaft two hundred feet deep and several thousand feet of cross-cut tunnels and drifts and has been mined as much as sixteen feet wide. The ore usually occurs in shoots of from sixty to one hundred feet long by four to six feet wide and mills from sixteen to eighteen dollars per ton.

The Golden Eagle was operated for three months during the early part of the year. It has a three hundred foot shaft and three levels containing ore bodies that range all the way from three to thirty feet wide, with average values of from eight to twenty-five dollars per ton for mill diet and from fifty to one hundred and fifty dollars per ton for shipping ore in the carload lots, a number of which have been sent out from this property to the Salt Lake valley smelters. The ore showing at the Golden Eagle is already of such volume as to warrant a large milling plant.

The Ella Hill mine is being developed by a long tunnel that is making good progress towards a coveted goal of rich ore bodies which it will tap at considerable depth. A large body of ore was struck during the year in the No. 13 mine showing four feet of clean mill ore at the bottom of a fifty-

five foot shaft that contains an average milling value of ten dollars per ton. There are dozens of handsome prospects in Neal and vicinity. It is one of the most accessible gold camps in the State, surrounded by many natural advantages, and, with systematic development, at depth will doubtless become a large and permanent producer of gold.

LIME CREEK AND DIXIE.

These two promising districts, lying in the granite area just north of the rhyolite belt, have many promising properties.

At Dixie the Crown Point group carry several important parallel fissure veins, one of which has been developed by a shaft over three hundred feet deep and has produced a good deal of profitable milling ore and a number of carloads of high grade shipping ore from the bottom level. A long cross-cut tunnel is projected for this property to be started from the Boise River canyon that will develop the whole system at great depth and afford an economical avenue for the extraction of its ore.

This camp is very accessible; it is only twenty-five miles from Mountainhome and near the Atlanta and Rocky Bar stage road.

The Lime Creek district, a little farther along and to the east of the road, was the scene of considerable mining development during the year. At this district the Lime Creek Mining Company owns two fine properties known as the President and the Hawthorne groups.

There was a force of seven men employed on the President group all summer developing a big zone of mineralized granite containing well defined pay streaks of rich gold quartz two to six feet wide whose average gold values ranged from ten to one hundred dollars per ton.

The Hawthorne has two hundred feet of tunnel work and numerous prospect cuts exposing three different veins of low grade quartz five to ten feet wide. The owners of these properties are putting in a ten ton mill with foundations arranged for increasing its capacity to thirty tons a day.

The Jingo and Hornet mines, in the same district, were quite extensively operated during the year under bond by a Salt Lake company who worked a crew of ten men. This mine has six hundred feet of development on a large fissure vein carrying a pay streak one to six feet wide with average values of fifteen to twenty-five dollars per ton and oc-

Look on PAGE 61 - Report of INSPECTOR OF MINES)
NEAL DISTRICT

1103

12-18-03 : other WR 63-04652 = PD's GW - Domestic

: Needs Mannings or Delivery records mentioned in Notes.

: POA?

: POD?

: No Intrepid data

Clay Miller 343-0869 ans. mech. 12/22

15100 Blacks Creek Rd

Boise ID 83716

Boucher

63-05010 Clay + Betty M. Miller

freeway → mtn. Home

Exit 64 under over pass

5 miles up Blacks Creek

Golden Eagle mine.

House on left

12-8-03 Blacks Cr. is dry several months of the year including now so will need to field inspect when water is flowing. Betty says Jan. or Feb. it should start up. They have many years of flow records they've been keeping which will help determine season of use.