

My name is _____

My address is _____

My phone number is: work _____ Home _____

☒ I am an attorney representing Snowshoe Mining Co.

My name is James McMillan, Esq., Atty. at Law

My address is 512 Cedar Street

Wallace, ID 83873

My phone number is (208) 752-1800

☐ I did not file a Notice of Claim to the use of water in the CSRBA because:

Snowshoe Mining did not initially receive notice to present
its claim, resulting in an Order of Disallowance. The
order of Disallowance has now been set aside.

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☒ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you must attach a copy of your Notice of Claim.)

See attached License, Application for Permit, Report of
Engineer, and maps.

A Motion to File Late Notice of Claim will require a hearing before the Presiding Judge.

Follow these instructions regarding the hearing on the motion.

1. Contact the Clerk of the CSRBA Court at (208) 736-3011 to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(insert date and time)
at the CSRBA Courthouse, 253 Third Avenue North, Twin Falls, Idaho.

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. §42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$_____.
- ☒ A claim filing fee and a late claim fee for those claims other than domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 150.

INSTRUCTIONS FOR MAILING

You must mail the 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 Feb. 23, 2018, I mailed the original and copies of this Motion, including all attachments, to the following persons:

1. Original to:

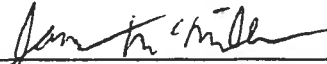
Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. 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



Signature of Movant or attorney
mailing on Movant's behalf

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

1404 6/18

"A"

STATE OF IDAHO

Water License No. 7317.

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

of Malles, 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. 7317 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 be 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, SNEOWHOLE 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. 7317 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. 1913, SNEOWHOLE 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 SNEOWHOLE MINING COMPANY,

of Malles, County of Shoshone, State of Idaho, the holder and owner of said Permit No. 7317, 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 ~~equipped~~ 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.

44 2064

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 Eutton. 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 north 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: 2 1/2 inches. Average grade per mile is 25 feet, Length of conduit is 550 feet and it crosses the following quarter sections: unsurveyed S.W. 1/4 Sec. 19, N.W. 1/4 Sec. 20 & 48 N., R. 6 E. Hunter Mining District on the West Fork of Gentle Annie Creek to point described in 5 II (c) 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 7317.

Date of first receipt of application 9.00 a.m. January 20, 1911.

Returned to applicant for correction May 1, 1911.

Corrected application received April 30, 1911.

Recorded in Book 22 Page 7317 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 15, 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 5, 1913.

Report of examining engineer received May 23, 1913.

Affidavit of publication and fees received July 28, 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 Snodgrass Mining Company, of Mallan, 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 foot
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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: _____

STATE OF IDAHO,

County of Franklin

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.

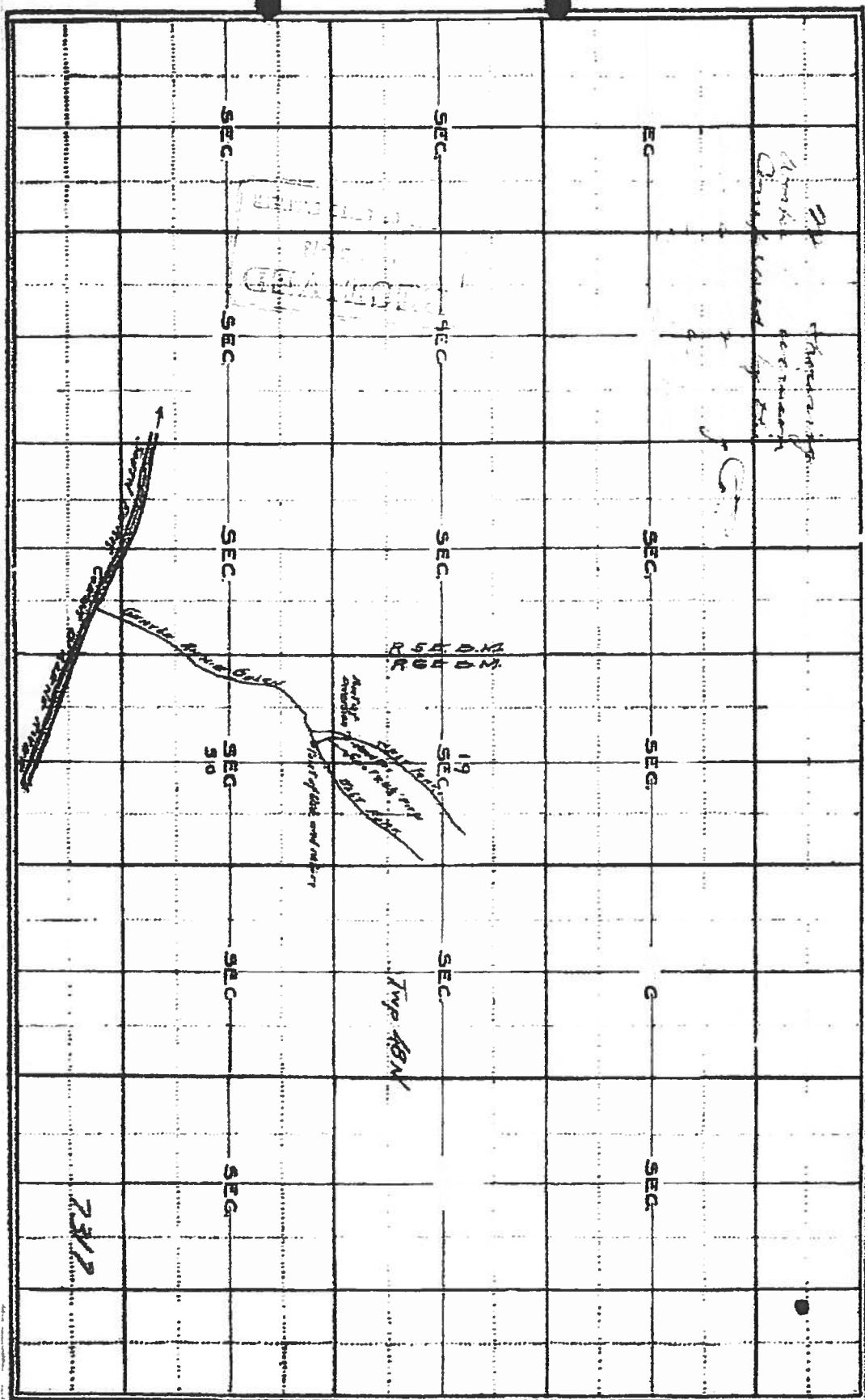
Subscribed and sworn to before me this 19th day of May, 1913

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 Stationery Shop, Boise, Idaho.