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JUL 17 2017

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 CSRBA

Case No. 49576

Subcase

94-2064

(Insert water right number)

STANDARD FORM 7

☐ MOTION TO FILE LATE OBJECTION
OR

☒ MOTION TO SET ASIDE AND MODIFY
PARTIAL DECREE OR FINAL ORDER
DISALLOWING WATER RIGHT CLAIM

**NAME AND ADDRESS OF PERSON FILING MOTION FOR LATE OBJECTION OR
MOTION TO SET ASIDE PARTIAL DECREE/FINAL ORDER DISALLOWING**

Name: DONALD BEEHNER

Address: 90 SNOWSHOE MINING, 504 BANK STREET, WALLACE, ID. 83873

Daytime Phone: 208-682-4330

☐ I am an attorney representing _____
My name is _____
My address is _____
My phone number is _____

**CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT OR
PARTIAL DECREE/FINAL ORDER DISALLOWING**

Name: SNOWSHOE MINING COMPANY

Address: 504 BANK STREET

WALLACE, IDAHO 83873

If you are seeking to file a late Objection, list the reason(s) this objection is late and why it was not filed by the Objection deadline:

If you are seeking leave to file a late Objection,

YOU MUST ATTACH A COMPLETED STANDARD FORM 1 (Objection form).

If you are seeking to set aside and modify a Partial Decree/Final Order Disallowing, indicate the basis for your motion:

☐ Idaho Rule of Civil Procedure 59 (e)

☐ Idaho Rule of Civil Procedure 60(a)

☒ Idaho Rule of Civil Procedure 60(b)

And list the reason(s) why the Partial Decree/Final Order Disallowing should be set aside:

PLEASE SEE ATTACHED LETTER

INSTRUCTIONS FOR MAILING

You must mail this motion, 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.

CERTIFICATE OF MAILING

I certify that on 14 JULY, 2017, I mailed the original and copies of this motion, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the each party involved in the Subcase including the claimant, all objectors, respondents and any party granted a motion to participate. Attach a list of names and addresses.

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
State of Idaho
PO Box 83720
Boise, ID 83720-0010

Donald Beehner
Signature of Movant or attorney
mailing on Movant's behalf

Donald Beehner
President, Snowshoe Mining Company

1/18

**SNOWSHOE MINING COMPANY
504 BANK STREET
WALLACE, IDAHO.
83873**

RECEIVED
JUL 17 2017
DEPARTMENT OF
WATER RESOURCES

July 14, 2017

Clerk of the District Court,
Coeur d'Alene-Spokane River Basin Adjudication,
253 Third Avenue North,
PO Box 2707,
Twin Falls, Idaho.
83303-2707

Dear Sirs:

**Water Right 94-2064
CBSRA - Motion to Set Aside Final Order – January 30, 2017**

Please find enclosed herewith Standard Form 7 – Motion to Set Aside Final Order - which we respectfully request be heard.

We would also ask that this letter be considered by way of written submissions in respect of the said Motion.

May it please the Court:

THE FACTS

1. Snowshoe Mining Company has been in existence for over 113 years, having been incorporated on September 30, 1903. We have a proud and long history of being a patented mining claim holder, and member of the mining and timber community in the Silver Valley. Our office is in Wallace, Idaho.
2. We are duly registered and in good standing with the State of Idaho. Our registration shows our registered office address noted above.
3. We are a very small company with only three active participants.
4. For many years since the time of our incorporation, our company has held 100% of Mineral Survey 2224, being 8 patented mining claims near Mullan, Idaho (subject only to a 50% interest to the Estate of David C. Smith deeded in 1907) – adjacent to property of Hecla Limited – which we refer to as the "Snowshoe Claims".
5. The Snowshoe Claims were originally part of the Snowstorm Mine which was in production from 1903 to 1925. After that time, over the years, mining exploration and logging has been conducted on our property.

6. In 2004, the Snowshoe Claims were leased to Timberline Resources Corporation (a Coeur d'Alene based mining company) ("**Timberline**"), and most recently, the lease was assigned to Daycon Minerals Corporation ("**Daycon**"), the current holder of the Snowshoe Claims as lessee.
7. Daycon currently holds a lease to 2035 (18 years) with rights to explore, and relies on the Water Right.
8. We understand that Timberline used the Water Right to draw water for its exploration program in 2004.
9. We understand that Daycon used the Water Right to draw water for its most recent exploration drilling in 2013, and intended to do so again for its future exploration.
10. Daycon has publicly referred to the Water Right in National Instrument 43-101 Reports on the Snowstorm Project, which includes the Snowshoe Claims;
11. In all the years, we relied upon and stated that the Snowshoe Claims enjoyed the benefit of Idaho Water Right 94-2064 that permitted the taking of 1 CFS from the West Fork of Gentle Annie Creek (the "**Water Right**").
12. A copy of the Water Right dating January 30, 1911 is attached as Schedule "A". It was for the purposes of:

*"...lighting, ventilating and **general mining uses**" (emphasis added)*

13. The Water Right specifically stated that the granting of the Permit 7317 (as it was then known) was a **perpetual right**.
14. In January 2013, we are advised that Daycon – as lessee – confirmed that the Water Right existed by way of search of the Idaho Water website (copy attached as Schedule "B").
15. Daycon – as a Canadian corporation – had no knowledge of any adjudication taking place in Idaho.
16. We – as an Idaho residents – knew about adjudication of water rights generally, but assumed we would receive notice to respond to. **We never received any such notice**. The writer as President has checked with both John Lynn and Marilyn White – two other participants the company, and no one received any notice.
17. The Court in fact told Daycon (who made inquiries on our behalf) that:

"Whoever owned the property at the time of the commencement of the CSRBA should have received a copy of a notice. IDWR did file Affidavits of Service of the Commencement Order with the court. They also sent out second-round notices and filed Affidavits of service for those as well. "

18. No such notices were ever received, and we therefore think it is very unfair that the Order has been issued as against our Company.

19. We assume the reason for that is the address noted in our Water Right (going back to 1911) simply shows "Mullan, Idaho" – when in fact we are located at a specific address in Wallace, Idaho at 504 Bank Street. **As such, any notice sent would never have reached us.**
20. The matter first came to our attention on Friday June 30, 2017, and we have acted expeditiously since then.
21. In the week prior to that, our lessee Daycon had been conducting updated due diligence on the Water Right, and was unable to find it on the Idaho Water website using their search parameters.
22. Daycon (acting in our interest and on our behalf, and in their interest as lessee for mining exploration) then made contact on Friday June 30, 2017 with Linda Werner of Idaho Water (Senior Water Resource Agent) who advised that the Water Right had been cancelled, and she sent to Daycon two documents – the Court Order dated January 30, 2017 that disallowed with prejudice water right claims as listed on Exhibit A, which list included our Water Right (copy attached as Schedule "C"). and the original grant from 1911 (as attached above).
23. Daycon then immediately called this Honorable Court to request any information as to the matter, and as to how relief might be requested.
24. Daycon then immediately contacted us to advise of the cancellation of the Water Right, and at the same time emailed the Court to advise of the matter.
25. At no prior time did we have any notice or knowledge that the Water Right was being adjudicated, that a claim was required, that any action was to be taken, or until June 30, 2017, that the Water Right had been cancelled or disallowed.
26. We then acted to prepare and file Standard Form 7, and this letter of submissions.

REQUESTED RELIEF

27. We hereby respectfully request that this Honorable Court set aside the Order of January 30, 2017 as against **Snowshoe Mining Company, Water Right 94-2064**, and allow Snowshoe Mining Company time to file a Notice of Claim in respect thereof.
28. The request is based on Section 60(b) of the Idaho Rule of Procedure:

"(b) Grounds for Relief from a Final Judgment, Order, or Proceeding. On motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding for the following reasons:

- (1) mistake, inadvertence, surprise, or excusable neglect;*
- (2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b);*
- (3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party;*
- (4) the judgment is void;*

- (5) *the judgment has been satisfied, released, or discharged; it is based on an earlier judgment that has been reversed or vacated; or applying it prospectively is no longer equitable; or*
 (6) *any other reason that justifies relief."*

29. We respectfully submit that the facts support that there has occurred a mistake, inadvertence, surprise or excusable neglect due to the fact that the Company never received any notice of the within proceedings, and that in the circumstances, it would be fair and just to allow the Order to be set aside.
30. A fundamental concept of fairness is that a party ought to have notice of, and the ability to act. To act otherwise in this case would effectively be expropriation of the Water Right without notice or rights, especially where our original grant from the State was specifically stated to be perpetual.
31. This is not a case of claimed rights due to usage over time but rather a right by way of specific perpetual grant of the very State that is now saying an Order has been issued to deprive Snowshoe of that right.
32. The Company would have filed a claim on a timely basis had it known of the process (and will do so should this Motion be allowed) – this Water Right which is a valuable asset – is simply too important to lose, and is a key part of our history and heritage.

REASONS

33. The reasons for our request are:

- a) The Water Right is a valuable perpetual right that was granted by the State over 106 years ago, that has been relied upon for all those years, and that ought not to be appropriated or taken away except in the clearest of circumstances, and after due notice and the opportunity to make submissions;
- b) The Water Right is an interest in property such that the taking thereof is akin to expropriation without compensation, such that extra attention to due fairness and natural justice should be allowed to the affected party;
- c) As Owner of the Water Right, we had no knowledge of this matter, but upon learning of the facts, acted promptly and in a timely fashion;
- d) The Water Right represents an historic important fact for our company and community, and has been utilized over the years (and will be) for "general mining uses", as specifically contemplated and permitted;
- e) Termination of the Water Right will place us, as the Owner, in breach of our obligations and representations to our lessee, Daycon;
- f) This is a *de minimis* Water Right of only 1 CFS;
- g) The granting of Water Right 94-2064 will not affect the overall goal of protecting the macro water supply of the State of Idaho;

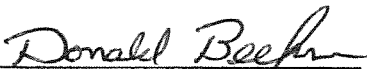
- h) According to the interactive map of Idaho Water, there are very few – if any - holders of water rights on the subject stream. or in the area generally;
- i) Water in the Coeur d'Alene Forest, and in the subject stream is in abundance and flows all year; and
- j) In all the circumstances, the granting of the requested relief is fair and just.

REQUESTED RELIEF

- 34. We hereby apologize to this Honorable Court for the inconvenience caused by this matter.
- 35. As Owner, Snowshoe Mining Company hereby requests that this Honorable Court grant the within Motion and set aside the Final Order of January 30, 2017 as against **SNOWSHOE MINING COMPANY, Water Right 94-2064**, with leave to file a claim for adjudication with this Court within such time and on such terms as this Honorable Court may deem fit.

ALL OF WHICH IS RESPECTFULLY SUMMITTED this 14th day of July, 2017

SNOWSHOE MINING COMPANY

per: 
Donald Beehner, President

Tel: 208-682-4330

Copies to:

- (1) Daycon Minerals Corporation
- (2) IDWR Document Depository
PO Box 83720
Boise, Idaho. 83720-0098
- (3) United States Department of Justice
Environmental & Nat'l Resources Div.
550 w Fort Street. MSC 033
Boise, Idaho 83724
- (4) Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, Idaho. 83720-0010

1404 6/18

"A"

* 34 - County: Shoshone,
Stream: Gentle Annie Creek.
Amount: one Sec. ft.
Use: Mining etc.
Priority: 1/30/11

STATE OF IDAHO

Water License No. 7517.

WHEREAS, On the 30th day of January, A. D. 1911, SNOWSHOE MINING CO.,

of Mallan, County of Shoshone, State of Idaho, duly made application (No. 10236) to me for a permit to use one (1) cubic foot per second of the waters of WEST FORK OF GENTLE ANNIE CREEK.

County of Shoshone, State of Idaho, for lighting, ventilating and general mining purposes, and,

WHEREAS, On the 20th day of May, A. D. 1911, Permit No. 7517 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 May, A. D. 1913 and for the application to beneficial use of said water on or before the 30th day of May, A. D. 1914, and,

WHEREAS, On the 3rd day of May, A. D. 1913, SNOWSHOE MINING COMPANY,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of one (1) cubic foot per second of said waters, as evidenced by my Certificate No. 7517 dated August 23, 1913, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use one (1) cubic foot per second of said water, with date of priority of January 30, 1911, and

WHEREAS, On the 3rd day of May, A. D. 1915, SNOWSHOE MINING COMPANY,

the holder of said permit, duly made proof of the application to beneficial use of one (1) cubic foot per second of said water.

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to SNOWSHOE MINING COMPANY,

of Mallan, County of Shoshone, State of Idaho, the holder and owner of said Permit No. 7517, a perpetual right, dating from Jan. 30, 1911, to the use of one (1) cubic foot per second of the waters of West Fork of Gentle Annie Creek,

in the County of Shoshone and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted approximately 1000 feet above the mouth of West Fork of Gentle Annie Gulch,

and conducted to ~~under~~ the power station, situated just above the junction of the East and West Forks of Gentle Annie Gulch.

uses, for the purpose of lighting, ventilating and general mining/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 23rd day of August, A. D., nineteen hundred and thirteen

(Seal)

P. F. King,
State Engineer.

7/18

7317

94-2064

No. 10256

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of Applicant: Snowshoe Mining Co

Postoffice address: Mullan

County: Shoshone State Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: Sept 1903 Idaho

(d) The names and addresses of directors: A Hutton. Paul Lucia. James
Dean H J. McHugh. Mullan. Idaho & H H Burns. Spokane Wash

II. The financial resources of the applicant are:

(c) Bonds to be issued: None

(d) Other resources: None

2. The quantity of water claimed is One cubic foot per second.

3. Source of water supply: West Fork of Gentle Annie creek

County of Shoshone

4. Location of point of diversion: Approximately. 1000. feet to the mouth of West Fork

5. To be used for:

II. Mining, power, manufacturing or transportation purposes:

(a) To be used for: Lighting & Ventilating purposes

(b) Amount of power to be generated: Fifteen horse power.

(c) At what point: 550 feet below dam

(d) Is water to be returned to any stream: Mouth of the West Fork

(e) If so, name stream and locate point of return: About 700 feet below dam

6. Estimated cost of works: \$700. Seven hundred Dollars

7. Description of works for diversion:

I. Kind of works: dam, flume, reservoir, pipe line

II. Dimensions of works:

(a) Height of dam three feet, length of dam at top twenty two feet, length
of dam at bottom twelve feet. Material used in construction: wood

(b) Capacity of reservoir: 27 cubic feet.

(c) Size of headgate: Width 12 inches, height 16 inches.

(d) Conduit flume, width at bottom one foot, width at water line one foot,
depth of water 4 inches in flume, Diameter of pipe: 2½ inches. Average
grade per mile is 25 feet, Length of conduit is 550 feet and it crosses
the following quarter sections: unsurveyed S.W.¼ Sec. 19, N.W.¼ Sec. 20 &
4S N., R. 6 E. Hunter Mining District on the West Fork of Gentle Annie
Creek to point described in 5 II (e) above which is the point of intended
use.

8. The time required for the completion of the construction of such work is Two years.
9. Time required for the complete application of the water to the proposed use is One additional year.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Snowshoe Mining Co

Applicant.

By Paul Lucia.....Agent.

APPROVAL OF STATE ENGINEER.

The number of this permit is 7217.

Date of first receipt of application 9.00 a.m. January 30, 1911.

Returned to applicant for correction May 1, 1911.

Corrected application received April 30, 1911.

Recorded in Book 22 Page 7217 Approved May 20, 1911.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before July 19, 1911, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before May 20, 1912.

The whole of said work to be completed on or before May 20, 1913.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to May 20, 1914.

Witness my hand this twentieth day of May, 1911.

A.E. Robinson

State Engineer.

Proof of completion of works and beneficial use of water made May 3, 1913.

Report of examining engineer received May 22, 1913.

Affidavit of publication and fees received July 26, 1913.

Certificate and license issued August, 23, 1913.

PERMIT NO. 7317.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Snowshoe Mining Company, of Mullan, County of Shoshone, and State of Idaho, the holder of Permit No. 7317, issued upon Application No. 10236, bearing date of priority of January 30, 1911, authorizing the diversion of one(1) second foot of the waters of West Fork of Gentle Annie Creek, County of Shoshone, State of Idaho, for lighting, ventilating and general mining purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use one (1) second foot of the waters of West Fork of Gentle Annie Creek; that the point of diversion of said waters is approximately 1000 feet above the mouth of the West Fork of Gentle Annie Creek, and that the place of use of said water is at the power station, situated just above the junction of the East and West Forks of Gentle Annie Gulch.

Witness my hand this 23rd day of August, A.D. 1913.

P.P. King,

State Engineer of the State of Idaho.

License issued for 1 second feet

Page 1402

REPORT OF ENGINEER

1. State name of applicant and number of permit: Snowshoe Mining Co., 7317.
2. State source of water supply: West Fork Gentle Annie Gulch
3. Location of point of diversion: Approximately 1000 feet above the mouth of the West Fork of Gentle Annie Gulch.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Works of diversion fully completed and in accordance with the terms of the permit.
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: The works of diversion consist of a flume
 - (b) Width at water line: 1' x 1', 10 feet long leading from a dam, 12 feet
 - (c) Depth of water: long, 3 feet high to a headbox 3 1/2' x 4 1/2' x 5' deep.
 - (d) Grade per mile: From this headbox, a 2 1/2" pipe, 600 feet long, leads to point of use.
 - (e) Capacity of ditch: one second foot. second foot.
6. State whether or not water has been turned into works of diversion and if so, to what extent: Water has been turned into the works of diversion to the full extent of the permit.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract:

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

Robert S. Merriam

STATE OF IDAHO,

County of Franklin ss.

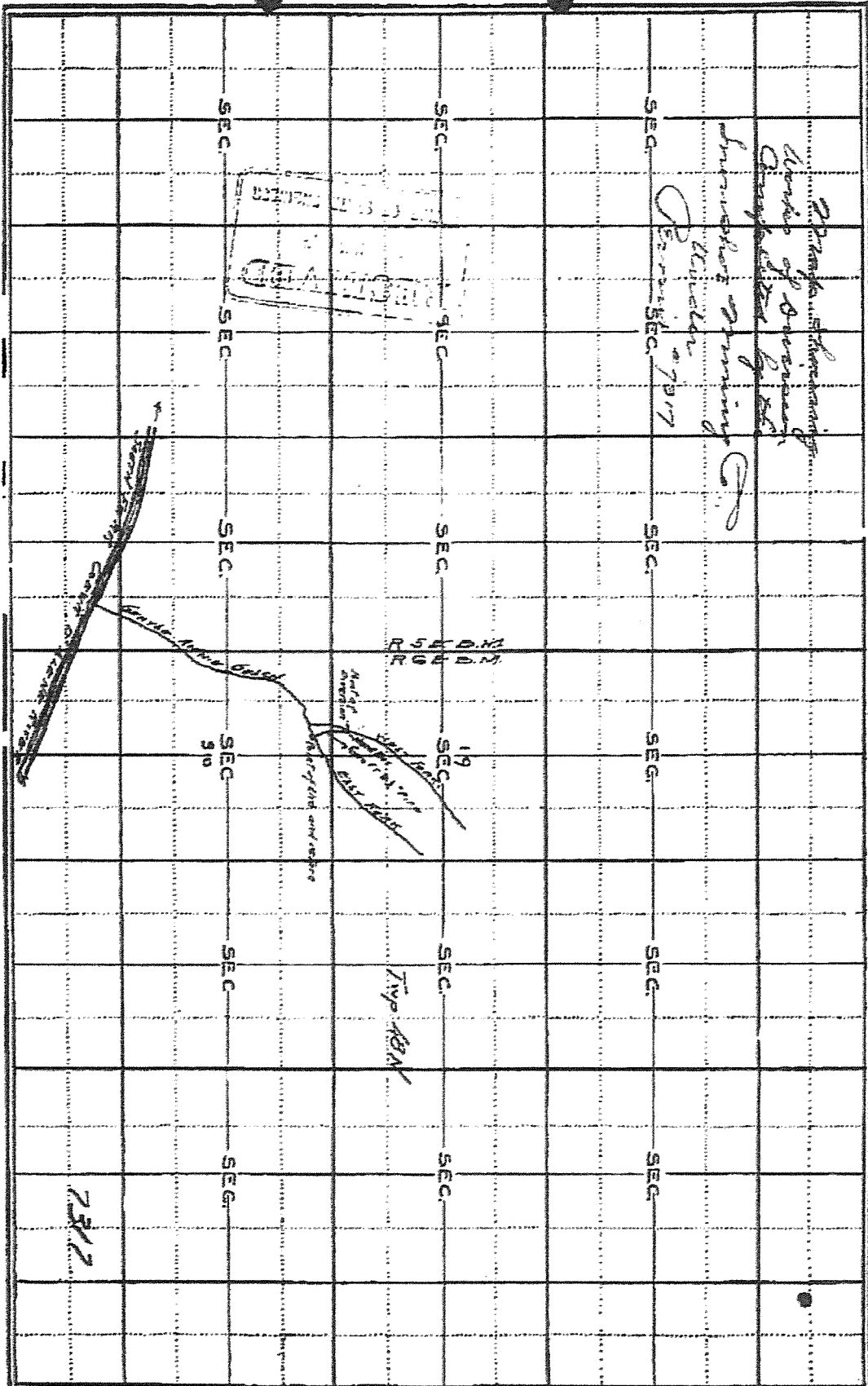
Robert S. Merriam, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 19th day of May, 1913

My Commission Expires January 15, 1917 M. Chenoweth Notary Public

7317

Name of Applicant



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

Printed and for sale by the Stationer Shop, Baton Rouge.

(" B ") 13/18

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report
1/1/2013
WATER RIGHT NO. 94-2064

Owner Type **Name and Address**

Current Owner SNOWSHOE MINING CO
MULLAN, ID

Priority Date: 01/30/1911
Basis: License
Status: Active

Source

Tributary

GENTLE ANNIE GULCH CREEK SOUTH FORK COEUR D ALENE RIVER

Beneficial Use From To Diversion Rate Volume

MINING / / 1 CFS

POWER / /

Total Diversion 1 CFS

Location of Point(s) of Diversion:

SESW Sec. 19 Township 48N Range 06E SHOSHONE County

POWER Use:
Hydropower Kilowatts: 0

Place(s) of use: No POUs found for this right

Conditions of Approval:

1. P/D & P/U INCOMPLETE. SEE FILE

Dates:

Licensed Date: 08/23/1913

Decreed Date:

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

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RECEIVED

JAN 31 2017

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JAN 30 2017

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk

Deputy Clerk

In Re CSRBA

Case No. 49576

) Water Rights: See Attached Exhibit A

)
) FINAL ORDER DISALLOWING WATER
) RIGHT CLAIMS

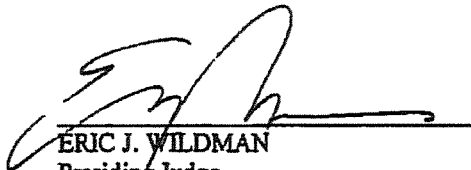
On February 25, 2016, the Idaho Department of Water Resources filed its *Director's Report for Basin 94 Water Rights*, recommending that the water right claims listed on the attached Exhibit A be dismissed. No objections were filed to these recommendations and the time for filing objections has expired.

THEREFORE IT IS ORDERED AND ADJUDGED that the water right claims listed on the attached Exhibit A are hereby disallowed with prejudice and shall not be confirmed in any partial decree or in any final decree entered in the CSRBA, Case No. 49576, in whatever form that final decree may take or be styled.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED January 30, 2017.


ERIC J. WILDMAN
Presiding Judge

Coeur d'Alene-Spokane River Basin Adjudication

EXHIBIT A TO FINAL ORDER DISALLOWING WATER RIGHT CLAIMS

94-02000	CANYON CREEK ELECTRIC LIGHT	94-02117	CANYON LIGHT POWER & WATER CO
94-02002	GARANSON, CHARLES	94-02118	KEYS, D E
94-02004	GREENOUGH, W D	94-02119	ROSE LAKE LUMBER CO
94-02005	GREENOUGH, W D	94-02121	OREGON WASHINGTON RAILROAD &
94-02006	GREENOUGH, W D	94-02124	ROSE LAKE LUMBER CO LTD
94-02008	MARKWELL, J FRED	94-02126	BERGMAN, CARL AUGUST
94-02010	TOMSCHE, EMIL	94-02130	PAPESH MEAT CO
94-02011	SUCCESS MINING CO LTD	94-02135	GIBSON, W L
94-02012	HAYES, ARTHUR	94-02136	HILARITY LEAD SILVER MINING CO
94-02016	TRIBOLET, MANFRED	94-02137	SIDNEY MINING CO
94-02017	CHICAGO LONDON MINING CO	94-02140	SILVER STANDARD MINING CO
94-02018	MOE, W K	94-02142	PUBLIC UTILITIES CONSOLIDATED
94-02019	SUCCESS MINING CO LTD	94-02146	HIGHLAND SURPRISE CONSOLIDATED
94-02020	DOLS, LOUIS	94-02147	WEBSTER, MORTON
94-02021	CARNEY COPPER CO LTD	94-02149	PUBLIC UTILITIES CONSOLIDATED
94-02024	SCHELLER, RICHARD	94-02150	OREGON WASHINGTON RAILROAD &
94-02025	AULBACH, ADAM	94-02158	OFNER, SAMUEL
94-02028	CANYON LIGHT POWER & WATER CO	94-02159	POLARIS DEVELOPMENT &
94-02031	REINDEER QUEEN MINING CO	94-02162	KELLOGG COUNTRY CLUB
94-02040	ONDES, PETER	94-02164	FERGUSON, MRS JOHN F
94-02041	COEUR D ALENE VULCAN MINING CO	94-02172	COUNTY OF SHOSHONE
94-02043	COPPER KING MINING &	94-02189	SHIPLETT, C M
94-02045	PAGE MINING CO	94-02190	TESTER, BENJAMIN WAYNE
94-02046	PAGE MINING CO	94-02191	HECLA MINING CO
94-02047	NICHOLLS, W F	94-02192	CALLAHAN CONSOLIDATED
94-02048	MINE VENTURES LLC	94-02194	ZANETTI, BROMO
94-02049	MINE VENTURES LLC	94-02195	SPOKANE-IDAHO MINING CO
94-02050	ALICE CONSOLIDATED MINES INC	94-02197	SIDNEY MINING CO
94-02051	BEAR TOP MINING CO	94-02198	SIDNEY MINING CO
94-02052	BEAR TOP MINING CO	94-02201	TAYLOR, J W
94-02056	WEST, WARD N	94-02207	COE, CARL
94-02057	RICHOTT, LOUISE	94-02208	THOMPSON, CLYDE J
94-02058	CALEDONIA MINING CO	94-02210	VULCAN SILVER LEAD CORP
94-02059	CARTER, MARY S	94-02214	DALTON, RUSSELL I
94-02061	OXLEY, EDMON R	94-02216	PINEHURST WATER DISTRICT
94-02062	HECLA LTD	94-02217	US DEPT OF AGRICULTURE
94-02063	HECLA LTD	94-02222	CRESCENT SILVER MINES INC
94-02064	SNOWSHOE MINING CO	94-02224	HECLA LTD
94-02065	SILVER MOUNTAIN MINING CO LTD	94-02225B	PUBLIC UTILITIES CONSOLIDATED
94-02066	CHICAGO BOSTON MINING CO	94-02227	DEPT OF ENVIRONMENTAL QUALITY
94-02068	IOOF NO 33	94-02228	GALENA MINING CO
94-02069	FEDERAL MINING & SMELTING CO	94-02230	NATIONAL COPPER MINING CO LTD
94-02080	NATIONAL COPPER MINING CO LTD	94-02231	MURPHY, KATERINE
94-02086	SUCCESS MINING CO LTD	94-04002	ALLEN, WILHELMINA NOWLIN
94-02087	NATIONAL COPPER MINING CO LTD	94-04006	BURMEISTER, JOHN
94-02090	BRETT, T F	94-04009	DALTON, RUSSELL I
94-02092	HECLA LTD	94-04018	SNIDER, WILLIAM A
94-02095	BEEBE, JOHN D	94-04020	VISINTAINER, ADOLPH
94-02096	FEDERAL MINING & SMELTING CO	94-04022	COKER, RICK L
94-02097	WALLACE, OSCAR B	94-04026	STEVENSON, WILLIAM
94-02099	OOM PAUL CONSOLIDATED	94-04028	ANGLE, FLOSSIE
94-02102	NABOB CONSOLIDATED MINING CO	94-04031	BOYD, JAMES H
94-02104	WINTON LUMBER CO	94-04038	GALLUP, JAMES PAUL
94-02105	LOMBARDY MINING & MILLING CO	94-04041	NICKERSON, THELMA
94-02109	MC GOLDRICK LUMBER CO	94-04044	SMITH, SAM
94-02112	DALO, ANGELO	94-04046	GARNER, HAROLD D

94-04050 MC PHERSON, FRANK R
94-04052 MC GRAW, GARY
94-04055 GREVE, LEO
94-04060 GARRISON, HARRY K
94-04062 KELLOGG JOINT SCHOOL
94-04063 MC LAIN, MARION W
94-04064 CHAMBERS, ALTON A
94-04065 LEETCH, JOHN
94-04066 BYINGTON, THAYER L
94-04067 JENNINGS, WESLEY A
94-04068 JOHNSON, LAWRENCE B
94-04069 KORBEL, CHRISTINE J
94-04070 WALKER, SHARON J
94-04075 APPELBERG, MYRTLE F
94-04086 KDM ID LLC
94-04088 CALABRETTA, BENNIE GEORGE
94-04089 ALMQUIST, HARRY
94-04090 ALMQUIST, HARRY
94-04093 MC CREARY, HAROLD G
94-04094 CITIZENS UTILITIES CO
94-04095 CITIZENS UTILITIES CO
94-04098 HENDRICKSON BROTHERS
94-04099 HENDRICKSON BROTHERS
94-04100 WOLFGRAM, FOSTER S
94-04101 RUSSELL, BERT A
94-04103 US DEPT OF AGRICULTURE
94-04104 US DEPT OF AGRICULTURE
94-04182 OREGON WASHINGTON RAILROAD &
94-04187 HAGAMAN JR, JON P
94-04191 MC GRAW, GARY
94-04197 VAN DORN, FOREST G
94-04201 SALA, FRANK R
94-04202 LEE, HAROLD N
94-04205 USDI BLM
94-04206 USDI BLM
94-04207 HOLMES, FLORA B
94-04211 HECLA MINING CO
94-04213 TALLENT, DOROTHY IRENE
94-04214 TALLENT, LUKE T
94-04215 TALLENT, DOROTHY IRENE
94-04216 BUNKER LTD PARTNERSHIP
94-04219 EILTS, B M
94-04224 WATTS, JOE L
94-04225 RICE, PHYLLIS H
94-04228 NABOB SILVER LEAD CO
94-04230 NINE MILE CEMETERY ASSN INC
94-04231 COMER, CRAIG
94-04232 BABIN, LLOYD
94-04234 MADSEN, MARJORIE R
94-04236 HOILAND, ROBERTA
94-04240 GRAHAM, LEROY
94-04241 MC CONNEL, JON
94-04245 BUNKER LTD PARTNERSHIP
94-04246 ROYAL APEX SILVER
94-04247 HIGHLANDS AURORA MINING CO
94-04249 ROYAL APEX SILVER
94-04250 HIGHLANDS AURORA MINING CO
94-04251 HIGHLANDS AURORA MINING CO

94-04256 PIEKARSKI, DONALD J
94-04257 PATTERSON, R DUKE
94-04258 BURLINGTON NORTHERN
94-04259 BURLINGTON NORTHERN
94-04260 BURLINGTON NORTHERN
94-04261 BURLINGTON NORTHERN
94-04262 CENTRAL SHOSHONE COUNTY WATER
94-04266 SMITH, GEORGE L
94-04269 TURNBOW, ROBERT S
94-04275 MARCEA, JOSEPH
94-04277 KRAFT, LINDA J
94-04278 SVERDSTEN LOGGING CO INC
94-04279 BURLINGTON NORTHERN
94-04280 BURLINGTON NORTHERN
94-04281 BURLINGTON NORTHERN
94-04282 BURLINGTON NORTHERN
94-04284 BRANZ, LOUIS
94-04286 RUSSELL, HOWARD W
94-07003 STUART, EDWIN
94-07016 MC DANIEL, BUFORD D
94-07040 HARVEY, CAROL DM
94-07052 HERBOLDT, MAT
94-07055 HUSTON, JOE R
94-07059 PIK KWIK GROCERY
94-07061 PA HA CO
94-07064 WENGER, GLEN L
94-07097 WALLACE SCHOOL DISTRICT #393
94-07110 HANSEN, JOHN
94-07113 DE LUCA, ERNEST L
94-07139 WALLACE SCHOOL DISTRICT #393
94-07140 BERQUIST, ROBERT
94-07142 GARNER, HAROLD D
94-07176 KOENIG, WILLIAM
94-07192 GROOT, JOHN A
94-07198 GIST, MARK W
94-07210 PETERSEN, JAMES M
94-07216 SHERMAN, ELVIN O
94-07219 BENSON, HOMER
94-07231 DE WITT, WILLIE
94-07232 DE WITT, WILLIE
94-07268 BABIN, RICHARD
94-07272 BEKEL, DEBORAH
94-07276 MATTSON, KATHY
94-07278 HUFF, TOM
94-07283 UNITED STATES OF AMERICA
94-07286 WALLACE SCHOOL DISTRICT #393
94-07297 GENWOVE US LTD
94-07298 HOFFMAN, ROBERT C
94-07299 MILESI, NAOMI
94-07301 KELLOGG TRANSFER CO
94-07302 SMITH, DAVID L
94-07309 DEPT OF TRANSPORTATION
94-07311 U S SILVER CORPORATION
94-07326 HARBISON, MELVIN
94-07336 BABIN, RICHARD
94-07352 NORTHWOOD LAND
94-07354 JONES, MIKE
94-07356 FLETT, SHERYL

94-07363 JEFFCOAT, DAVID
 94-07365 HUNT, DEBBY
 94-07508 BROOTEN, KENT
 94-07512 BURKE, ROBERT L
 94-07517 MC EWAN, CHAD
 94-07531 ZYSK, VIOLETTA
 94-07547 MORT, CLIFFORD E
 94-07667 CDA RIVER ESTATES
 94-07668 CDA RIVER ESTATES
 94-07709 BURKHART, HERBERT W
 94-07710 HELMS, MINDYN HEATHER
 94-07717 DENST, ROBERT
 94-07752 W O WHITE LLC
 94-07791 THE TERTELING CO INC
 94-07797 CANNADAY, CAROL
 94-07799 ROWE, IDA
 94-07880 REYNOLDS, JOSHUA
 94-08109 RAINIO, RAYMOND
 94-08249 DILDAY, DORIS
 94-08306 SIEVERDING, LARRY
 94-08349 SCHWARTZ, FRANCES M
 94-08503 JUTILA, JOHN
 94-08512 UNITED STATES OF AMERICA
 94-08551 PETTIT, ROBERT
 94-08568 BARTSCH, RUSSELL
 94-08575 COMSTOCK, JERRY
 94-08640 KINCHELOE, VERA
 94-08647 BERGER, MARK
 94-08671 PICKARD, IRMA B
 94-08672 ETHERTON, JACK
 94-08756 ROGERS, VERNON
 94-08780 BURNELL, ALICE
 94-08873 LAMBROS, JOHN R
 94-08879 KEG INVESTMENTS LLC
 94-08893 HAYNES, GAIL
 94-08899 HENDRICKSON, ROSALIE
 94-08913 HAYNES, JAYME
 94-08921 SNOWSTORM ENTERPRISES LLC
 94-08923 SNOWSTORM ENTERPRISES LLC
 94-08931 YOUNT, RAY S
 94-0894-0 ANDERSON, CRAIG
 94-0894-6 FRAZIER, ROSIE
 94-09003 STEIN, DARREN
 94-09011 FLECHSING, CHRISTINE
 94-09036 CARON, JERRY JOE
 94-09054 NEWELL, WILLIAM J
 94-09060 BISON RIDGE LLC
 94-09071 HAYMAN, THOMAS A
 94-09079 BURMEISTER, JON
 94-09216 KRAFT, LINDA J
 94-09217 KRAFT, LINDA J
 94-09218 CAMP, STEVE
 94-09312 PASSER, DONALD
 94-09340 BLACK LAKE SHORES ASSOCIATION
 94-09341 MANFULL, NICHOLAS
 94-09383 BOLINGER, FARRELL C
 94-09422 STECKLER, RONALD