

Permit No. 9518.....

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS.**

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. *W. W. Patterson - 66 years*
Muskegon & Deputy P. M. Warren Idaho

Ques. 2. Are you acquainted with Otis Morris, the holder of Permit No. 9518? How long have you known him and where does he reside?

Ans. *Over Twenty Years -*
Warren Idaho

Ques. 3. Have you read or heard read said Permit No. 9518, and are you familiar with its provisions and conditions?

Ans. *Yes*

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. *Slough Creek - taken out about one half mile East of Warren P. O. One Thousand feet South of Albion King Mill. One Thousand feet North of Slough Creek. Good cut-tail ditch from point of diversion to place of use, including Pipe Line*

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed.

Ans. *2500 cfs. Have seen ditch running well full*

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. *For Electric Power*
Town of Warren Idaho

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. *Exclusively for Electric Power*

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

RECEIVED

JAN 22 1914

OFFICE OF STATE ENGINEER

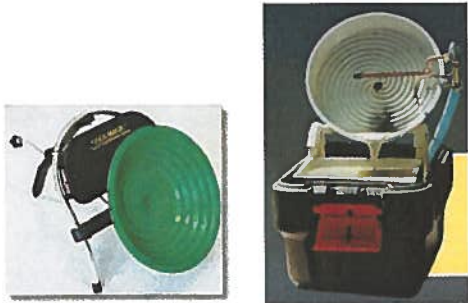
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05/16/2005

✓ RP22N06E016310, SILVER KING LIMITED
✓ RP22N06E018420, SILVER KING LIMITED
✓ RP04350003001A/ SILVER KING LIMITED 5/14/05
✓ RP043500100090A/ SILVER KING LIMITED
✓ RP04350003001A/ SILVER KING LIMITED 5/14/05
✓ RP04350002011A/ SILVER KING LIMITED
✓ RP04200002007B/ SILVER KING LIMITED

604 W FRANKLIN
604 W FRANKLIN
604 W FRANKLIN
604 W FRANKLIN ST
604 W FRANKLIN
604 W FRANKLIN
604 W FRANKLIN

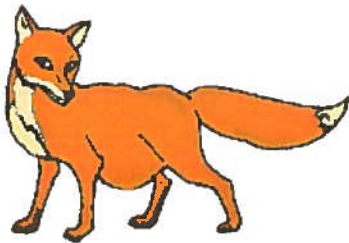
no homes on these lots,

~ Spiral Wheels ~



We are authorized dealers for Gold Magic & Camel Mining!

Gold Magic
&
Camel Mining



We are working on finishing up our catalog and while some pages are ready for viewing, others are still under construction. Please excuse our dust during this time.

METAL DETECTORS	DREDGES	DRYWASHERS Under Construction
PICKS & SHOVELS	SCALES	GOLD BUDDY
SLUICES & ACCESSORIES	GOLD PANS	SPIRAL WHEELS
MAGAZINES	BOOKS	TOPO MAPS
MAGNIFIERS, VIALS & MAGNETS	HEADPHONES	

STATE OF IDAHO

Water License No. 9516

To Otis Morris

Warren

Idaho

Source of Supply

Slaughter Creek

Idaho County

Am't 3 Sec. Feet

Point of Diversion - 1000' H.

of mouth of creek.

Place of Use Town of Warren

Purpose Irrigation.

Power, etc.

Date of Priority July 5, 1913

Recorded April 16, 1914

in Book 2 of Licenses Page

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Otis Morris of Warren County of Idaho, State of Idaho, the holder and owner of said Permit No. 9516 a perpetual right, dating from July 5, 1913, to the use of three (3) cubic feet per second of the waters of Slaughter Creek, in the County of Idaho and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 1000 feet north of the mouth of Slaughter Creek, and conducted to and through the town of Warren, for the purpose of domestic use, fire protection and power purposes subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 15th day of April A. D. Nineteen hundred and sixteen.

W. H. H. H.
State Engineer.

•

MICROFILMED
OCT 05 1992

STATE OF IDAHO

77-2021

Water License No. 9518

WHEREAS, On the 5th

day of

July

A. D. 1913,

Otis Lorriss

of Warren, County of Idaho, State of Idaho,

duly made application (No. 14242) to me for a permit to use 6 cubic feet per

second of the waters of Slaughter Creek,

County of Idaho, State of Idaho, for domestic use, fire protection and power purposes, and

WHEREAS, On the 20th

day of

August

A. D. 1913,

Permit No. 2518 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 20th day of

February

the application to beneficial use of said

water on or before the 20th

day of

August

A. D. 1914,

and,

WHEREAS, On the 11th

day of

November

A. D. 1913,

Otis Lorriss

the holder of said permit duly made proof of the completion of adequate works for the diversion of three (5) cubic feet per second of said waters, as evidenced by my

Certificate No. 9518

dated

November 8, 1913,

confirming the completion of

works of sufficient capacity for diverting and conveying to the place of intended use three (5)

cubic feet per second of said water.

with date of priority of

July 5, 1913,

and,

WHEREAS, On the 15th

day of

January

A. D. 1914,

Otis Lorriss

the holder of said permit duly made proof of the application to beneficial use of three (5) cubic feet per second of said water:

Transferred this April 12,

to Denver King Limited.

John A. Pugh

Minister of Lands

MICROFILMED
OCT 05 1992



WILFLEY TABLE

PROOF OF PUBLICATION

NOTICE FOR PUBLICATION.

Notice of proof of application of water to beneficial use.

Notice is hereby given that at 10 a. m. on the 15th day of January, 1914, at Warren, County of Idaho, State of Idaho, before George L. Patterson, notary public, proof will be submitted of the application to beneficial use of three (3) cubic feet per second of the waters of Slaughter Creek, in accordance with the terms and conditions of Permit No. 9518 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Otis Morris, Warren, Idaho.

2. The use to which said water has been applied is for electric power.

3. The amount applied to beneficial use is three (3) cubic feet per second.

4. The place where said water is used is Warren, Idaho.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is Slaughter Creek ditch.

6. The right to take the water from such works is based upon ~~OFFICIAL~~ PERMIT No. 9518.

7. The source of supply from which such water is diverted is Slaughter Creek.

8. The date of the priority which said user is prepared to establish is July 3, 1913.

30-4 F. P. King, State Engineer.

STATE OF IDAHO, } ss.
County of Idaho,

George L. Patterson, Being first duly sworn, says he is the

of the IDAHO COUNTY FREE PRESS. That said IDAHO COUNTY FREE PRESS is a weekly newspaper published and issued weekly at Grangeville, Idaho County, Idaho, and is of general circulation in said county and state. That the notice, of which the one hereto attached is a true and correct copy, was published in said paper once a week for ~~four~~ *five* weeks, being published ~~in 1913~~ *in 1914* times; the first on the ~~1st~~ *5th* day of ~~January~~ *January*, 191~~3~~ *4*, and the last on the ~~1st~~ *5th* day of ~~January~~ *January*, 191~~3~~ *4*; That said notice was published in the newspaper proper, and not in a supplement.

STATE ENGINEER *George L. Patterson*

Subscribed and sworn to before me this ~~1st~~ *5th* day of ~~January~~ *January*, 191~~3~~ *4*.

9518 *George L. Patterson*
Notary Public.

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

RIGHT NUMBER: 77-2021

NAME AND ADDRESS: SILVER KING LTD

5028 W BAYWOOD
BOISE ID 83703

SOURCE: SLAUGHTER CREEK

TRIBUTARY: WARREN CREEK

QUANTITY: 0.090 CFS

PRIORITY DATE: 07/03/1913

POINT OF DIVERSION:

T22N R06E S12 NESWNE ~~Lot 6~~ Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MINING

PERIOD OF USE
01/01 12/31

QUANTITY
0.090 CFS

PLACE OF USE: MINING in IDAHO County

T22N R06E S11 SENE
T22N R06E S12 ~~Lot 5~~ SENW

T22N R06E S12 ~~Lot 4~~ SWNW

Point of Diversion and Place of use are on private land within Slaughter
Creek Placer and Slaughter Creek Placer Extension (Mineral Survey 1807)

Imperial (H51891)

#Imperial

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. - License

3d4-6959

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

RIGHT NUMBER: 77-2021

NAME AND ADDRESS: SILVER KING LTD
5028 W BAYWOOD
BOISE ID 83703

SOURCE: SLAUGHTER CREEK

TRIBUTARY: WARREN CREEK

QUANTITY: ~~0.090~~ 2.000 CFS

PRIORITY DATE: 07/03/1913

POINT OF DIVERSION:

T22N R06E S12 NESWNE ~~Lot-6~~ Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.060 CFS
MINING	01/01 12/31	~~0.090~~ 1.940 CFS

PLACE OF USE: MINING in IDAHO County

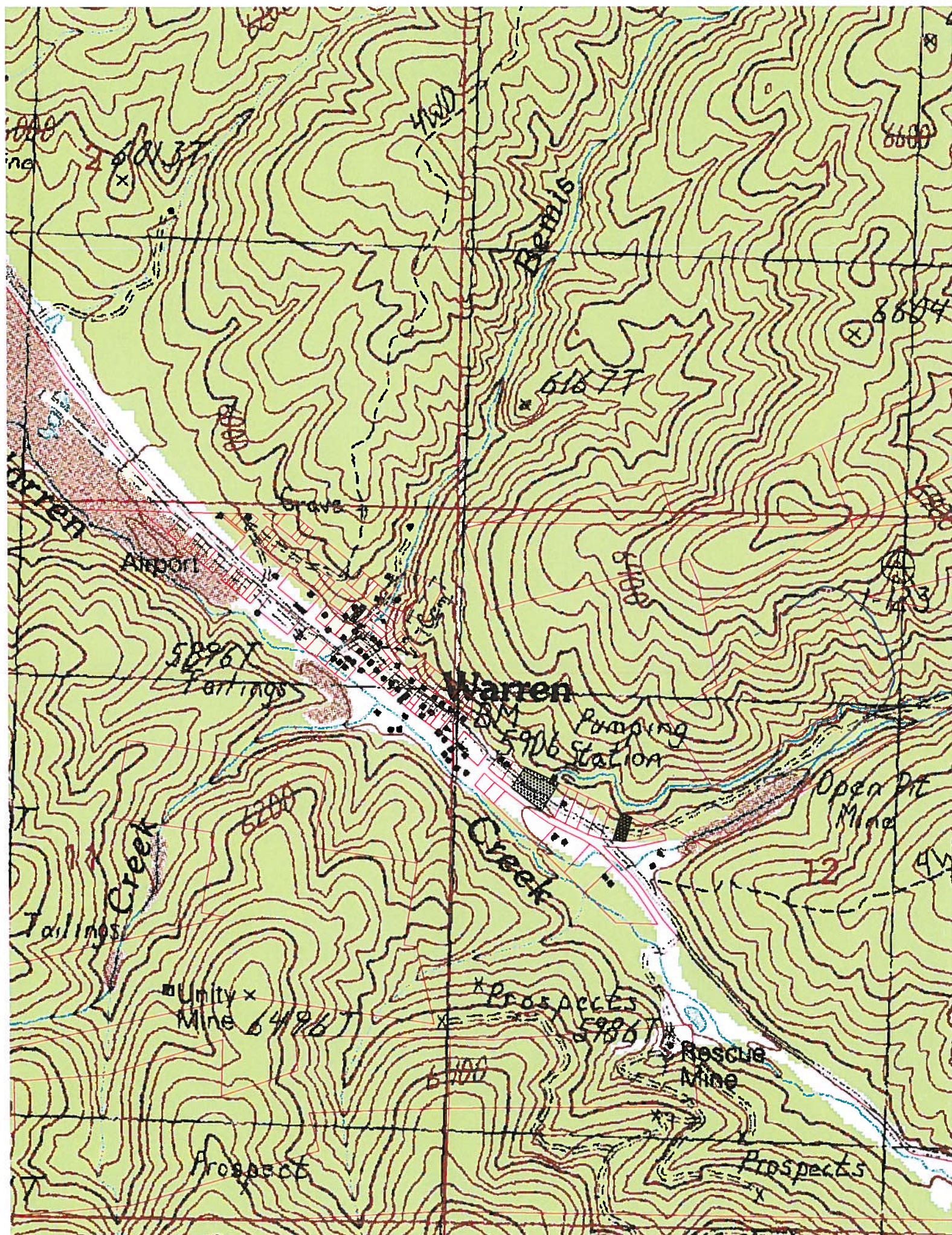
T22N R06E S11 SENE T22N R06E S12 ~~Lot-4~~ SWNW
T22N R06E S12 ~~Lot-5~~ SENW
DOMESTIC same as MINING

Point of Diversion and Place of Use are on private land within Slaughter Creek Placer and Slaughter Creek Placer Extension (Mineral Survey 1807), and Imperial (Mineral Survey 1891).

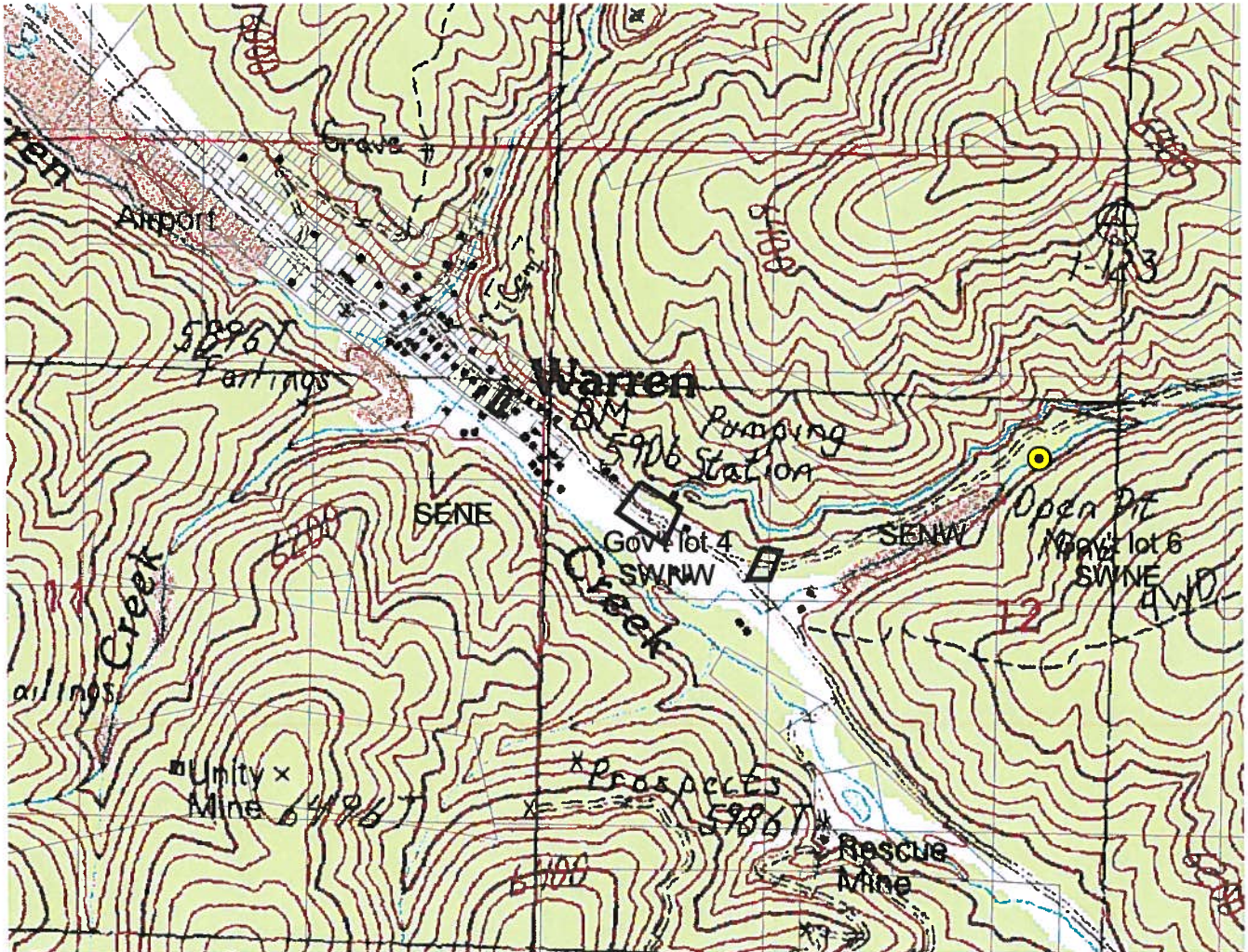
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License



77-2021



0 600 1200 Feet

Sections 11 & 12
T22N R6E



● Point of Diversion

□ Place of Use

Map prepared on September 6, 2005
By Kenneth Knoblock
Idaho Department of Water Resources



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

APR 19 2005

IDWR/North

April 13, 2005

Silver King LTD.
2560 S. Cole Rd.
Boise, ID 83709

RE: 77-2021

On August 19, 1988, you submitted a Notice of Claim in the Snake River Adjudication (copy enclosed for your reference). It lists domestic and mining use in Sections 11 & 12 Township 22N Range 6E. The license, which this claim was based on, was issued for domestic, fire protection and power production. No mention was made of mining. When did the mining under this water right start and how long did it occur? How is the water being used for placer and lode mining?

Sincerely,

Kenneth Knoblock
Water Resources Agent

Cc: David Hammerquist
599 West Bannock Street
Boise, ID 83701

*county tax lots
604 W Franklin
Boise 83702*

01/05/2006

RECEIVED

APR 4 2006

DEPARTMENT OF
WATER RESOURCES

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: March 3, 2006

Water right number: 77-2021

SILVER KING LTD

~~2560 S COLE RD~~

BOISE ID 83709

Telephone Number: (208) 362-6886

5028 W. BAYWOOD
83703
344-6959

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

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

ONE Cubic Per Minute

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

PAID \$6,000 for these water rights

____ I AGREE with this proposed recommendation, no changes need to be made.

DATE:

3-29-06

SIGNATURE:

Ken Smith

Please print your name:

Ken Smith

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

SCANNED

APR 04 2006

Ringert, Clark, Harrington, Reid, Christenson & Kaufman

CHARTERED
LAWYERS

WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON
JAMES G. REID
JEFFREY R. CHRISTENSON
JAMES P. KAUFMAN
LAURA E. BURRI
DAVID HAMMERQUIST

SAMUEL KAUFMAN (1921-1988)

599 WEST BANNOCK STREET
P.O. BOX 2773
BOISE, IDAHO 83701

TELEPHONE (208) 342-4591
FAX (208) 342-4657

June 20, 1990

RECEIVED
JUN 25 1990

Department of Water Resources
Western Regional Office

Jan Shurte
Idaho Department of Water Resources
Adjudication Regional Supervisor
2735 Airport Way
Boise, ID 83705

Re: A77-02021

Dear Ms. Shurte:

This law firm represents Silver King Limited, the holder of the above referenced water license number. The regional water license number that was issued in 1913 was 9518.

According to the Department of Water Resources' records, the official address for Silver King is 2560 South Cole Road, Boise, Idaho 83709. In addition to this address, will you please forward all correspondence regarding Silver King and their water rights to this law firm?

If you are unable to accommodate this request, please advise.

Sincerely,

David Hammerquist
David Hammerquist

dn

cc A.J. Achabal
Ken Smith

*Put in as Attorney of Record
for A77-02021. J*

MICROFILMED
OCT 05 1992

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

In Re SRBA

Case No. 39576

) Subcase No.: 77-2021
)
)
)
)
)
)
)

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Silver King LTD

OBJECTORS:

USDA Forest Service and USDI Bureau
of Land Management

Scott L. Campbell Date
Attorney for the Claimant

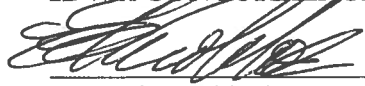
David L. Negri Date
Attorney for the United States

OBJECTOR:

Kenneth L. Smith

Kenneth L. Smith Date

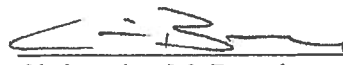
IDWR CONCURRENCE:



Kenneth Knoblock
Water Right Supervisor

12/6/07
Date

IDWR CONCURRENCE:



Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR

12/6/07
Date

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

RIGHT NUMBER: 77-2021

NAME AND ADDRESS: SILVER KING LTD
~~2560 S-COLE RD~~
~~BOISE ID 83703~~

5028 W BAYWOOD
BOISE ID 83703

SOURCE: SLAUGHTER CREEK

TRIBUTARY: WARREN CREEK

QUANTITY: 0-090 2.000 CFS

PRIORITY DATE: 07/03/1913

POINT OF DIVERSION:

T22N R06E S12 NESWNE ~~Lot-4~~ Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.060 CFS
MINING	01/01 12/31	0-090 1.940 CFS

PLACE OF USE: MINING in IDAHO County

T22N R06E S11 SENE T22N R06E S12 ~~Lot-4~~ SWNW

T22N R06E S12 ~~Lot-5~~ SENW

DOMESTIC same as MINING

Point of Diversion and Place of Use are on private land within Slaughter
Creek Placer and Slaughter Creek Placer Extension (Mineral Survey 1807),
and Imperial (Mineral Survey 1891).

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 - License

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

RIGHT NUMBER: 77-2021

NAME AND ADDRESS: SILVER KING LTD
~~2560 S COLE RD~~
~~BOISE ID 83709~~

5028 W BAYWOOD
BOISE ID 83703

SOURCE: SLAUGHTER CREEK

TRIBUTARY: WARREN CREEK

QUANTITY: ~~0.090~~ 2.000 CFS

PRIORITY DATE: 07/03/1913

POINT OF DIVERSION:

T22N R06E S12 NESWNE ~~Lot 6~~ Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.060 CFS
MINING	01/01 12/31	~~0.090~~ 1.940 CFS

PLACE OF USE: MINING in IDAHO County

T22N R06E S11 SENE T22N R06E S12 ~~Lot 4~~ SWNW
T22N R06E S12 ~~Lot 5~~ SENW
DOMESTIC same as MINING

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SCANNED

DEC 11 1977

03/29/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 77-2021

NAME AND ADDRESS: SILVER KING LTD
2560 S COLE RD
BOISE ID 83709

SOURCE: SLAUGHTER CREEK

TRIBUTARY: WARREN CREEK

QUANTITY: 0.090 CFS

PRIORITY DATE: 07/03/1913

POINT OF

DIVERSION: T22N R06E S12 NESWNE Lot 6 Within IDAHO County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MINING

01/01 12/31

0.090 CFS

PLACE OF USE: MINING Within IDAHO County

T22N R06E S11

SENE

T22N R06E S12 Lot 4 SNNW

T22N R06E S12 Lot 5 SENW

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

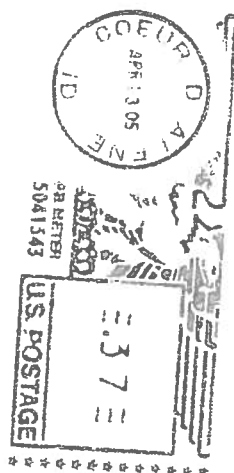
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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region Office
1910 Northwest Blvd - Suite 210
Coeur d'Alene, ID 83814-2676

77-2021

RECEIVED
APR 19 2005
IDWR/North



Silver King LTD.
2560 S. Cole Rd.
Boise, ID 83814-2676

NIXIE

2003 1 06 04/16/05
RETURN TO SENDER
NO SUCH NUMBER
UNABLE TO FORWARD
RETURN TO SENDER

83814/2676
83703+2625

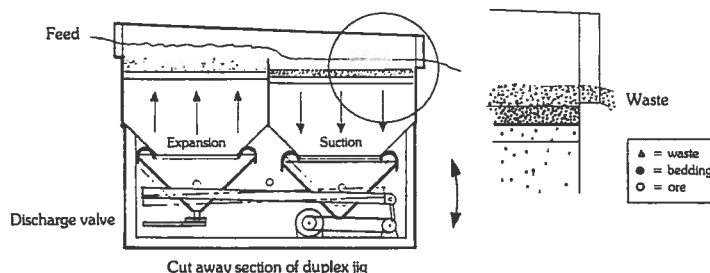


HOW THE JIG WORKS

The basics of the Pan-American Style Jig System include a cell (hutch) containing water with a screen placed on the top. A bedding material such as steel shot, or any material with a 5 - 8 specific gravity is placed on the screen. A rubber diaphragm located at the bottom of the hutch is driven up and down by an eccentric mechanism

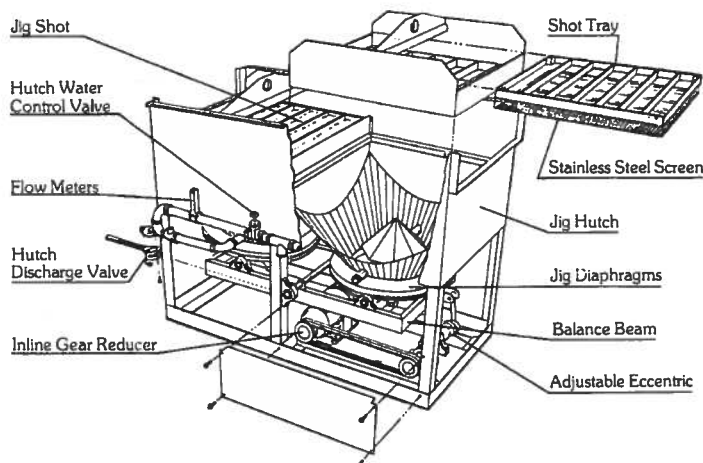
On the up stroke, the expanding water column dilates the shot bed and at the same times causes a differential particle sorting based on specific gravity. This leaves the heavier particles on or near the shot bed, while the lighter particles are carried away to waste. On the down stroke, these heavier particles are pulled down through the bed and discharged out of the bottom of the hutch through a gun-rubber pinch valve.

Depth of ore bed, pulsation frequency, stroke length, and make-up water are the main variables use to adjust the jig for optimal recoveries of gold, heavy minerals, or gemstones. The output of one stage of jigs can be plumbed to the input of a second stage to achieve a heavier concentrate, and so on until the desired volume of concentrate is achieved.



ADVANTAGES OF A JIG RECOVERY SYSTEM

- Increased Gold Recovery** - Jigs have improved alluvial gold recovery by 5 to 40% where they have been installed in existing operations. Most of this recovery has been in the 100 - 250 mesh size range.
- Increased Production Time** - The jig is self-cleaning and produces a continuous concentrate. Production shutdowns for cleanup of the large gold are limited to once per week.
- Immediate Feedback of Production Results** - Jig concentrates are discharged instantly for economic monitoring and analysis.
- Low Water Requirements** - The jig can operate with less water than other recovery systems. It can operate effectively with pulp densities that vary up to 40% solids by weight. By comparison, a sluice/riffle system works best in the 10% solids range.
- Jigs Are Versatile** - Jigs are used in alluvial and hard rock mining operations to recover gold, platinum, tin, diamonds, and other heavy minerals.
- Low Maintenance & Operating Cost** - With few moving parts, the jig is extremely reliable and requires a minimal amount of maintenance.
- Return on Investment** - The investment in a jig recovery system is returned through increased production time and additional mineral recovery.



Main Features

GOLDFIELD

The Leading Placer Specialist
ENGINEERING COMPANY
 a Division of Arrowhead Industrial Corporation

55 South Geneva Road Lindon, Utah 84042

Phone (801) 796-8944; FAX (801) 796-8947; www.goldfieldeng.com

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. *NO*

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. *from the starting of said works to the completion of same*

(Sign here.)

William P. Patterson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing; that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in *Warren*, County of

Idaho, State of Idaho, on this *15th* day of *Jan* A. D. 191*4*.

My Commission expires *Aug 4-1914*

Geo. L. Patterson
Notary Public.

9518

Waffley tables 5' x 12' spiral
wheels

Wilfley table

Spiral table

~~W~~ Tumbler -

Force .50

Tables .18

Donets .06

0.74

Accomplish Transfer use

Clato Achard Siles King

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: A77-02021
Date Received: 7/07/1988
Receipt No: W000450
Received By: ER

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SILVER KING LTD. 208-362-6886
Address: 2560 S. COLE RD.
BOISE, ID 83709

2. Date of Priority: JUL 03, 1913

3. Source: SLAUGHTER CREEK Trib. to: WARREN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
22N	06E	12	NE	SW	NE		IDAHO

5. Description of diverting works:
HEADGATES IN STREAM W/DITCHES TO DOMESTIC & MINING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
MINING	01/01	12/31	2.940		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/3 CABINS AND 3 TRAILERS OR MOTOR HOMES;X/PLACER & LODGE MINING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	06E	11	NE	NE		DOMEST	
		12	SW	NE		DOMEST	

A77-02021

Page 1

Date: 07/07/88

MICROFILMED

OCT 05 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
22N	06E	12	SW		NE		MINING	
			NW		NW		DOMEST	
			NW		NW		MINING	
			SW		NW		DOMEST	
			SW		NW		MINING	
			SE		NW		DOMEST	
			SE		NW		MINING	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

CLAIMANT NO LONGER USES POWER PRODUCTION. CITY OF WARREN
USES CLAIMANTS DITCH WATER FOR FIRE PROTECTION. CLAIMANT USES
WATER FOR DOMESTIC AND MINING PURPOSES ONLY.

15. Basis of Claim: LICENSE

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 ☐ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): Kenneth L. Smith Date: 7-7-88

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7th day

of July 19 88

Seal

Nancy M. Lindgren
Notary Public

Residing at Boise

My Commission Expires 1-19-1994

RECEIVED

JUL 17 2006

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576

A. Subcase 77-02021
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau
of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Silver King, Ltd. (from Dir Rpt)

Address: 2560 S. Cole Road; Boise, Idaho 83709

Name: Silver King, Ltd. (from NCAP)

Address: 5028 W. Baywood; Boise, Idaho 83703

Name: David Hammerquist (attorney for claimant)

Address: 599 W. Bannock St.; Boise, Idaho 83701

Name:

Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which a portion of the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include federal public land.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

County of ADA

)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

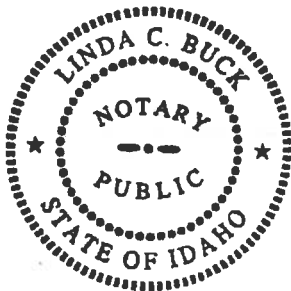
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

July 24, 2006
Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho

Residing at: Mountain Home, ID.

My Commission Expires: 12-21-2011

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on July 25th, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

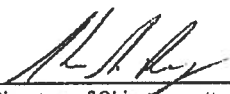
Name: Silver King, Ltd. (from Dir Rpt)
Address: 2560 S. Cole Road; Boise, Idaho 83709
Name: Silver King, Ltd. (from NCAP)
Address: 5028 W. Baywood; Boise, Idaho 83703
Name: David Hammerquist (attorney for claimant)
Address: 599 W. Bannock St.; Boise, Idaho 83701
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

03/25/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 77-2021

NAME AND ADDRESS: SILVER KING LTD
2560 S COLE RD
BOISE ID 83709

Mixed POU:

-The place of use described below contains both private and public lands.

-Clarify such that it is clear only private land is intended.

SOURCE: SLAUGHTER CREEK

TRIBUTARY: WARREN CREEK

QUANTITY: 0.099 CFS

PRIORITY DATE: 07/03/1913

Unauthorized Use:

-Claimant is not recognized to conduct mining on federal public land.

POINT OF

DIVERSION:

T22N R06E S12 NESENE Lot 6 Within IDAHO County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

MINING

PERIOD OF USE

01/01 12/31

QUANTITY

0.099 CFS

PLACE OF USE:

MINING Within IDAHO County

Mixed

T22N R06E S11

SENE

T22N R06E S12 Lot 4 SESENE

Unauthorized use

T22N R06E S12 Lot 5 SESENE

Unauthorized use

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 - License

COEUR D'ALENE DISTRICT

MT PLAT

[illegible]

411 78 included in 1 00167 Cat PL 167 141 01
Cat 7122/1955 completed 12/22/1960 411 4F
during 557N 44 5000 60000
during 1960 1961

1	08167-N-1	30c	12	NOV	OLD	RESCUE	WILLIS	3
1	08167-N-2	30c	12	NOV	OLD	RESCUE	NO 1	1
1	08167-N-3	30c	11	NOV	OLD	RESCUE	NO 2	1
1	08167-N-4	30c	11	NOV	OLD	RESCUE	NO 3	1
1	08167-N-5	30c	11	NOV	OLD	RESCUE	NO 4	1
1	08167-N-6	30c	11	NOV	OLD	RESCUE	NO 5	1
1	08167-N-7	30c	11	NOV	OLD	RESCUE	NO 6	1
1	08167-N-8	30c	11	NOV	OLD	RESCUE	NO 7	1
1	08167-N-9	30c	11	NOV	OLD	RESCUE	NO 8	1
1	08167-N-10	30c	11	NOV	OLD	RESCUE	NO 9	1
1	08167-N-11	30c	11	NOV	OLD	RESCUE	NO 10	1
1	08167-N-12	30c	11	NOV	OLD	RESCUE	NO 11	1
1	08167-N-13	30c	11	NOV	OLD	RESCUE	NO 12	1
1	08167-N-14	30c	11	NOV	OLD	RESCUE	NO 13	1
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1	08167-N-22	30c	11	NOV	OLD	RESCUE	NO 21	1
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1	08167-N-24	30c	11	NOV	OLD	RESCUE	NO 23	1
1	08167-N-25	30c	11	NOV	OLD	RESCUE	NO 24	1
1	08167-N-26	30c	11	NOV	OLD	RESCUE	NO 25	1
1	08167-N-27	30c	11	NOV	OLD	RESCUE	NO 26	1
1	08167-N-28	30c	11	NOV	OLD	RESCUE	NO 27	1
1	08167-N-29	30c	11	NOV	OLD	RESCUE	NO 28	1
1	08167-N-30	30c	11	NOV	OLD	RESCUE	NO 29	1
1	08167-N-31	30c	11	NOV	OLD	RESCUE	NO 30	1
1	08167-N-32	30c	11	NOV	OLD	RESCUE	NO 31	1
1	08167-N-33	30c	11	NOV	OLD	RESCUE	NO 32	1
1	08167-N-34	30c	11	NOV	OLD	RESCUE	NO 33	1
1	08167-N-35	30c	11	NOV	OLD	RESCUE	NO 34	1
1	08167-N-36	30c	11	NOV	OLD	RESCUE	NO 35	1
1	08167-N-37	30c	11	NOV	OLD	RESCUE	NO 36	1
1	08167-N-38	30c	11	NOV	OLD	RESCUE	NO 37	1
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1	08167-N-40	30c	11	NOV	OLD	RESCUE	NO 39	1
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1	08167-N-45	30c	11	NOV	OLD	RESCUE	NO 44	1
1	08167-N-46	30c	11	NOV	OLD	RESCUE	NO 45	1
1	08167-N-47	30c	11	NOV	OLD	RESCUE	NO 46	1
1	08167-N-4							

Sec 12. M26
60-85 45N 100 W56D 1

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

CASHING TO FEH 23 1998	PROJECT TO
----------------------------------	------------

USE PLATE:

100511 8007
M. 21-18 1007

SCALE 1000000

WARREN STANLEY

This plot is the Bureau's Record of Tule, and should be used

Findings

CŒUR D'ALENE DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible]

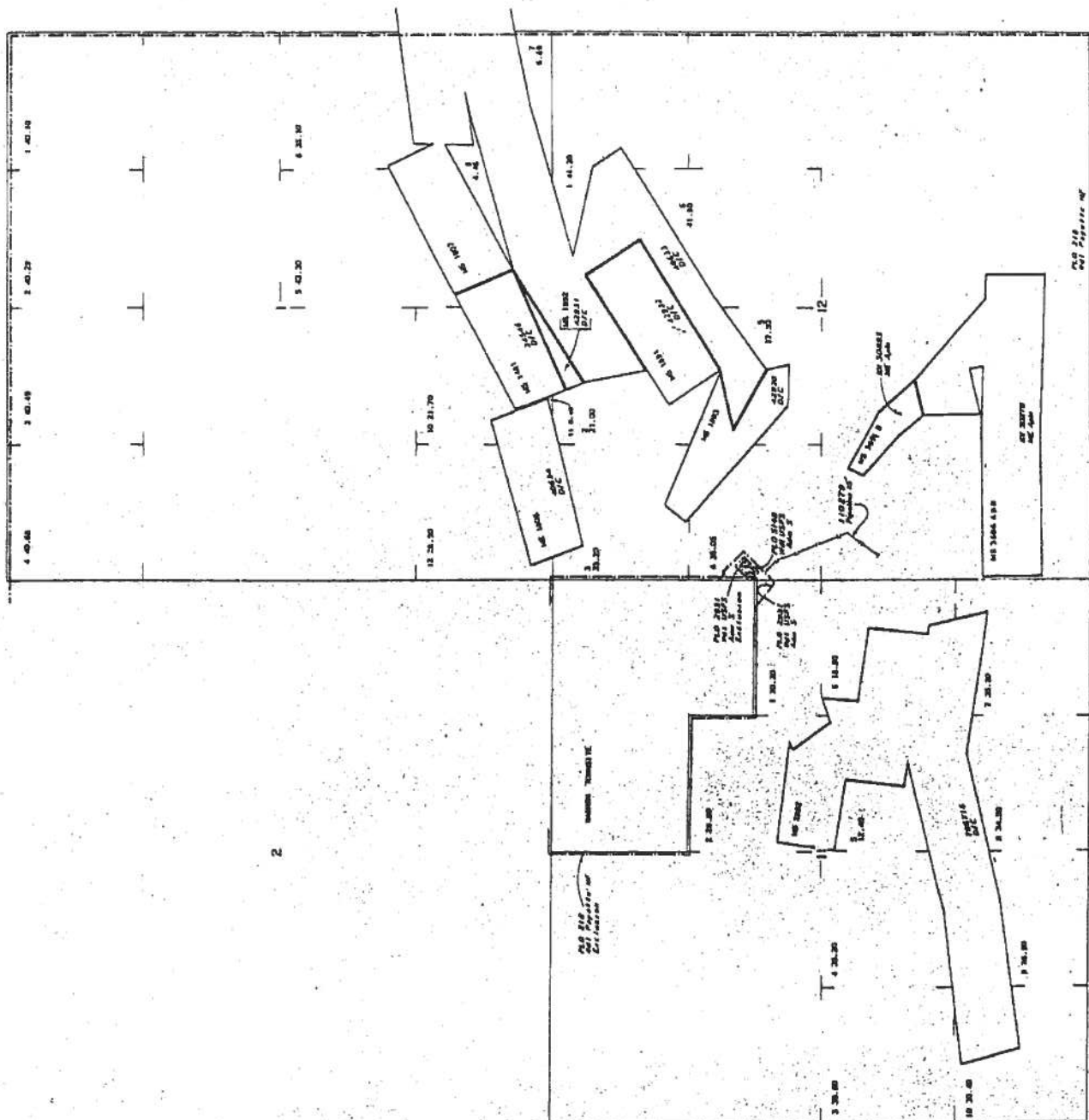
1111 Is included in 1 20167 Del Pl 167 141 81
Carg 7/23/1955 completed 12/22/1960 111 167
survaco kept by USSS and

1	CD 167-N-1	Sec 12 SE	Old Reserve No 1	5
2	CD 167-N-2	Sec 12 NW	Old Reserve No 1	
3	CD 167-N-3	Sec 11 SE	Old Reserve No 2	
4	CD 167-N-4	Sec 12 SW	Old Reserve No 3	
5	CD 167-N-5	Sec 12 SE	Old Reserve No 4	

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

AT 34-10000	APR 02 1968
U. S. DEPT. OF JUSTICE	U. S. DEPT. OF JUSTICE

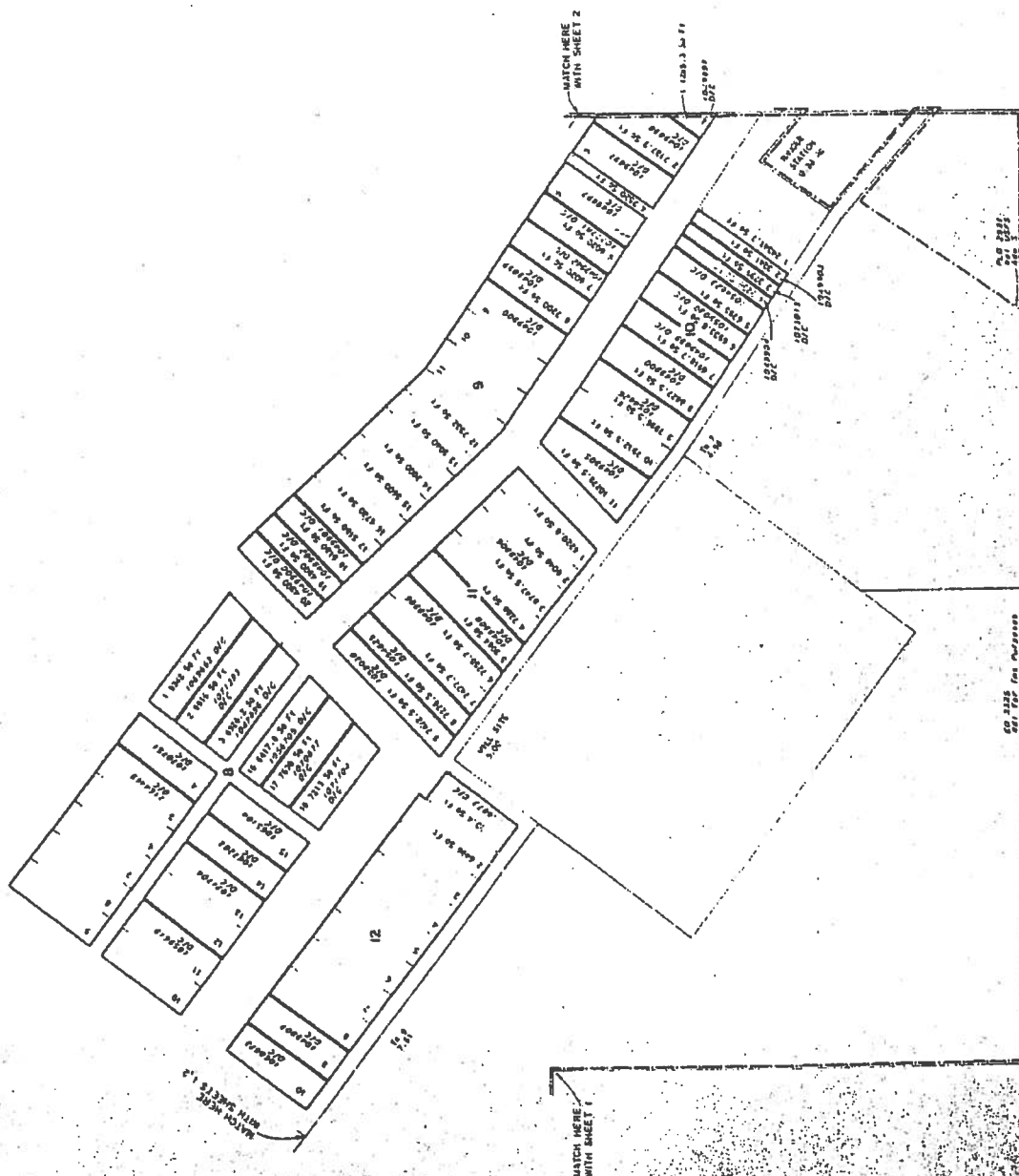
USE PLATS:



IDAHO COUNTY
COEUR D'ALENE DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

WARREN
TOWNSITE PLAT
SHEET 3

[illegible]

1-60- All laws unless otherwise noted contain 7000 to 80

STATE OF NEW YORK

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
SPECIAL AGREEMENT DOCUMENTS

571 MAY 3 1975	CLASSIFIED BY 10
-------------------	---------------------

USE PLAYS:

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

3

WARREN
TOWNSITE PLAT
SHEET 2

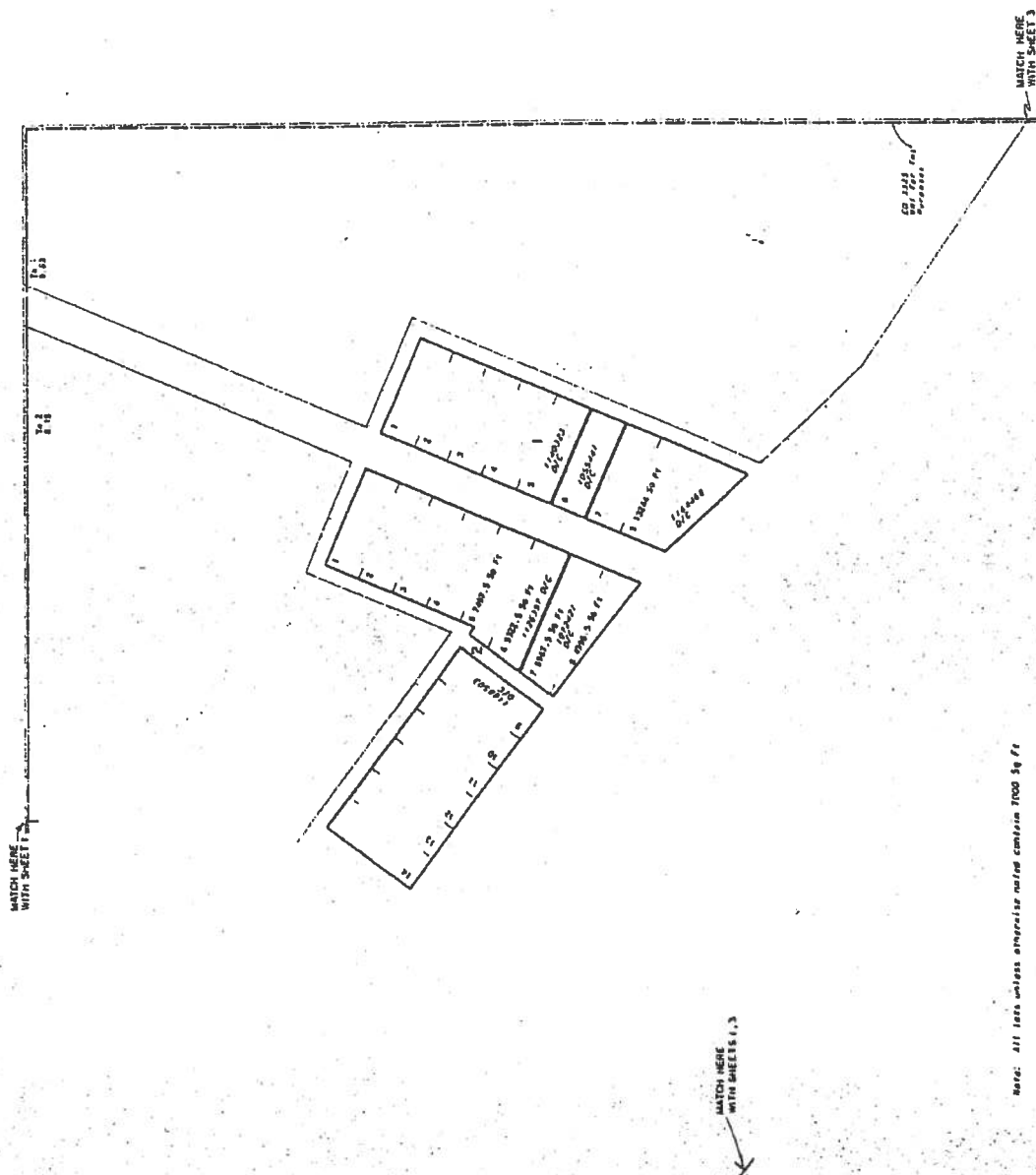
[illegible]

FOR ORDERS EFFECTING DISPOSAL ON USE OF
UNIDENTIFIED LANDS REFER TO MOST OF
MUSEE-LANDS DOCUMENTS

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
UNCLASSIFIED DOCUMENTS

USE PLATE 200	DATE	PLATE
DATE	PLATE	DATE

1993-94



NOTE: All logs unless otherwise noted contain T-90 to 90

TOWNSHIP 22 NORTH RANGE 6 EAST OF THE BOISE MERIDIAN, IDAHO

IDAHO COUNTY
COEUR D'ALENE DISTRICT

SC 2
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

WARREN TOWNSITE PLAT SHEET 1

INDEX TO SEGREGATED TRACTS			
TRACT NO.	SEC.	TOWNSHIP	RANGE
1	36	22N	6E
2	36	22N	6E
3	36	22N	6E
4	36	22N	6E
5	36	22N	6E
6	36	22N	6E
7	36	22N	6E
8	36	22N	6E
9	36	22N	6E
10	36	22N	6E
11	36	22N	6E
12	36	22N	6E
13	36	22N	6E
14	36	22N	6E
15	36	22N	6E
16	36	22N	6E

MATCH HERE
WITH SHEET 2



NOTE: All lots unless otherwise noted contain 1000 Sq. Ft.

FOR OWNERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

DATE	TO	COMMENT	TO
10/1/1915	10/1/1915		
USE PLATS			

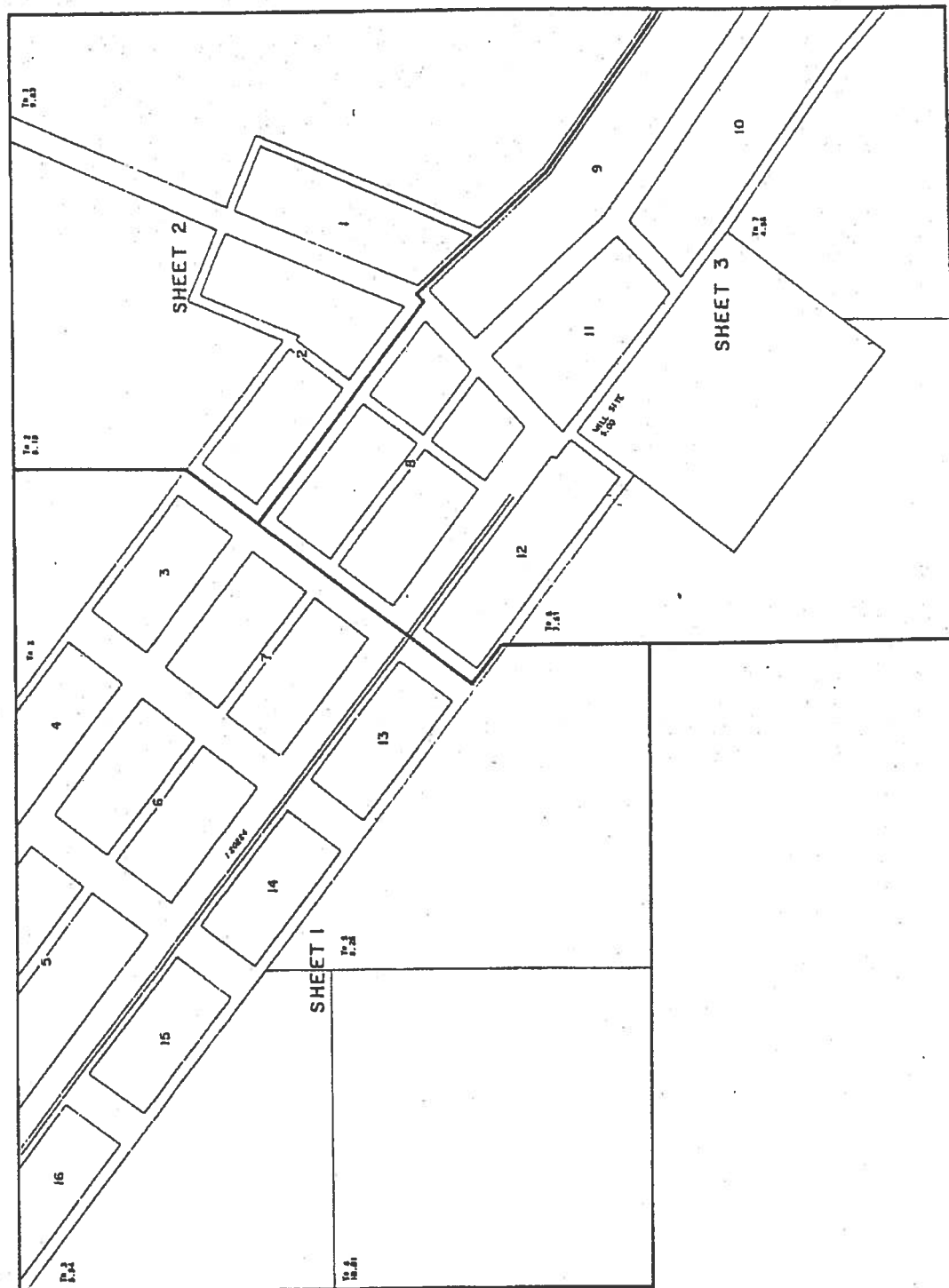
SCALE 1/4" = 100'

TOWNSHIP 22 NORTH RANGE 6 EAST OF THE BOISE MERIDIAN, IDAHO

IDAHO COUNTY 049
COEUR D'ALENE DISTRICT

INDEX MAP

WARREN TOWNSITE



**SILVER KING MINE
% Cleto Achabal
1521 W. Borden Road
Spokane, WA 99224
509-838-4029**

November 27, 2007

Mr. Ken Knoblock

Dear Mr. Knoblock:

Attached is a letter from Kevin Schiell, President of Kimberley Gold Mines regarding water use for the trommel used by Silver King Mines.

Mr. Schiell estimated water useage for this size trommel to be 1002 to 1500 gallons per minute. If you take the lower figure of 1000 gallons per minute converted into cubic feet per section that would be 2.22 cfs. Taking the 2.22 cfs and using that with the proposed .18 cfs for the waffley table, and the .06 cfs for domestic use, and the .50 cfs for the sluice box the total is 2.96 cfs.

Silver King Mines would propose a 2.0 cfs for their new water rights. This represents over a 33% reduction in the 3.0 cfs water rights Silver King Mines purchased and exercised in 1982.

This also has no figure included for the hydropower that was being used in the mid 1980's.

Silver King Mines is making a good faith effort to try and come to a fair & equitable resolution with the water rights issue.

If you have any questions or comments regarding this, please give Ken Smith or I a call.

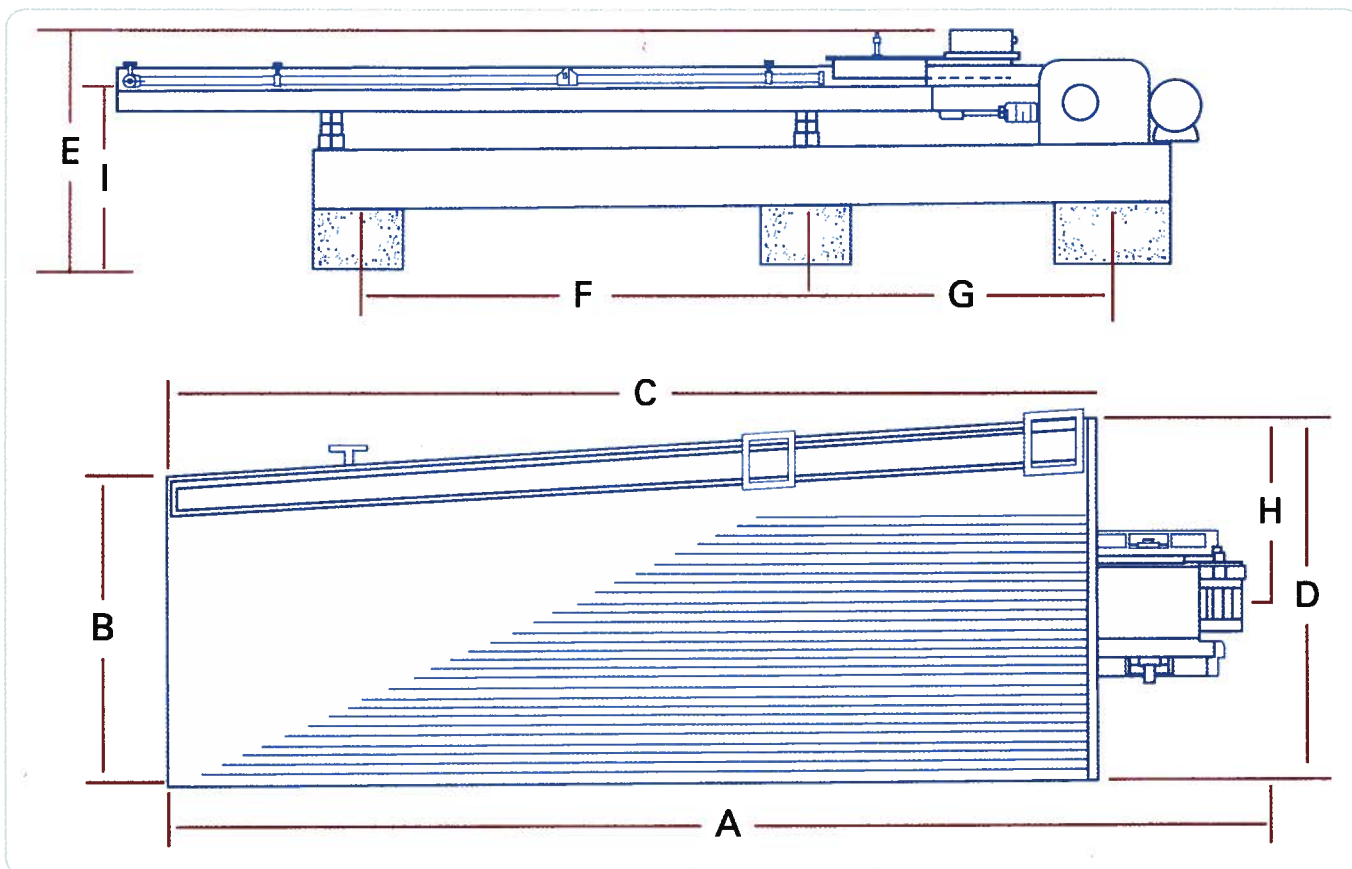
Thank you for your time.

Sincerely,

Cleto Achabal

SCANNED
OCT 21 2011

SCANNED
DEC 12 2007



Wilfley table aerial and side view

Model	Water Requirements GPM (Liters/Min)	HP (KW)	Shipping Weight Lbs. (Kgs.)	Shipping Volume Cu. Ft. (Cu. M)	Dimensional Information Ins. (mm)								
					A	B	C	D	E	F	G	H	I
6A (Standard)	5-20 (19-76)	2 (1.5)	3800 (1724)	156 (4.4)	144 (3658)	60 (1524)	177 (4496)	72 (1829)	38 (965)	108 (2743)	61 (1549)	35 (889)	29 (737)
6A (Oversize)	5-20 (19-76)	2 (1.5)	3980 (1805)	170 (4.8)	232 (5893)	72 (1829)	177 (4496)	84 (2134)	38 (965)	108 (2743)	61 (1549)	41 (1041)	29 (737)
12	3-15 (11-57)	2 (1.5)	1000 (953)	97 (2.8)	144 (3658)	40 (1016)	92 (2337)	46 (1168)	27 (686)	87 (2210)	-	22 (559)	27 (686)
13A	1-4 (4-15)	1/3 (0.25)	330 (150)	24 (0.7)	70 (1778)	14 (356)	40 (1016)	18 (457)	14 (356)	-	-	9 (229)	-
13B	1-6 (4-23)	1/3 (0.25)	350 (159)	25 (0.7)	81 (2057)	20 (508)	50 (1270)	24 (610)	14 (356)	-	-	11 (279)	-

Table 4. Wilfley table specifications and operating requirements

Outokumpu Technology is a worldwide technology leader in minerals and metals processing, providing innovative tailored solutions for a wide variety of customer needs in iron and steel, aluminium and non-ferrous metals industries.

Outokumpu Technology Inc., 6100 Philips Highway, Jacksonville, Florida 32216 U.S.A.
Tel. +1 904 353 3681, Fax +1 904 353 8705, psdsales@outokumpu.com

www.outokumputechnology.com

OUTOKUMPU

SCANNED
OCT 21 2011

SCANNED
DEC 12 2011

BRASS
CAP

GETTYSBURG
1806
11.91 Ac.
S. 68° 30' 13" E.

SILVER KING
1491
16.51 Ac.
NENW
S. 62° 12' 29" W.

MARY STEW
1807
20.58 A
S. 12° 08' 51" E.

MAY
1807
20.27 Ac.
N. 60° 33' 03" E.

RECORDERS CERTIFICATE

THIS IS TO CERTIFY THAT THE
PLAT WAS FILED FOR RECORD
OF THE IDAHO COUNTY RECORDER
20th DAY OF December
AT 4:22 P. M. F
Don E. Gehring
RECORDER

DEPUTY



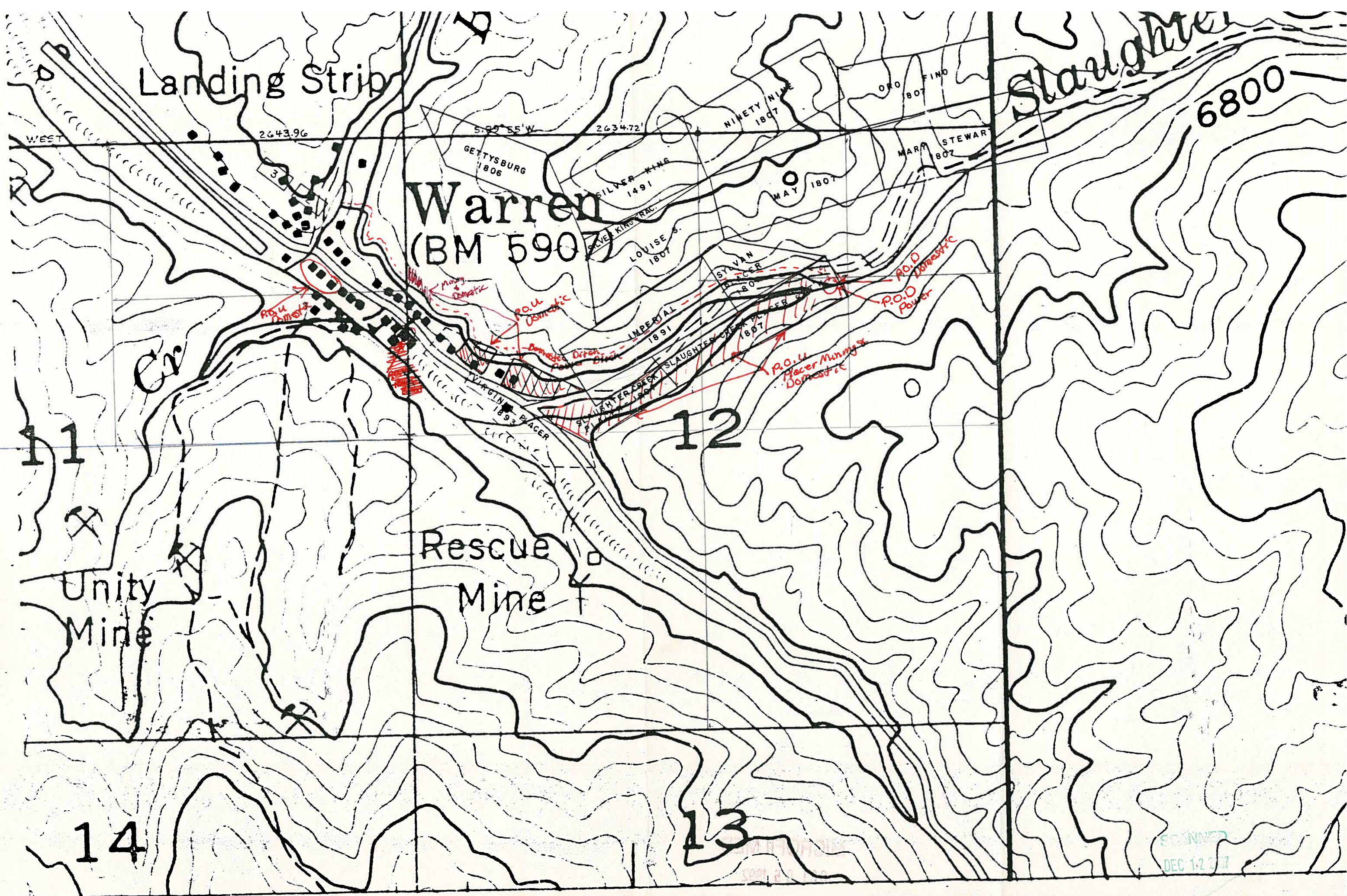
CERTIFICATE OF SURVEY

I, Larry R. Seibel, do hereby certify that I am
Land Surveyor, No. 3354, registered by the State of
that this plat was drawn from an actual survey made
supervision, and this drawing accurately represents
survey and is in conformity with the State of Idaho
relating to Plats and Surveys.

T. 22 N., R. 6 E., B.M.

Total Area of Claims = 179.11 acres
Less Conflicts 4.25
Total 174.86 acres

SURVEY INDEX NO. 22,6,1-1 & 12 (MS 1806,1807,1491,1891)



Landing Strip

Warren
(BM 5907)

Slaughter
6800

Rescue
Mine

Unity
Mine

Scanned
DEC 12 2017

NOV-26-2007 09:35A FROM:

TO: 15096249863

P. 1/1

**KIMBERLY**
GOLD MINES

Mr. Ken Smith
Silver King Mines LLC
Re: Water Consumption
November 14, 2007

To whom it may concern:

Representatives of Silver King Mines LLC have requested that Kimberly Gold Mines prepare an opinion regarding water consumption supporting operation of a trommel for the purpose of recovering precious metals from its placer gravel materials.

It should be noted that Kimberly Gold Mines had no involvement in the previous operations conducted on the Silver King Mine property nor have any of Kimberly's employees. Given the fact that the experience of Kimberly Gold Mines personnel is predominantly of a hard rock or lode mining nature, a measure of our estimate relies upon research and guidance derived from "Taggart's Handbook of Mining and Mineral Dressing".

It is our understanding that the gold recovery circuit was comprised of a trommel measuring five feet in diameter by fourteen feet in length, a large duplex jig and a long section of sluice box. Each of these components would have consumed a considerable quantity of water to recover metals from gravels. The range of consumption required can be highly variable due to impurities and in particular clays binding with the metals and plugging up the trommel unit and consequently requiring increased water flow to mitigate these circumstances. Variability of this sort necessitates any estimation of consumption to be stated in terms of ranges as opposed to specific and singular quantities.

Therefore, it is our opinion that, excluding the sluice and jigs, this trommel could have consumed a quantity of water in a range of between 1000 and 1500 gallons per minute.

Respectfully,

Kevin Shiell
President, Kimberly Gold Mines

KIMBERLY
SCANNED
DEC 12 2007



Steven M
Spencer/R4/USDAFS
08/09/2006 02:30 PM

To Carter Fritschle, Ken Knoblock
cc Fred Price
bcc
Subject Warren Area

RECEIVED
AUG 11 2006
IDWR/North

I'm working on three specific objections the FS made to private claims is Basin 77 near Warren Townsite. They are 77-02021, 77-10077 and 77-14222. I talked to the FS surveyors in Boise a couple of weeks ago and learned of a new survey done in 2004 for part of Sections 11 and 12 involving the Warren Townsite in Section 11 and the mineral surveys in the north half of Section 12.

A couple of days ago I started digging into this because Dale Bittner of the Warren Townsite was inquiring. To make a long story short, I enlarged some maps and reduced some others to get the new survey information to almost perfectly overlap existing maps. Then using my high tech lighted mapping table (the front office window) I learned that the new survey information differs significantly from what is on the old maps for the north half of section 12. Unfortunately the south half of section 12 has not been done.

It's appearing to me that the three above water right claims should end up being totally on private land. We'll want to add the appropriate mineral survey, Warren Townsite, and in a couple of cases the lot within the Virginia Subdivision and maybe that the water right is not on federal land to more precisely describe these water rights.

I'm sending to each of you the following:

1. Portion of USGS quad with my hand drawn quarter-quarters for Section 12.
2. Portion of the present, existing BLM Master Title Plat (MTP) for Section 12 marked "OLD".
3. The 2004 survey for the approximate NW quarter of Section 12.
4. The 2004 survey for the approximate NE quarter of Section 11.
5. A page of those two surveys (in #3 and 4 above) reduced to scale and taped together to lay over the OLD MTP. You'll see that Section 11 is probably OK but the private patented mineral surveyed properties in Section 12 are about a quarter mile out of place.
6. The BLM MTP marked "NEW" that I created by holding the OLD MTP over the reduced scale survey and drawing in the location of the patented private lands. I also whited out the old mineral survey lines so that they appear as dashed lines.

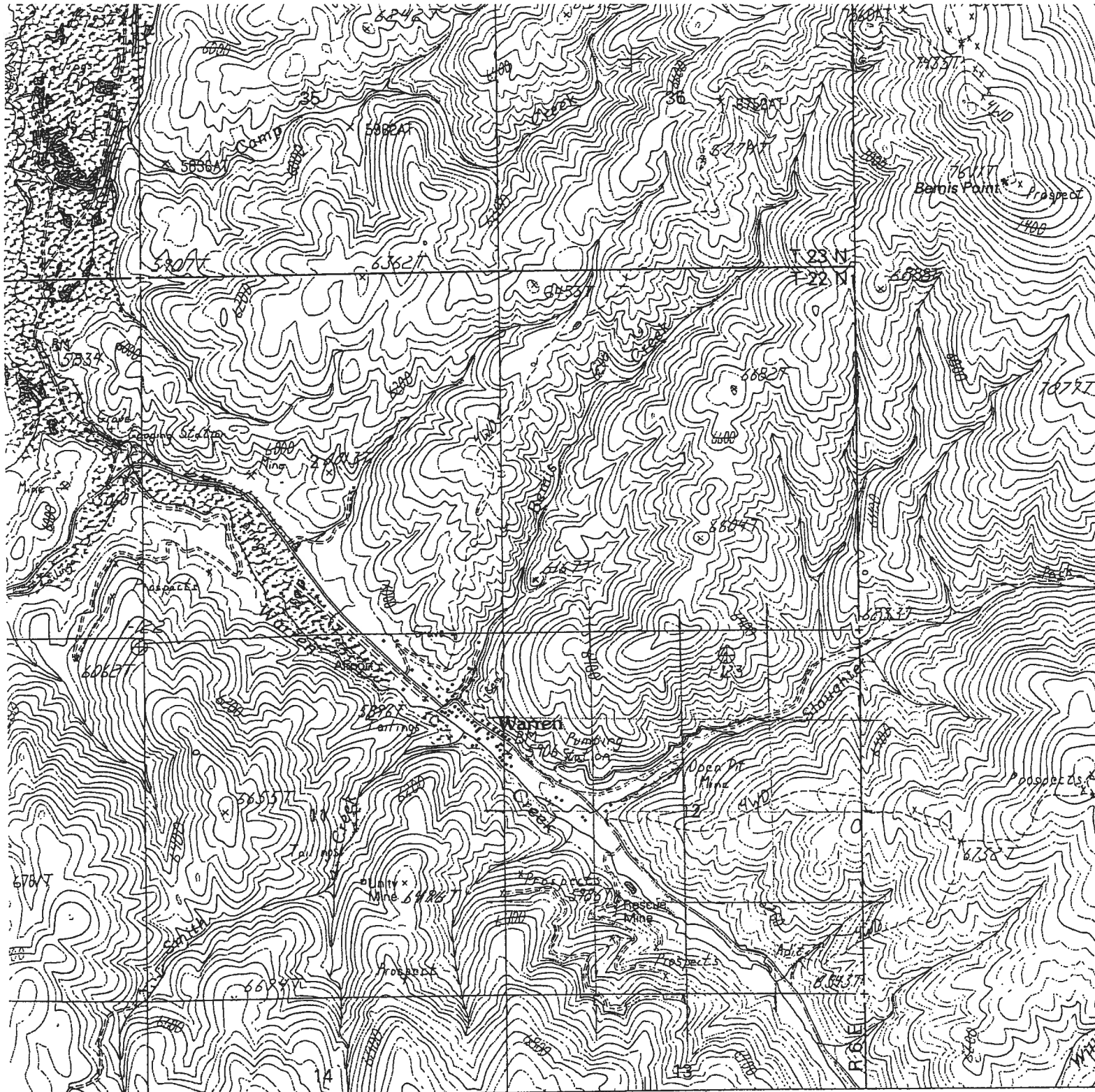
Using the NEW MTP, it appears to me that the FS objections can be resolved. I want you guys to see this information before I go any further. It will go to Carter and Ken in today's U.S. Mail. Fred, yours will be in the CACI mailing. When you've had a chance to digest the information, let's get together and I'll attempt to explain what I think I've found and what the next step might be. Carter, I'd come over to your office for this. Let me know when you'd like to dig a little deeper into it. And give me a call if you have any questions.

Thank you.

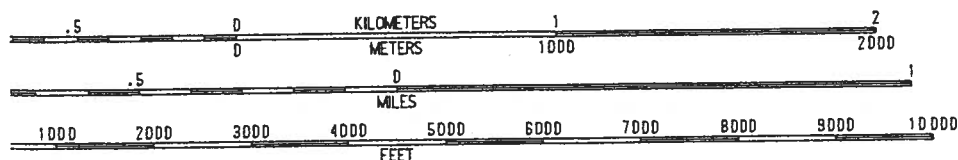
Steve Spencer
Boise Adjudication Team
161 E. Mallard, Suite 110
Boise, ID 83706

(208) 331-5944
(208) 387-0842 FAX
e-mail: sspencer@fs.fed.us

SCANNED
DEC 12 2007



SCALE 1:24 000



CONTOUR INTERVAL 40 FEET

To convert feet to meters multiply by .3048
To convert meters to feet multiply by 3.2808

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225
OR RESTON, VIRGINIA 22092



QUADRANGLE LOCATION

1	2	3	1 Johnson Butte
			2 Cottontail Point
			3 Mackay Bar
4		5	4 War Eagle Mountain
			5 Burdick Summit
			6 Loon Lake
6	7	8	7 Pony Meadows
			8 Pilot Peak

ADJOINING 7.5' QUADRANGLE NAMES

Improve
Unimproved
Trail .

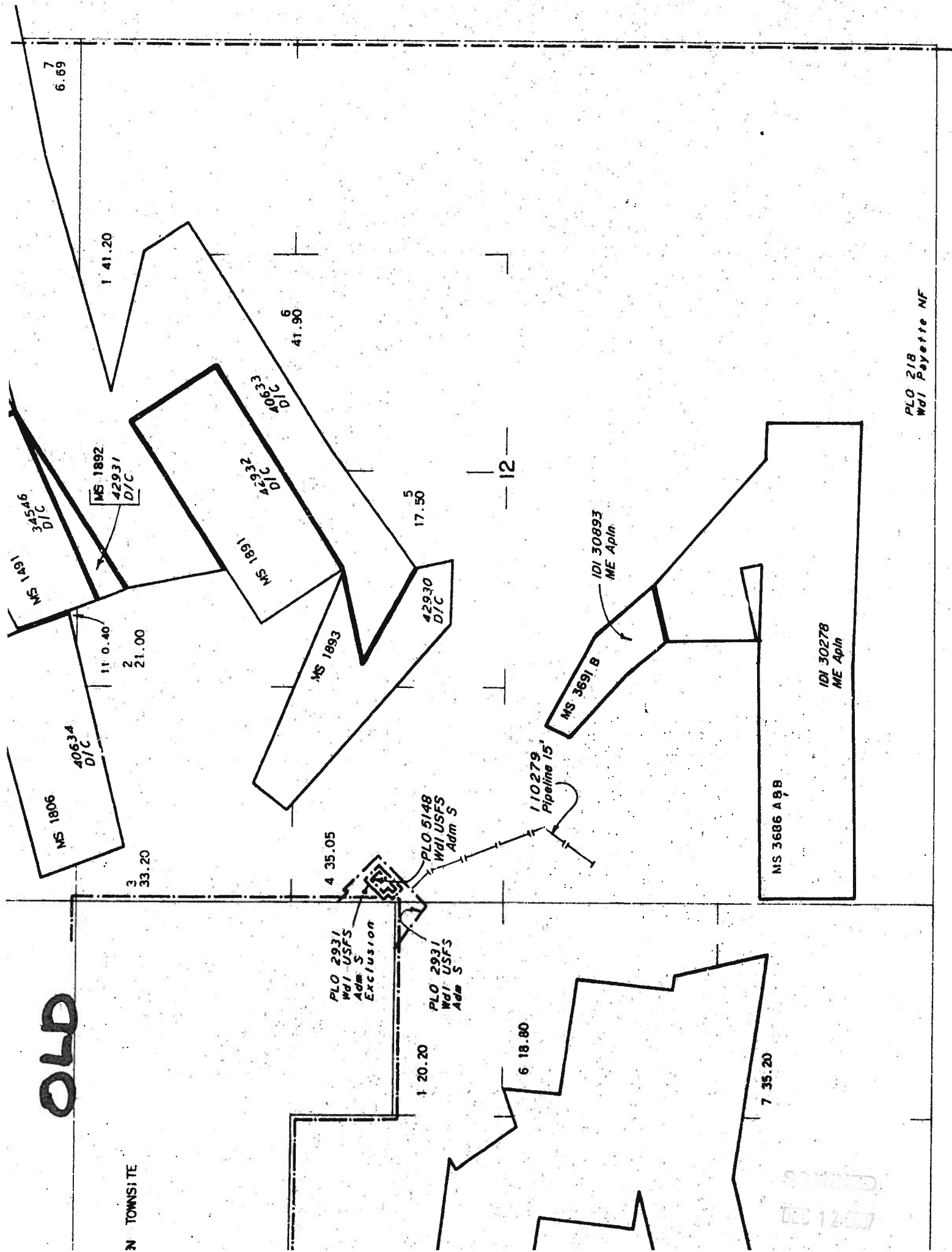
Inter

SCANNED

DEC 12 2007

OLD

N TOWNSITE



PLO 218
Wdl Payette NF

SEARCHED
DEC 12 1967

RECORD OF SURVEY

DEPENDENT RESURVEY AND RETRACEMENT OF
THE WARREN TOWNSITE
TOWNSHIP 22 NORTH, RANGE 6 EAST, BOISE MERIDIAN,
IDAHO COUNTY, IDAHO



BASIS OF BEARINGS

Bearings are based on a true
meridian along the east line of Section
11 and the Warren Townsite, derived from
GPS Observation.

BASIS OF GEODETIC COORDINATES

NAD 83 (GCRS) - Epoch 2002 from ties
to:
1) IDTD - Boise, ID
2) SPNI - Spokane, WA

LEGEND

Found, Section Corner as noted.

Found, 3 1/4" Brass Cap

Found, 2 1/2" Brass Cap

Found, 1 1/2" Brass Cap

Found, Witness Corner

Bureau of Land Management Dependent Resurvey
of the Warren Townsite by R. Brown, 1986.

GLO Survey of Warren Townsite by Gerald
Sorrels, 1921.

Found, 1/2" Rebar as Noted

Found, Aluminum Monument

Property Line

Section Line

Line Marked for This Survey

SURVEYOR'S CERTIFICATE

I, George G. Marshall, P.L.S. 7046, State of Idaho, do
hereby certify that this Record of Survey has been
prepared by me or under my direction in accordance
with Chapter 18, Title 35 of the Idaho Code and that
the map shown herein is a true representation of a
survey made by me during October, 2004.

RECORDER'S CERTIFICATE

Filed this 18th day of April, 2005, at 10:00 o'clock A.M.,
at the Office of the Recorder of the County of
Boise, Idaho.
No. 100-000-0494
Date of Making Survey August 1, 2004
County Recorder

RECORD OF SURVEY

WARREN TOWNSITE

CLASS & ASSOCIATES	1 in. = 200 ft.
PROFESSIONAL LAND SURVEYORS	Created By
300 Church Street	Drawn By
Boise, Idaho 83704	LAO/BO
Phone: 208-333-4474	Scale
	1 of 3

Field Book	Field Notes	Field Sketch	Field Map	Field Photo
1/4	11	22	6	
		N	E	

HISTORY OF SURVEYS

1) General Land Office - Original survey
of Sections 1, 2, 11, & 12, T.22N., R.6E.,
B.M. and the Warren Townsite by Farmer
& Sorrels, 1921.

2) Bureau of Land Management
Dependent Resurvey of the Warren
Townsite by R. Brown, 1986.

PURPOSE OF SURVEY

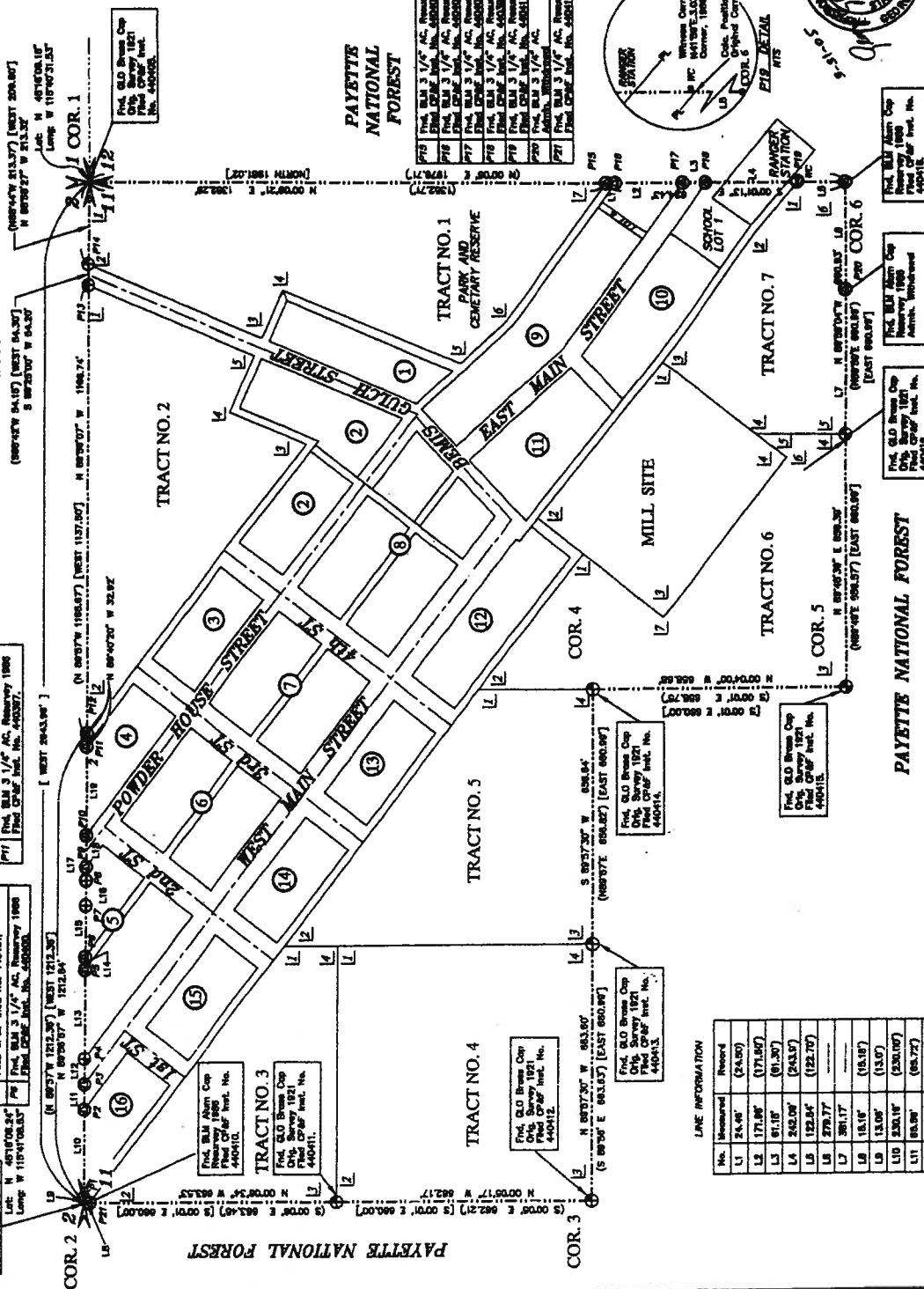
Survey Property Boundaries.
Mark Exterior Townsite Lines

P12	Found, 3 1/4" AC, Resurvey 1986
P13	Found, 3 1/4" AC, Resurvey 1986
P14	Found, 3 1/4" AC, Resurvey 1986
P15	Found, 3 1/4" AC, Resurvey 1986

P2	Found, 1/2" Rebar w/ Chip by PLS 1986
P3	Found, 1/2" Rebar w/ Chip by PLS 1986
P4	Found, 3 1/4" AC, Resurvey 1986
P5	Found, 3 1/4" AC, Resurvey 1986
P6	Found, 3 1/4" AC, Resurvey 1986
P7	Found, 3 1/4" AC, Resurvey 1986

P1	Found, 3 1/4" AC, Resurvey 1986
P2	Found, 3 1/4" AC, Resurvey 1986
P3	Found, 3 1/4" AC, Resurvey 1986
P4	Found, 3 1/4" AC, Resurvey 1986
P5	Found, 3 1/4" AC, Resurvey 1986
P6	Found, 3 1/4" AC, Resurvey 1986

PAYETTE NATIONAL FOREST



PAYETTE NATIONAL FOREST

Monument	Corner	North	East
P1	0.30'	0.30'	0.15'
P2	0.15'	0.15'	0.07'
P3	0.15'	0.15'	0.07'
P4	0.15'	0.15'	0.07'
P5	0.15'	0.15'	0.07'
P6	0.15'	0.15'	0.07'

No.	Measured	Record
L1	24.48'	(24.50')
L2	171.86'	(171.87')
L3	61.18'	(61.30')
L4	242.08'	(243.57')
L5	122.84'	(122.10')
L6	279.37'	---
L7	281.17'	---
L8	18.18'	(18.18')
L9	13.08'	(13.07')
L10	235.18'	(235.10')
L11	65.88'	(65.72')
L12	65.88'	(65.72')
L13	228.98'	(229.00')
L14	33.08'	(33.08')
L15	121.42'	---
L16	63.48'	---
L17	38.34'	---
L18	81.81'	(82.14')
L19	235.18'	(235.10')
L20	32.32'	(32.08')

LINE INFORMATION

No.	Measured	Record
L1	24.48'	(24.50')
L2	171.86'	(171.87')
L3	61.18'	(61.30')
L4	242.08'	(243.57')
L5	122.84'	(122.10')
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L16	63.48'	---
L17	38.34'	---
L18	81.81'	(82.14')
L19	235.18'	(235.10')
L20	32.32'	(32.08')

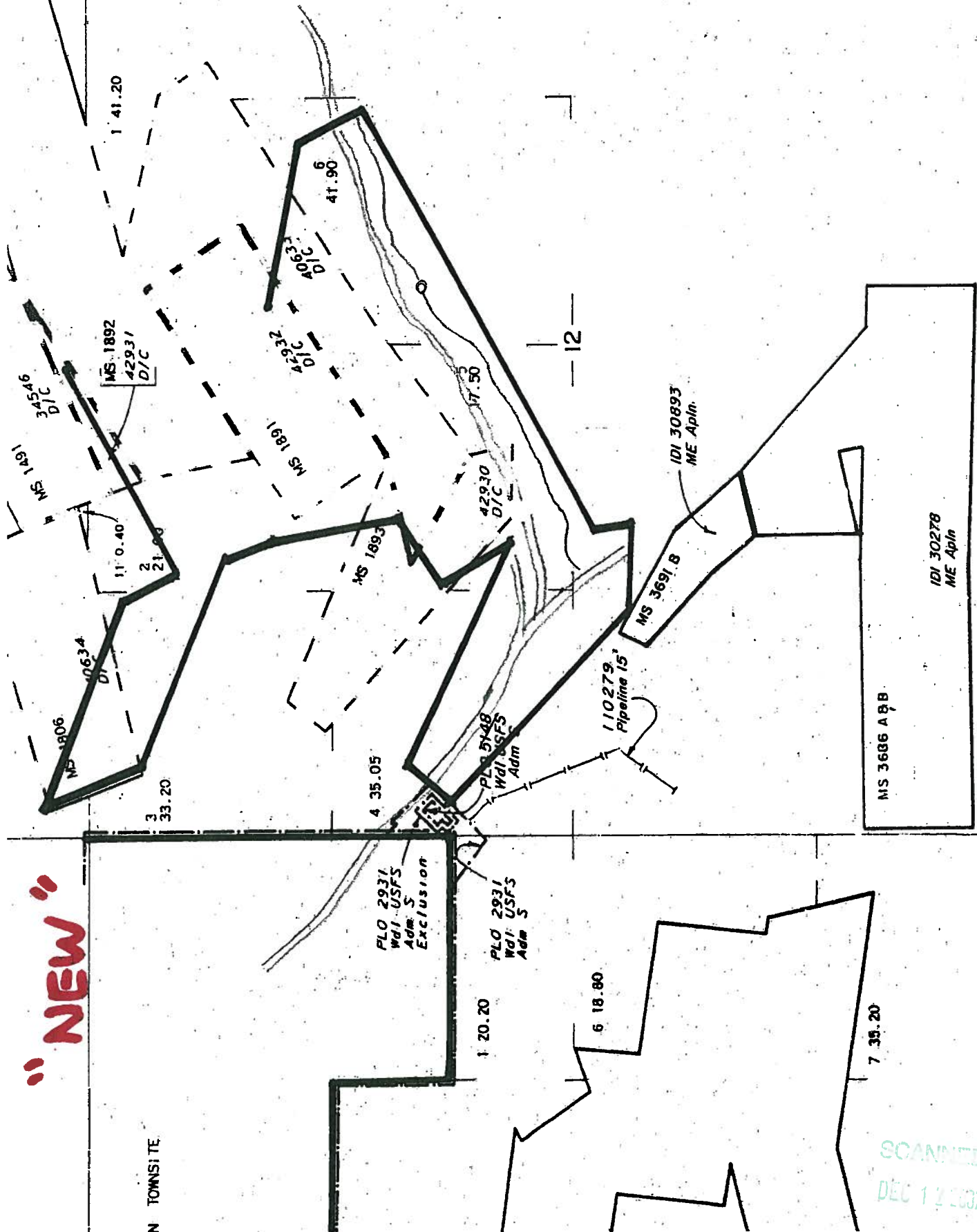
#441076

PAYETTE NATIONAL FOREST

DEC 17 2007

"NEW"

N TOWNSITE



SCANNED
DEC 1 2 2007

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

In Re SRBA

Case No. 39576

A. Subcase: _77-02021 _
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service

Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724

Daytime Phone: (208) 334-1936

Name and Address of Attorney, if any:

David L. Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN THE DIRECTOR'S REPORT

Name: Silver King LTD

Address: 2560 S Cole Rd
Boise, ID 83709

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☒ **Name and Address**
Should be: See E below.
2. ☒ **Source**
Should be: See E below.
3. ☒ **Quantity**
Should be: See E below.
4. ☒ **Priority Date**
Should be:
5. ☒ **Point(s) of Diversion**
Should be: See E below.
6. ☐ **Instream Flow Description**
Should be:
7. ☒ **Purpose(s) of Use**
Should be: See E below.
8. ☒ **Period of Year**
Should be: See E below.
9. ☒ **Places of Use**
Should be: See E below.

11. I object because:

☒ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The point of diversion in the NESWN (Lot 6) and places of use in the SWNW (Lot 4) and SENW (Lot 5) of Section 12, T22N, R6E with mining as the purpose of use as recommended in the Directors Report are on National Forest System (NFS) land. The claimant is not authorized to occupy and use NFS land for this purpose. The last assessment work done by Silver King LTD on their mining claims in these quarter-quarters was in 1992 and the claim files at the Bureau of Land Management are now "CLOSED". Silver King LTD has no valid mining claims in this area.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Steve Spencer , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

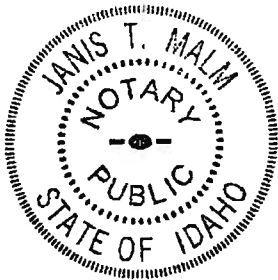
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Steven M. Spencer
(Signature of person filing objections)

David M. [Signature]
(Attorney signing in representative capacity)

Subscribed and sworn before me on: July 26, 2006

Janis T. Malm



Notary Public for:

Residing at: Boise, Idaho

Commission Expires: 09/09/2008

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on JUL 28 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Silver King LTD
Address: 2560 S Cole Rd
Boise, ID 83709

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

2

RECEIVED

JUN 20 2006

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA)

A. Subcase

77-2021

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Kenneth L. Smith

Address:

5028 W. Baywood

Boise ID 83703

Daytime Phone:

208 344-6959

Name & Address of Attorney, if any:

None

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

Silver King LTD

Address:

5028 W. Baywood

Boise ID 83703

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 3 CFS
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. ☐ **I object because:**
 - ☐ This water right Should not exist.
 - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): Bought P CFS
Water Rights

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 15, 2006 I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Silver King LTD Kenneth L. Smith
Address: 5028 W. Baywood
Boise ID 83720

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

Silver King LTD
Kenneth L. Smith Sec
Signature of objector or attorney TACS
mailing on Objector's behalf

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.

County of Ada)

Kenneth L. Smith, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Kenneth L. Smith
(Signature of person filing objection)

N/A
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 15, 2006
Lorraine Knott
Notary Public for
Residing at: Boise, I.D.
My Commission Expires: 11-22-07

