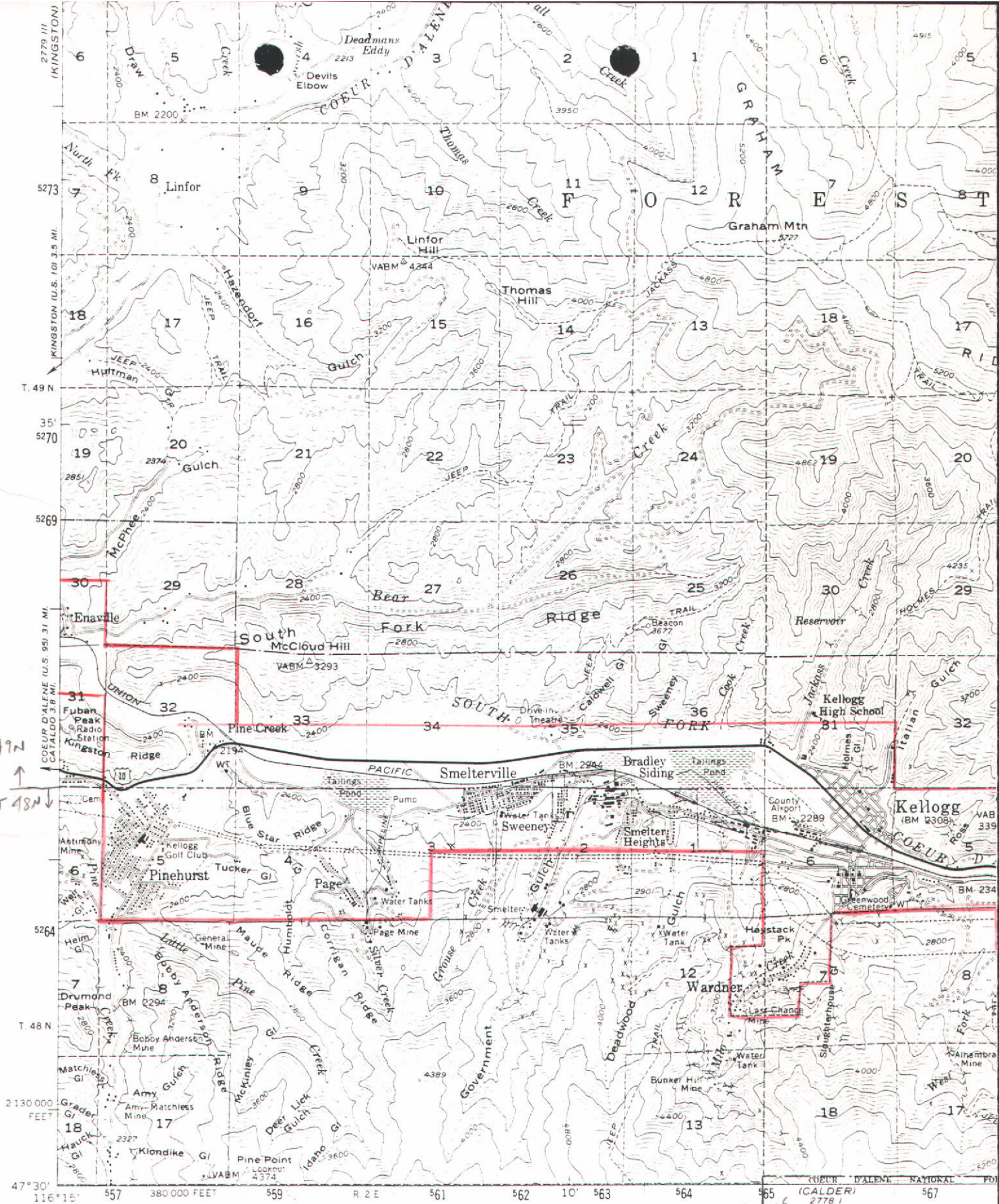




Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

Topography from aerial photographs by ER-55 plotter
Aerial photographs taken 1954 Field check 1957

Polyconic projection: 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
west zone

1000-meter Universal Transverse Mercator grid ticks,
zone 11, shown in blue

Red tint indicates areas in which only
landmark buildings are shown

Dashed land lines indicate approximate locations

Unchecked elevations are shown in brown

UTM GRID AND 1947 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225 OR W
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER AND)
APPLICATION FOR EXTENSION OF TIME TO AVOID) ORDER
FORFEITURE FOR WATER RIGHT NO. 94-02213)

In October, 1989, Bunker Limited Partnership filed with the Department an application for Extension of Time to Avoid Forfeiture of Water Right No. 94-2213.

In January, 1990, Shoshone County filed an application for transfer which proposed a change of the nature of use of water right no. 94-2213 from mining, milling and domestic use to industrial, commercial and municipal use. The county also submitted an option contract with Bunker Limited Partnership that gave the county the option to purchase the water right.

Although water right no. 94-2213 authorized diversion of 12.9 cfs from ground water, Shoshone County represents that only 11.8 cfs has been diverted. Shoshone County also represents that the 11.8 cfs was diverted continuously for the smelter and mill. Finally, Shoshone County estimates that 50% of the water diverted was converted to steam during the cooling process and was released to the atmosphere.

A diversion in the particular location proposed will not injure other water rights. With sufficient limitations, the use will not result in an enlargement.

Shoshone County has asked for a municipal use of the water. "Municipal" is a use designation that has been granted only to incorporated cities, and has not been granted to other public or private entities. The use designation of "domestic" can be substituted in its place, however.

The Department recognizes that the county is implementing a development plan that may take years to complete. The transfer should be approved with a recognition that, if the pumping plant and main distribution system is in place, the Department will not seek forfeiture or abandonment of a portion of the water right if it is not being completely used. The county should, however, provide periodic reports to the Department regarding the extent of development so that the various components of the water right may be evaluated. At the present time, the Department does not know how much water each of the proposed uses will use and consume. Periodic five year reports will assist the Department in evaluating the volume component of each of the uses.

ORDER

IT IS HEREBY ORDERED that application for transfer no. 3674 proposing to change the nature of use and place of use for water right no. 94-2213 is APPROVED for industrial, commercial and domestic purposes subject to the following conditions:

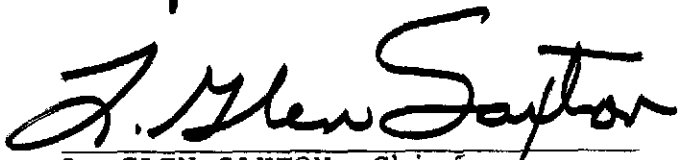
1. The quantities that may be diverted under this right shall not exceed the following parameters:

<u>Quantity</u>	<u>Amount</u>
Flow rate	11.8 cfs
Annual Volume Diverted	8543 acre-feet
Consumptive Use	4272 acre-feet

2. Shoshone County shall submit to the Department of Water Resources a report regarding the development pursuant to this transfer in 1995 and in 2000.

IT IS FURTHER ORDERED that application for Extension of Time to Avoid Forfeiture of Water Right no. 94-2213 filed by Bunker Limited Partnership is APPROVED. Resumption of use is required on or before December 1, 1996.

Dated this 13th day of August, 1990.

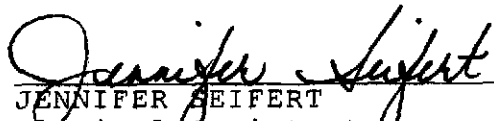

L. GLEN SAXTON, Chief
Water Allocation Bureau

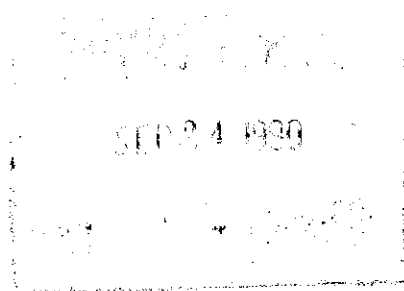
CERTIFICATE OF MAILING

I hereby certify that on this 20th day of August, 1990, I mailed a true and correct copy of the Order, postage prepaid, to the following individuals:

Bunker Limited Partnership
P.O. Box 29
Kellogg, ID 83837

Shoshone County Commissioners
County of Shoshone
Shoshone County Courthouse
Wallace, ID 83873


JENNIFER SEIFERT
Clerical Assistant



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3674

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Board of County Commissioners, County of Shoshone, Idaho Phone 752-3331

Post Office address County Courthouse, Wallace, Idaho 83873

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☒ Other Change in Ownership
2. Describe the reason for the proposed changes Shoshone County is purchasing the Enaville Well and Bunker Hill water system from Bunker Limited Partnership. Shoshone County intends to use the water for commercial and domestic purposes for the benefit of the public.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|----------|-----------------------|---|--------------------------|
| 94-2213 | 9/25/56 | 12.9 | Industrial | January 1 to December 31 |
| | | 12.9 | Commercial | January 1 to December 31 |
| | | 12.9 | Municipal | January 1 to December 31 |
| | | | | to |
| 2. Total amount of water being transferred | | 12.9 | cubic feet per second and/or _____ acre-feet per annum. | |
| 3. Source of water | | Groundwater | tributary to _____ | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use: See attached list of Sections and Map

[illegible]

Total acres _____

PART 1**6. General Information:**

- a. Description of diversion system Enaville well is located approximately 100 feet from the Main Fork
Coeur d'Alene River, about 500 feet upstream of the confluence with the South Fork. The well is 56 feet
deep with a 6 foot diameter steel casing. Pipeline is 24 inch steel to 1 million gallon reservoir on
Smelter Hill.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Prior use was not irrigation. Proposed use will be for commercial, industrial, and domestic water
supply to the western Silver Valley area of Shoshone County.
- d. Remarks:
The transfer of this water right will allow beneficial use of the Enaville well water for the benefit
of the citizens of Shoshone County. The previous water right was incorrectly identified as a surface
water source, when in fact the source is groundwater.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 94-2213

And said application is hereby APPROVED, subject to the following limitations and conditions:

Water diverted for municipal purposes shall meet Idaho Water Quality Standards.

MICROFILMED

SEP 24 1990

Witness my hand this

13th

day of

August, 19 90L. Shu Saylor

Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 94-02213 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below: (EXHIBIT II-B-2 AMENDED)

☐ Tax Notice

☐ Warranty Deed

☒ Other AGREEMENT

3. Source of water COEUR D'ALENE RIVER tributary to COEUR D'ALENE LAKE

4. Date or priority SEPT. 25, 1956

5. Water is used for the following purpose: MINING, MILLING,

METALLURGICAL

AND DOMESTIC

amount 12.9 for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 12.9 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		<u>NE</u>	<u>NW</u>	<u>31</u>	<u>49N</u>	<u>2E</u>	<u>SIDESHORE</u>	<u>EMERVILLE WELL</u>

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>46N</u>	<u>2E</u>	<u>2</u>	x	x	x	x													

MICROFILMED

SEP 24 1990

Total acres _____

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

MICROFILMED

SEP 24 1990

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

Shoshone County intends to implement productive use of the water from the Enaville well in 2 phases:

Phase 1

The County will utilize the well water under this phase for commercial, industrial, and fire protection uses primarily in the Kellogg and Smelterville areas.

Phase 2

If the well water quality passes tests over the next year for EPA's new drinking water standards, then the County would intend to also supply water to domestic water systems in the Silver Valley area, including Central Shoshone Water District.

MICROFILMED

SEP 4 1990

PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>Industrial, Commercial & Domestic</u>	<u>12.9 cfs</u>	<u>variable w/demand</u>	<u>Jan. 1</u> to <u>Dec. 31</u>
				to _____

2. Quantity and quality of return flows and location of discharge:

All non-industrial uses would return through existing public sanitary sewer system in the Kellogg/Smelterville area

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

SHOSHONE COUNTY, SHERRY KRULITZ, CHAIRMAN

Sherry Krulitz
(Signature of Applicant)

Subscribed and sworn to before me this 10th day of October, 19 89.

Connie L. Paddy
(Notary Public)

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by [Signature] Date 1/30/90 12/14/89 (myces) Protest filed by _____

Prelim. check by _____ Fee \$50

Receipted by [Signature] Date 1/30/90 (N 3556)

Published in Shoshone Cty. News Press Copies of protest forwarded by _____

Pub. dates 2/15+22/90 Hearing held by _____ Date _____

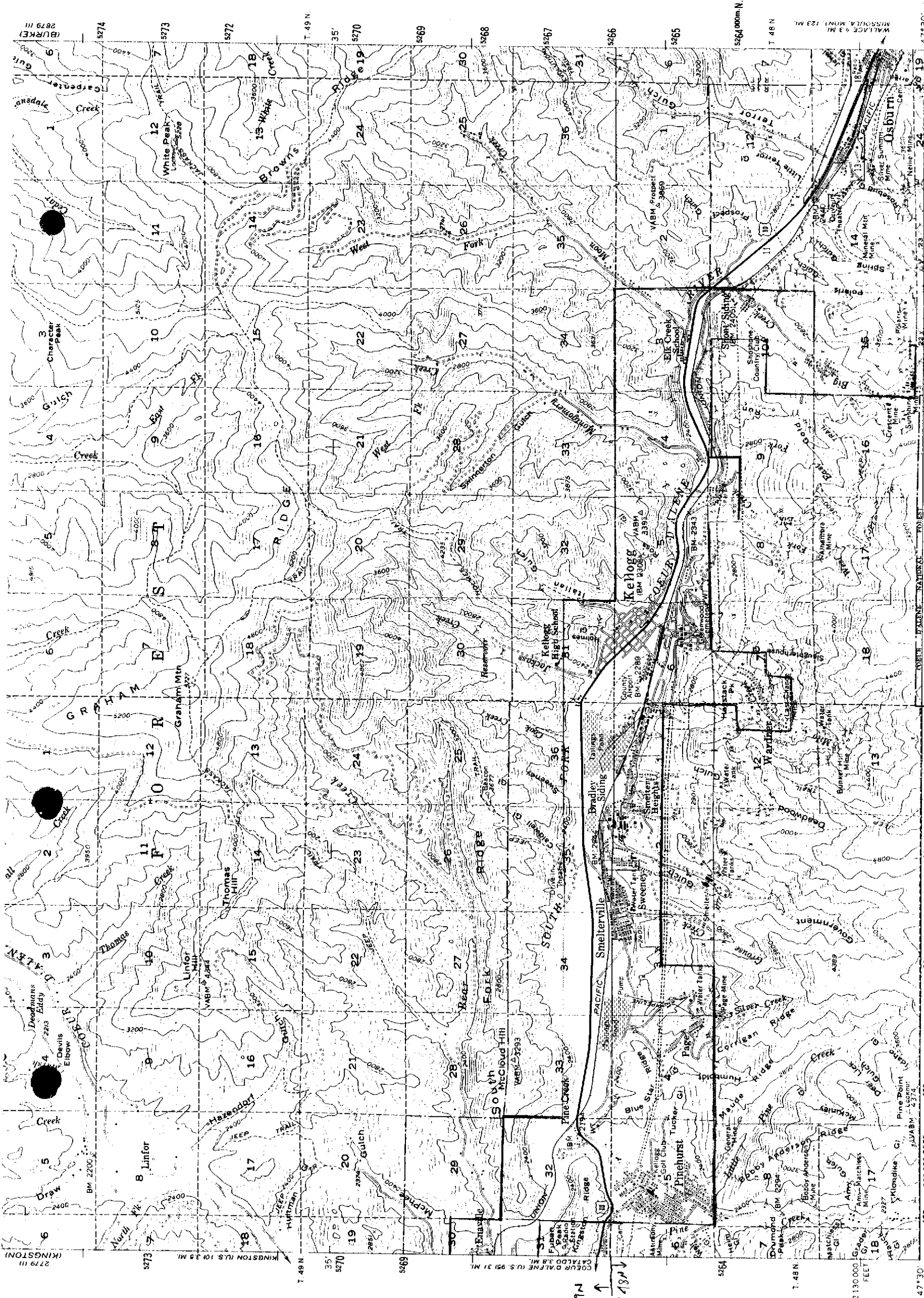
Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by [Signature]

Copy of transfer sent to lien holder _____

MICROFILMED

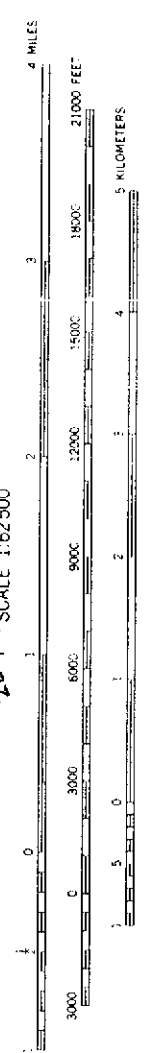
SEP 24 1990



MICROFILMED

SEP 24 1990

ROAD CLASSIFICATION
Heavy-duty
Light-duty
Unimproved dirt
U S Route



CONTOUR INTERVAL 80 FEET
ELEVATION IN FEET

UTM GRID AND 1983 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET
Red tint indicates areas in which only landmark buildings are shown
Cashed land lines indicate approximate locations
Unchecked elevations are shown in brown

FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225 OR WASHINGTON, D. C. 20242
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

KELLOGG, IDAHO
N4730-W11600/15
1957
AMS 2779 II-SERIES V793

SHOSHONE COUNTY TRANSFER
OF WATER RIGHTS

ATTACHMENT - QUESTION 5
PLACE OF USE

Township	Range	Section	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
48 N	2 E	1	X	X	X	X	X	X	X	X								
		2	X	X	X	X	X	X	X	X								
		3	X	X	X	X	X	X	X	X	X	X	X	X				
		4	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
		5	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
48 N	3 E	3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
		4	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
		5	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
		6	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
		7					X	X	X	X	X	X	X	X	X	X	X	X
		8	X															
		9					X	X										
		10	X	X	X	X					X	X	X	X	X	X	X	X
		12				X									X			
		15					X	X	X	X	X	X	X	X				
		31									X	X	X	X	X	X	X	X
		30													X	X	X	X
		31	X	X	X	X												
		32	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
		33									X	X	X	X	X	X	X	X
		34									X	X	X	X	X	X	X	X
		35									X	X	X	X	X	X	X	X
		36									X	X	X	X	X	X	X	X
49 N	3 E	31									X	X	X	X	X	X	X	X
49 N	2 E	30													X	X	X	X
		31	X	X	X	X												
		32	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
		33									X	X	X	X	X	X	X	X
		34									X	X	X	X	X	X	X	X
		35									X	X	X	X	X	X	X	X
		36									X	X	X	X	X	X	X	X

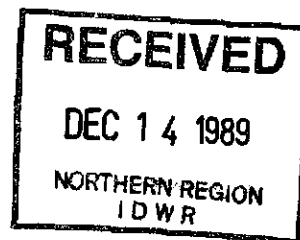
INCLUDES ALSO CORPORATE CITY LIMITS:

PINEHURST
SMELTERVILLE
KELLOGG
WARDNER

* CORRECTIONS FROM MAP - TDK - 1-31-90

MICROFILMED

SEP 24 1990



(EXHIBIT II-B-2 AMENDED)

A G R E E M E N T

BUNKER LIMITED PARTNERSHIP hereby grants SHOSHONE COUNTY, IDAHO, the option to purchase that water system described on Exhibit A hereto for the sum of Two Hundred Thousand and no/100 Dollars (\$200,000.00). This option shall remain open for acceptance by Shoshone County until December 31, 1989.

It is recognized that Shoshone County is pursuing funding for the purchase of said water system and an easement from Union Pacific Railroad and should the County not receive said funding or obtain said easement there shall be no obligation on the part of Shoshone County to purchase the water system.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed this 3rd day of August, 1989.

BUNKER LIMITED PARTNERSHIP
by BH Properties, Inc., General Partner

By: [Signature]
J. W. Kendrick, President

SHOSHONE COUNTY
BOARD OF COMMISSIONERS

By: [Signature]
Sherry Krulitz, Chairman

ATTEST:

[Signature]
Marcia Wingfield, Clerk

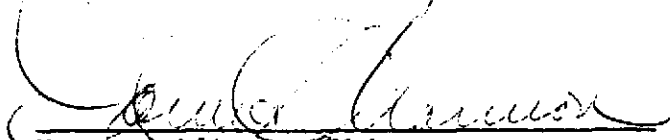
MICROFILMED

SEP 24 1990

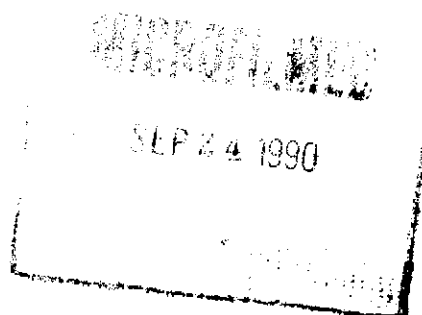
STATE OF IDAHO)
) ss.
County of Shoshone)

On this 3-24 day of August, 1989, before me, personally appeared J. W. KENDRICK, known to me to be the President of BH Properties, Inc., General Partner of BUNKER LIMITED PARTNERSHIP, the partnership that executed the within instrument, and acknowledged that said partnership executed the same as its free and voluntary act.

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



Notary Public for Idaho
Residing at Liberty
Commission Expires 11-2-91



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 26562

This proof is for Completion of Works and Beneficial Use In Water District No. _____

1. Name of applicant: Bunker Hill Company, A corporation
2. Source of water supply: No. fork Coeur d'Alene River, tributary of Coeur d'Alene Lake
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31
T. 49 N. R. 2 E. B.M. County of Shoshone
4. Describe works as they exist, giving dimensions and capacities of same: Well 60x60 in. and 5' tall. 2 - 200hp R.T. Submersible connected by 4" into 24" pipe line - part steel, part wood, wire wrapped. Water is pumped up to large water tank then to storage tank and to other places of use. Used for cooling - for domestic - for milling.
5. Water is used for: Mining, milling, metallurgical and domestic purposes -
6. State whether or not water has been turned into works of diversion: yes.
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
Place of Use: NE $\frac{1}{4}$ Section 2, Twp. 48 North, Range 2 East, B.M.
(Bunker Hill Mining and Metallurgical Plant)
5800 gpm is now pumped at present from this source.
Both pumps in same well.
Covered with heavy planks even with ground surface.
(Submit map on attached plat, showing location and details of above description.)
8. What large stream would the water here appropriated finally reach?

Remarks:

Harrel Peterson (Water Eng.) along

MICROFILMED

SEP 24 1959

This examination was made on the

30

day of

July1959

(Signed)

E. H. Thompson

26562

State of Idaho License and Certificate of Water Right

Water License No. 26562

Amount 12.9 c.f.s.

Water District No. _____

Priority September 25, 1956

THIS IS TO CERTIFY that **BUNKER HILL COMPANY**, a corporation of **Kellogg, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **September 25, 1956**; that Permit No. **26562** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **12.9 second feet**, was issued thereunder on **October 23, 1959**, showing that said works were completed on the **25 day of September, 1958**; and that on the **25 day of September, 1958**.

BUNKER HILL CO., a corporation

of **Kellogg**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of **So. Fork of Coeur d'Alene R.** tributary of **Coeur d'Alene Lake**, for the purpose of **mining, milling, metallurgical use** and domestic/under Use Permit No. **26562** of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume **11** of Licenses at page **6798**, on the **23 day of October, 1959**;

The right hereby confirmed dates from **September 25, 1956**;

The Point of Diversion is located

in the **NE 1/4 NW 1/4 Sec. 31, Tp. 49N, R. 2 E, N. M. Shoshone County**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **12.9 cubic feet per second**.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
48N.	2 E.	2	NE 1/4 - for MIN. NG. DOMESTIC PURPOSES	MILLING METALLURGICAL and	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

23 day of October, 1959

/s/ GEO. E. CARTER

State Reclamation Engineer.

(SEAL)

94 2213

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Application for Extension of Time to Avoid Forfeiture
of a Water Right

RECEIVED

DEC 14 1989

NORTHERN REGION
IDWR

Section 42-222 of the Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee of \$30.00 if the application involves 0.2 cfs or 20 acre feet or \$50.00 if in excess of these amounts.

1. Name of water right holder Bunker Limited Partnership
Post office address P.O. Box 29, Kellogg, Id.
2. The right was obtained or is evidenced by:
 - a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree _____
 - b. License No. 26562 issued by the Department of Water Resources.
 - c. Claim No. _____ on file with the Department of Water Resources.
3. Source of water well adjacent to Coeur d'Alene River tributary to Lake Coeur d'Alene
(Name of stream or source)
4. Date of priority of right September 25, 1956
5. Amount of water a. 12.9 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Mining & Milling from January 1 to December 31
from _____ to _____
from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2
Township 48N, Range 2E, B.M., in Shoshone County;
Additional points of diversion, if any _____
8. Lands irrigated or place of use: None

Twp.	Rge.	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>48N</u>	<u>2E</u>	<u>2</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>													
			<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>													

Total number of acres irrigated _____

For Department Use Only
Received by Mr. [Signature] Date 10/14/89 Time 1:30pm Preliminary check by TK
Fee \$ 20.00 Received by Mr. [Signature] Date 11/30/90
Published in Shoshone County Dates 5/31/90 Protests filed by: none
Publication approved by Mr. [Signature] Date 5/22/90
Copies of protests forwarded by Mr. [Signature] Hearing held by Mr. [Signature] Date 5/22/90
Recommended for Approval by Mr. [Signature] Denial by

MICROFILMED
SEP 24 1990

August 13 day of 19 90
J. [Signature]
Chief, Water Alloc. Bureau

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES
This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVE said application subject to the following conditions or reasons.
Beneficial use of water under this right shall resume on or before December 1, 1996.

My commission expires 11/3/91
Residing at Cataldo, Idaho
(Notary Public)
Subscribed and sworn to before me this 12th day of October, 19 89.
J. W. Kendrick, President
(Signature of Applicant)
BUNKER LIMITED PARTNERSHIP
BY Mr. [Signature] General Partner

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.
BUNKER LIMITED PARTNERSHIP
BY Mr. [Signature] General Partner

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use. Bunker Limited Partnership is finalizing the terms of sale of the Enaville Well to Shoshone County for other public uses. The County's new beneficial use may not be implemented for several years due to the water system construction and rehabilitation which is required.
Length of extension of time requested 3 years, or until October 1, 1992 (Date)
9. Give last date when water was applied to beneficial use Nov. 1984

State of Idaho License and Certificate of Water Right

Water License No. 26562

Amount 12.9 c.f.s.

Water District No.

Priority September 25, 1905

THIS IS TO CERTIFY that BUNKER HILL COMPANY, a corporation

of Kellogg, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 25, 1905, that Permit No. 26562 was issued under said application that Certificate of Completion of work, with a carrying capacity of 12.9 cubic feet per second, was issued thereunder on October 21, 1905, for the purpose of mining, milling, metallurgical and domestic use, and that on the 25 day of September 1905 and that on the 25 day of September 1905

made proof to the satisfaction of the State Reclamation Engineer of Idaho of the right to use the waters of No. 1 Fork of

Grass (Alamo) River tributary of Coeur d'Alene River for the purpose of mining, milling, metallurgical and domestic use under the Permit No. 26562 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 11 of Licenses at page 6798 on the 21 day of October 1905

The right hereby confirmed dates from September 25, 1905. The Point of Diversion is located in the NE 1/4 of Sec. 31, Twp. 14 N., R. 14 E., Shoshone County, Idaho. That the amount of water to which such right is entitled and hereby confirmed for the purpose aforesaid is limited to an amount actually needed and beneficially used for said purposes and shall not exceed 12.9 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres when Described in Permit	No. Acres when Actually Irrigated
18 N.	2 E.	2	NE 1/4 for MINING, MILLING METALLURGICAL and DOMESTIC PURPOSES		

The right to the use of the water aforesaid hereby confirmed is restricted to the mode or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 21 day of October 1905.

W. J. CARTER
State Reclamation Engineer

377-32218

State of Idaho
License and Certificate of Water Right

Water License No. 26562

Amount 12.9 c.f.s.

Water District No. _____

Priority September 25, 1956

THIS IS TO CERTIFY that BUNKER HILL COMPANY, a corporation of Kellogg, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 25, 1956; that Permit No. 26562 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 12.9 second feet, was issued thereunder on October 23, 1959, showing that said works were completed on the 25 day of September, 1958; and that on the 25 day of September, 1958,

BUNKER HILL CO., a corporation

of Kellogg, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of No. Fork of Coeur d'Alene River, Tributary of Coeur d'Alene Lake, for the purpose of mining, milling, metallurgical use and domestic/under Use Permit No. 26562 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 11 of Licenses at page 6798, on the 23 day of October, 1959;

The right hereby confirmed dates from September 25, 1956;

The Point of Diversion is located

in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, Tp. 49N, R. 2 E, B. M. Shoshone County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 12.9 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
48N.	2 E.	2	NE $\frac{1}{4}$ - for MINING, MILLING METALLURGICAL and DOMESTIC PURPOSES		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

23 day of October, 1959

/s/ ONO. H. CARTER

State Reclamation Engineer.

(SEAL)

94 2213

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 34456
PERMIT No. 26562
DISTRICT No.

Worthwine & Dworshak
Box 737
Boise, Idaho

1. Name of Applicant: THE BUNKER HILL COMPANY, a corporation

Postoffice address: Kellogg County: Shoshone State: Idaho

I. If applicant is a corporation, give: Incorporated July, 1887-State of Oregon

(a) Date and place of incorporation: Reincorporated March, 1924-State of Del.

(b) Amount of capital stock: Common: \$3,270,000.00 Pref. \$2,000,000.00

(c) Amount paid in: \$3,270,000.00 Common; \$840,200.00 Pref.

(d) Names and addresses of directors: John D. Bradley, W.W. Crocker, Donald H. McLaughlin, John L. Merrill and D. J. Murphy, all of San Francisco, Calif., and Stanly A. Easton, Coeur d'Alene, Idaho, and L. J. Randall, Wallace, Idaho.

II. The financial resources of the applicant are:

(a) Cash on hand: \$4,784,396.00

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. Quantity of water claimed: Twenty-three cubic feet per second.

3. Source of water supply: North fork-Coeur d'Alene River which is a tributary of Coeur d'Alene Lake

4. Location of point of diversion: S. 88°30' E-1750 feet distant from the Northwest

corner of Section 31, T. 49 N., R. 2-E., B.M., and is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$

of Section 31, T. 49 N., R. 2-E., B.M., County of SHOSHONE

5. Water is to be used for Mining, Milling, Metallurgical and domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: S. 32°W. 1450 feet distant from N.E. corner of Section 2

T. 48 N., R. 2-E., B.M., in the NE $\frac{1}{4}$ of Section 2, T. 48 N., R. 2-E., B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to South Fork-Coeur d'Alene^{River} at a point N. 24°30'W-1550 feet

distant from the South $\frac{1}{4}$ corner of Section 35, T. 49 N., R. 2-E., B.M., in the NE $\frac{1}{4}$ - SW $\frac{1}{4}$

of Section 35, T. 49-N., R. 2-E., B.M.

7. Estimated cost of works: \$ 336,575.00

8. Kind of works: Forebay & pumping plant at river and woodstove pipe line

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit 5.4 miles.

Average grade per mile 18 feet.

12. The time required for the completion of such work is Five years.

13. The time required for the complete application of the water to the proposed use is Five additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

THE BUNKER HILL COMPANY, a corporation Applicant.

By W. G. WOOLF Agent.

Date of first receipt at Department of Reclamation: 10-A.M. September 25, 1956

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 26562

Recorded in Book 94 Page 26562 Approved Oct. 4, 1956

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 approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before December 4, 1956 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 April 4, 1959

The whole of said work to be completed on or before October 4, 1961

Beneficial use of water appropriated in accordance herewith, to be made on or before October 4, 1966

WITNESS My hand this 4th day of October, 1956

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,

and JAS. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 4th

day of October, 1956.

STATE OF IDAHO

Countersigned:

(SEAL)

By ROBERT E. SMYLIE

Governor.

By JAS. H. YOUNG

Secretary of State.

REMARKS: The applicant is engaged in the production of the non-ferrous metals, lead, zinc, copper and silver. Its operations include mining, milling and metallurgical processes. Up to the present time the water used in these processes has come from springs and streams originating on property owned by the applicant, and from a number of wells. Expanding operations require the additional water asked for in this application.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
			Permit No. 26562				
			CERTIFICATE OF COMPLETION OF WORKS				
			TO ALL WHOM IT MAY CONCERN:				
			This is to certify that THE BUNKER HILL COMPANY, a corporation of Kellogg, County of Shoshone, and State of Idaho, the holder of Permit No. 26562, issued upon Application No. 34456 bearing date of priority of September 25, 1956, authorizing the diversion of 23.0 second feet of the waters of No. Fork of Coeur d'Alene River County of Shoshone, State of Idaho, for mining, milling, metallurgical & domestic 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 12.9 second feet of the waters of the North Fork of the Coeur d'Alene river, tributary of Coeur d'Alene Lake; that the point of diversion of said waters NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, T. 49 N., R. 2 East B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: for mining, milling, metallurgical & domestic purposes in NE $\frac{1}{4}$, Sec. 2, T. 48 N., R. 2 E., B.M.				
			Witness my hand this 23 day of October, A.D. 1959				
			/s/ GEO. N. CARTER State Reclamation Engineer				
			Proof of Completion of Works Made: September 25, 1958 Certificate of Completion of Works Issued: October 23, 1959				
			LICENSE ISSUED FOR 12.9 SEC. FT. Page 6798				

MEMORANDUM

TO: FILE

FROM: TIM LUKE

DATE: April 24, 1990

RE: TRANSFER APPLICATION 3674/LICENSE 94-2213

=====

This application changes the nature of use of the above license from mining and domestic use to municipal, industrial, and commercial uses. Use appears to be essentially for municipal purposes for towns in Silver Valley.

I recommend approval of the transfer as shown by the application for the exception of changing the source to groundwater. Although the source of water is clearly from a well adjacent to the North Fork of the Coeur d'Alene River, the original application and permit was for appropriation of the North Fork. The field exam and earlier documentation in the file clearly describes a shallow well (60 ft. deep) as the diverting works. The right however was licensed for the North Fork. The transfer should also show the North Fork as the source.

Approve transfer (without changing source to groundwater) subject to following conditions:

Water diverted for municipal purposes shall meet Idaho Water Quality standards.

MICROFILMED

SEP 24 1990

NOTICE OF APPLICATION FOR TRANSFER OF WATER RIGHT

NOTICE IS HEREBY GIVEN that water right License No. 94-2213 in the name of Bunker Hill Co. was filed for the diversion of 12.9 Cubic Feet per Second of water from the North Fork of the Coeur d'Alene R., tributary to Coeur d'Alene Lake, with a point of diversion in the NENW Sec. 31 T49N R02E, Shoshone County, used for Milling, Mining, Metallurgical and Domestic purposes, within the NE 1/4 Sec. 2 T48N R02E, Shoshone County. The priority date is September 25, 1956.

The new owners, the Shoshone County Commissioners, now wish to clarify the source of water which is actually groundwater and to transfer the nature and place of use as follows:

12.9 CFS for Industrial Use
12.9 CFS for Commercial Use
12.9 CFS for Municipal Use

The place of use is:

T48N R02E Sec. 1 All N 1/2
Sec. 2 All N 1/2
Sec. 3 All N 1/2 and SW 1/4
All Sec. 4
All Sec. 5
Sec. 12 SENE and NESE

T48N R03E All Sec. 3
All Sec. 4
All Sec. 5
All Sec. 6
Sec. 7 All NW 1/4 and NWSW
Sec. 8 NENE
Sec. 9 NENW and NWNW
Sec. 10 All E 1/2 and SW 1/4
Sec. 15 All W 1/2

T49N R03E Sec. 31 All S 1/2

T49N R02E Sec. 30 All SE 1/4
Sec. 31 All NE 1/4
All Sec. 32
Sec. 33 All S 1/2
Sec. 34 All S 1/2
Sec. 35 All S 1/2
Sec. 36 All S 1/2

Also includes corporate city limits for Pinehurst, Smelterville, Kellogg and Wardner.

(For additional information concerning the property location, call the Northern Regional Office at 765-4639.)

Any protest to the proposed transfer may be filed with the Idaho Department

MICROFILMED

SEP 24 1990

RECEIVED
APR 20 1990

Department of Water Resources

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE
OF A WATER RIGHT

Pursuant to Section 42-222 of the IDAHO CODE, notice is hereby given that Bunker Limited Partnership, P.O. Box 29, Kellogg, Id., has filed with the Department of Water Resources on January 30, 1990, an Application for Extension of Time to Avoid Forfeiture of Water Right No. 94-2213.

Water Right No. 94-2213, as licensed, is for 12.9 cubic feet per second of Water from the Coeur d'Alene River, North Fork, tributary to Coeur d'Alene Lake with a point of diversion in the NENW Sec. 31 T49N R02E, Boise Meridian, Shoshone County, used for Mining, Milling, Metallurgical and Domestic purposes, located in the NE 1/4 of Sec. 2 T48N R02E, Boise Meridian, Shoshone County. The date of priority is September 25, 1956. The last date when water was applied to a beneficial use was November, 1986.

The applicant now wishes an extension of time until October 1, 1992, in which to apply the water to a beneficial use because the partnership is finalizing the terms of the sale of the water right and facilities to Shoshone County for other public uses. The County's new beneficial use may not be implemented for several years due to the water system construction and rehabilitation which is required.

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SEP 24 1990

RECEIVED
JUN 07 1990

Department of Water Resources

Any protest to the proposed extension of time may be filed with the Idaho Department of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before May 21, 1990.

R. KEITH HIGGINSON, DIR.

Published in the Shoshone County News Press on 5/3 & 10/1990.

MICROFILMED

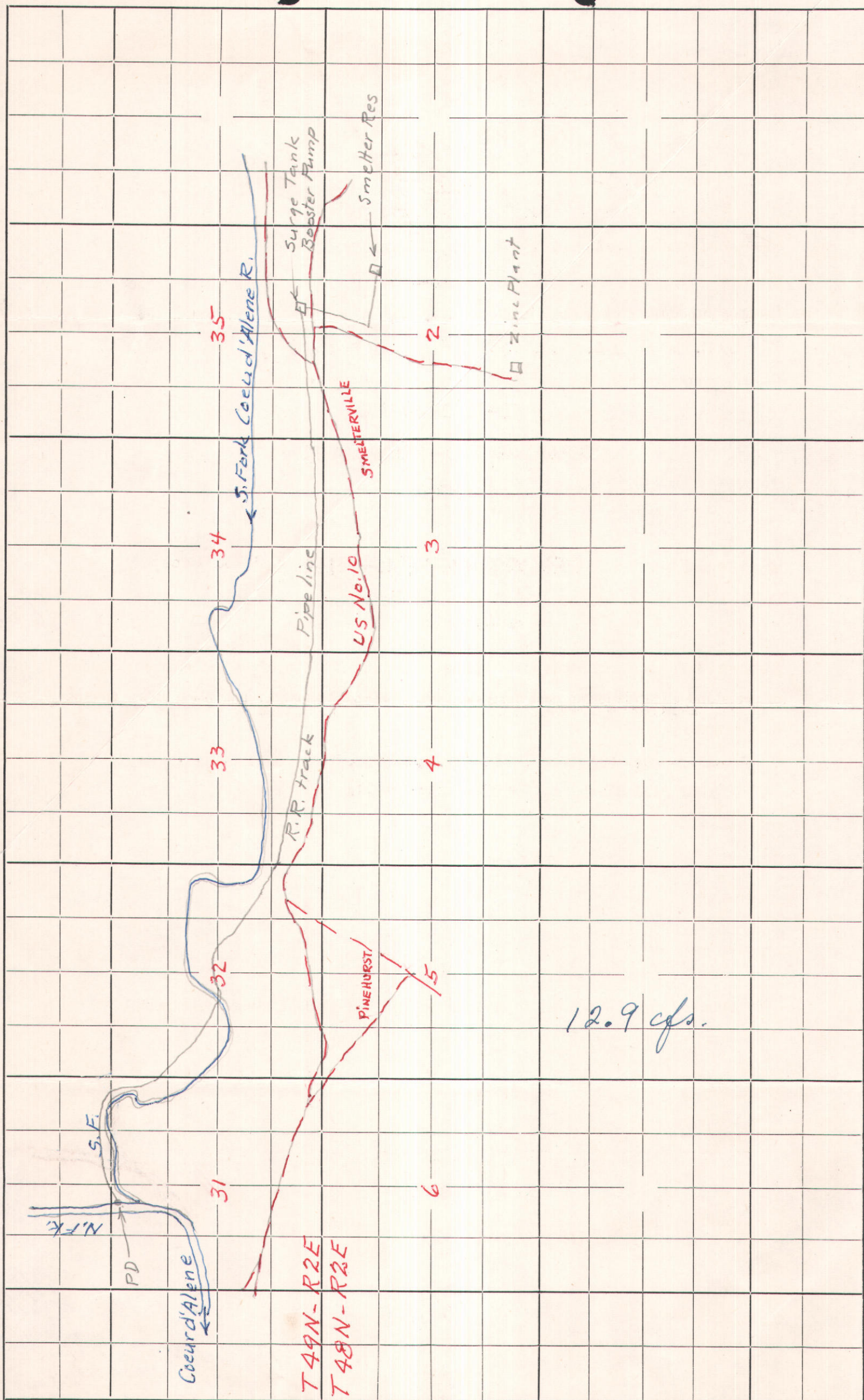
SEP 24 1990

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 26562

REPORT ON PROOF OF Completion of Works & Beneficial Use



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

26562

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 26562This proof is for Completion of Works and Beneficial Use In Water District No. _____1. Name of applicant Bunker Hill Company, A corporation2. Source of water supply: No. fork Coeur d'Alene River, tributary of Coeur d'Alene Lake3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31T. 49 N. R. 3 E. B.M. _____ County of Shoshone

4. Describe works as they exist, giving dimensions and capacities of same: Well 60' x 6' d. and h = 5' to 11' 2 - 200 hp B.T. Submersible connected by 4" in to 24" pipe line - part steel, part wood, wire wrapped. Water is pumped up to large booster tank then to storage tank and to other places of use. Used for cooling - for domestic - for milling.

5. Water is used for: Mining, milling, metallurgical and domestic purposes -6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Place of Use: NE $\frac{1}{4}$ Section 2, Twp. 48 North, Range 2 East, B.M.(Bunker Hill Mining and Metallurgical Plant)5800 gpm is max. pumped at present from this source.

Both pumps in same well.
Covered with heavy planks even with ground surface.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

Harrel Peterson (Water Eng.) along.This examination was made on the 30 day of July, 1959(Signed) E. N. Thompson Examiner.

26562

9(3500
400
840

250 X 10 X 20 X 50
105 - 1640

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
SEP 24 1959

DEPARTMENT OF AGRICULTURE

Bunker Hill Company - 3-4-5 P.M.
Kellogg, Idaho at Brown's office
Permit No. 26562 in Kellogg
David Peterson, Engineer
Examination for Completion of Works
and Beneficial Use
County Shoshone

31-49N-2E
Q - 23.0 cfs
S - N.F.K. Coeur d'Alene
P.D. - NENW 31-49N-2E
Mining, Milling, Metallurgical
and domestic
Point of Use - NE 1/4 2-48N-2E
5800 gpm

Filed Sept 25, 1956

Due 10-4-61
Due 10-4-66

See Remarks on last sheet.
"Water from springs & streams
on property is from a number
of wells."

Johnson Cafe in Kellogg
2:45 P.M.

Well 60 x 6' cap.

2 B.T. 200 hp. each

12" cal. 12"

3500 gpm @ 180'
338979 1750 gpm
338978 440 V
262 a
604.

44" static head

into a 24" pipe

11' = extreme d.f.
5' = h normal.

3700 gpm - one pump
5800 gpm - both operating

East of R.P. bridge by Eureka
100' on E. side of river.

PERMIT NO. 26562

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Ira A. Robson, Assistant Secretary, The Bunker Hill Company,
Box 29, Kellogg, Idaho

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. The Bunker Hill Company, a Delaware corporation, Box 29, Kellogg,
Idaho, Assistant Secretary appearing in such capacity.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion. No. 26562, dated October 4, 1956. North Fork

Ans. of Coeur d'Alene River, S 88° 30' E 1750 ft. from the NW Corner Sec. 31,
T 49 N, R 2 EBM, and in the NE 1/4 of NW 1/4 of Sec. 31, T 49 N, R 2 EBM,
Shoshone County.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. For mining, milling, metallurgical and domestic purposes at The Bunker
Hill Company's mining and metallurgical plants at Kellogg, Idaho.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Water has been turned into works of diversion November 15, 1957,
12 cubic feet per second being used.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Yes

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. None

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

2. Ans. Well adjacent to river with 24" wood stave pipeline. Capacity 23 cubic
feet per second. Two 200 HP submerged pumps each 4000 gallons per minute. Well
59 ft. in depth, 6 ft. casing, 5 ft. to water depth. 5.4 miles of pipeline. Total cost
\$445,201.56.

(Sign here.)

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 Kellogg,

County of Shoshone, State of Idaho, on this 25th
day of September A. D. 1958

Harriet A. Bergman
Notary Public.

My Commission expires October 24, 1961.

26562

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No. 26562..

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. Le Vern M. Griffith, Electrical Engineer, Box 29, Kellogg, Idaho.....

Ques. 2. Are you acquainted with... The Bunker Hill Company....., the

holder of Permit No. 26562.....authorizing the diversion of.. 23.....second-feet of the waters of the North Fork of the Coeur d'Alene River....., at Shoshone County, Idaho for.....mining.....purposes? How long have you known him, and where does he reside?

Ans. Twenty-five years. Kellogg, Idaho.....

Ques. 3. Have you read or heard read said Permit No. 26562....., and are you familiar with its terms and conditions?

Ans. Yes.....

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. Completed November 1, 1957.....

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. Works consist of two 200 HP pumps with approximately 5.4 miles of 24" wood stave pipeline; capacity of pipeline 23 cubic feet per second; capacity of pumps each 4000 gallons per minute.....

(Sign here.)

Le Vern M. Griffith

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, at my office in Kellogg....., County of Shoshone....., State of Idaho, on this 25th..... day of September..... A. D. 1958..

My Commission expires October 24, 1961.....

Harriet L. Bergman
Notary Public.

26562

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No. 26562...

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. ... Victor M. Vang, Mechanical Engineer, Box 29, Kellogg, Idaho.

Ques. 2. Are you acquainted with ... The Bunker Hill Company ..., the holder of Permit No. 26562 ... authorizing the diversion of ... 23 ... second-feet of the waters of the North Fork of the Coeur d'Alene River ..., at Shoshone County, Idaho for ... mining ... purposes? How long have you known him, and where does he reside?

Ans. ... Twenty-five years... Kellogg, Idaho.

Ques. 3. Have you read or heard read said Permit No. 26562 ..., and are you familiar with its terms and conditions?

Ans. ... Yes ...

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. ... Completed November 1, 1957.

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. ... Works consist of two 200 HP pumps with approximately 5.4 miles of 24" wood stave pipeline; capacity of pipeline 23 cubic feet per second; capacity of pumps each 4000 gallons per minute.

(Sign here.)

Victor M. Vang

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, at my office in ... Kellogg ..., County of ... Shoshone ..., State of Idaho, on this ... 25th ... day of ... September ... A. D. 1958 ..

My Commission expires ... October 24, 1961.

Harriet S. Bergman
Notary Public.

26562

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 26562

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Ira A. Robson, Kellogg, Idaho, Assistant Secretary The Bunker Hill Company, Box 29, Kellogg, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. The Bunker Hill Company a Delaware Corporation, Box 29, Kellogg, Idaho, Assistant Secretary, appearing in such capacity.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 26562, Dated October 4, 1956, date of priority September 25, 1956

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. North Fork Coeur d'Alene River, S 88°30' E 1750 ft. from the NW Corner Sect. 31, T 49 N, R 2 EBM, and in the NE 1/4 of NW 1/4 of Section 31, T 49, N, R 2 EBM, Shoshone County.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

2 Ans. Well adjacent to river with 24" wood stave pipe line capable of carrying 23 Cu. Ft. per second. Present pumps capable of 19.4 Cu. F. per second. Well 59 Ft. in depth, 6 Ft. casing, 5 ft. to water depth, varying with depth of river flow. 2-200HP submerged pumps each capable of 4000 gallons per minute. Measured by reservoir pumping. 5.4 miles of pipeline.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) 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. Used for mining, milling metallurgical and domestic purposes, at The Bunker Hill Company's mining and metallurgical plants at Kellogg, Idaho

NW 4, Sec. 2, T. 48 N., R. 2 E

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Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. At the present time water is used in metallurgical processes and for domestic use.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 23 Cubic Feet Per Second.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Same Holder

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Water in continuous use since November 15, 1957. Twelve cubic feet per second being used at present time with use and need gradually increasing to expected 23 cubic feet per second.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Company at the present time, in addition to above permit, obtains water from Milo Creek, Wardner, Idaho with seasonal variations from 250 gallons per minute to 5000 gallons per minute; 1200 gallons per minute from Miners Slough near Big Creek, and 250 gallons per minute to 1500 gallons per minute, seasonal variation, from Government Gulch, all of Shoshone County, Idaho. Uses are the same for mining and metallurgical uses and domestic use.

(Sign)

Ernest J. Johnson

I hereby certify that the foregoing testimony was read to the above subscribed 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, at my office in Kellogg, County of Shoshone, State of Idaho, on this 25th day of September, A. D. 1958.

Harriet E. Bergman

My commission expires October 24, 1961.

26562

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 26562**Proof of Application of Water to Beneficial Use****Deposition of Witness**

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Victor M. Vang, 58, Kellogg, Idaho, Mechanical Engineer, Box 29

Ques. 2. Are you acquainted with THE BUNKER HILL COMPANY, the holder of Permit No. 26562? How long have you known him and where does he reside?

Ans. Twenty-Five years, Kellogg, Idaho

Ques. 3. Have you read or heard read said Permit No. 26562, 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. North Fork Coeur d'Alene River S 88° 30' E 1750 ft. from the NW Corner Sect. 31, T 49 N, R 2 EBM, and in the NE 1/4 of NW 1/4 of Section 31, T 49 N, R 2 EBM, Shoshone County

Works consist of 2 - 200 HP pumps with approximately 5.4 miles of 24" wood stave pipeline.

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. Will conduct 23 cubic feet per second. Have seen conveyed 19.4 second ft.

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. Used for mining, milling, metallurgical and domestic purposes, at The Bunker Hill Company's mining and metallurgical plants at Kellogg, Idaho

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

Ans. At the present time water is used in metallurgical processes and for domestic use.

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. _____

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

Ans. None

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. Installation completed November 1, 1957 and first water pumped for process use on November 15, 1957 and I have watched continuous use of water since that date.

(Signed)

Victor M. Tang

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 Kellogg, Idaho,
County of Shoshone, State of Idaho, on this 25th day of September,
A. D. 1958.

Harriet S. Bergman

Notary Public.

My commission expires October 24, 1961

26562

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 26562

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. LeVern M. Griffith, 50, Kellogg, Idaho, Electrical Engineer,
Box 29

Ques. 2. Are you acquainted with THE BUNKER HILL COMPANY, the holder of Permit No. 26562? How long have you known him and where does he reside?

Ans. Twenty-Five years. Kellogg, Idaho

Ques. 3. Have you read or heard read said Permit No. 26562, 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. North Fork Coeur d'Alene River S 88°30' E 1750 ft. from the NW Corner Sect. 31, T 49 N, R 2 EBM, and in the NE 1/4 of NW 1/4 of Section 31, T 49 N, R 2 EBM, Shoshone County.

Works consist of 2- 200 HP pumps with approximately 5.4 miles of 24" wood stave pipeline.

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. Will conduct 23 cubic feet per second. Have seen conveyed 19.4 second ft.

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. Used for mining, milling, metallurgical and domestic purposes, at The Bunker Hill Company's mining and metallurgical plants at Kellogg, Idaho

26562

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

Ans. At the present time water is used in metallurgical processes and for domestic use.

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. _____

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

Ans. None

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. Installation completed November 1, 1957 and first water pumped for process use on November 15, 1957 and I have watched continuous use of water since that date.

(Signed) _____

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 Kellogg, Idaho,
County of Shoshone, State of Idaho, on this 25th day of September,
A. D. 19 58.

Harriet S. Bergman

Notary Public.

My commission expires October 24, 1961

26562

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that at 2:00 o'clock P.M., on the 25th day of September, 1958, at Kellogg, County of Shoshone, State of Idaho, before HARRIET BERGMAN, a Notary Public, proof will be submitted of the completion of works for the diversion of twenty-three (23) cubic feet per second of surface waters from the North Fork of the Coeur d'Alene River, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 26562 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the corporation holding said permit are THE BUNKER HILL COMPANY, a corporation, at Kellogg, County of Shoshone, State of Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is twenty-three (23) cubic feet per second.

3. The use to which said water has been applied is for mining, milling, metallurgical and domestic purposes, and the amount applied to beneficial use is twenty-three (23) cubic feet per second.

4. The point of diversion of said water is S. 88° 30' E. 1750 feet distant from the Northwest Corner of Section 31, T. 49' N., R 2' E., B.M. and is in the NE Quarter of the NW Quarter of Section 31, T. 49' N., R 2' E., B.M., County of Shoshone.

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5. The place where said water is used is S. 32° W. 1450 feet distant from the NE corner of Section 2, T. 48 N., R. 2 E., B.M., in the NE Quarter of Section 2, T. 48 N., R. 2 E., B.M.

6. The date of priority which said user is prepared to establish is the ^{25th}~~4th~~ day of ^{SEPTEMBER}~~OCTOBER~~, 1956.

State Reclamation Engineer

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(Form No. 1)

WORTHWINE & DWORSHAK

P. O. Box 737 - Boise, Idaho

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No.

Permit No.

District No.

1. Name of applicant: THE BUNKER HILL COMPANY, a corporation

Post office address Kellogg County Shoshone State Idaho

I. If applicant is a corporation, give Incorporated July, 1887-State of Oregon
Reincorporated March, 1924-State of Del.(a) Date and place of incorporation:
Common: \$3,270,000.00 \$3,270,000.00 Common
(b) Amount of capital stock: \$2,000,000.00 Pref. Amount paid in: \$840,200.00 Pref.

(d) Names and addresses of directors: John D. Bradley, W. W. Crocker, Donald H. McLaughlin, John L. Merrill and D. J. Murphy, all of San Francisco, Calif., and Stanly A. Easton, Coeur d'Alene, Idaho, and L. J. Randall, Wallace, Idaho.

II. The financial resources of the applicant are: (a) Cash on hand: \$4,784,396.00

(b) Treasury stock: (c) Bonds to be issued:

(d) Other resources:

2. Quantity of water claimed: Twenty-three cubic feet per second

3. Source of water supply: North Fork-Coeur d'Alene River
which is tributary of Coeur d'Alene Lake4. Location of point of diversion: S. 88°30' E-1750 feet distant from the Northwest corner
of Section 31, T. 49 N. R. 2-E., B. M., and is in the NE 1/4 of the NW 1/4
of Section 31, T. 49 N. R. 3-E., B. M., County of SHOSHONE

5. Water is to be used for Mining, Milling, Metallurgical and domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: S. 32° W. 1450 feet distant from N.E. corner of Section 2
T. 48 N. R. 2-E., B. M., in the NE 1/4 of Section 2, T. 48 N. R. 2-E., B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to South Fork-Coeur d'Alene River N. 24°30' W-1550 feet
distant from the South 1/4 corner of Section 35, T. 49-N, R. 2-E, B. M., in the
NE 1/4 - S.W. 1/4 of Section 35, T. 49-N, R. 2-E, B. M.

7. Estimated cost of works: \$336,575.00

8. Kind of works: Forebay & pumping plant at river and woodstave pipe line
(Reservoir, dam, ditch, flume, pipe, etc.)9. Height of dam feet; length of dam at top feet; length of dam at bottom
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)
feet; material used in dam

10. Size of headgate: Width feet; Height feet.

11. Ditch: Width at bottom feet; Width at water line feet; Depth of water feet;

Dimensions of flume; Diameter of pipe inches;

Length of conduit 5.4 miles. Average grade per mile 18 feet.

26562

12. The time required for the completion of such work is Five years.

13. The time required for the complete application of the water to the proposed use is Five additional years.

14. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

Total Number of Acres to be Irrigated.....

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:.....

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16. (a) Is reservoir to be used? (If so, fill in (b) and (c) below.)

(b) Name of reservoir and number of Storage Permit:

(c) Date of filing of Application for Storage Permit and Name of Applicant:

Remarks: The applicant is engaged in the production of the non-ferrous metals, lead, zinc, copper and silver. It's operations include mining, milling and metallurgical processes. Up to the present time the water used in these processes has come from springs and streams originating on property owned by the applicant, and from a number of wells, Expanding operations require the additional water asked for in this application

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

THE BUNKER HILL COMPANY, a corporation.
Applicant.

By M. J. Arnold Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, _____, of _____, County of _____, State of _____, do hereby certify that I am the owner of the land on which the spring mentioned in the application of _____ is located, to-wit: _____ and that I do hereby grant unto the said _____ permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO

County of _____ } ss.

On this _____ day of _____, 195____, before me, a Notary Public for the State of Idaho, residing at _____, personally appeared _____ known to me to be the person whose name _____ subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My commission expires _____

Notary Public.

26562

Approval of State Reclamation Engineer

The number of this permit is

Recorded in Book Page Approved

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 approve the same, subject to the following limitations and conditions:

Bond in the sum of \$..... to be filed before

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

One-fifth of the work above specified to be completed on or before

The whole of said work to be completed on or before

Beneficial use of water appropriated in accordance herewith, to be made on or before

Witness my hand this day of, 195.....

.....
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ... Governor of the State of Idaho,
and Secretary of State of the State of Idaho, have caused
this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be
hereunto affixed, this day of, 195.....

Countersigned:

STATE OF IDAHO

By
Secretary of State.

By
Governor.

No.	
PERMIT	
Date of first receipt at office of State Reclamation Engineer	
Returned to applicant for correction	
Corrected application received	
Fees, \$	
FILING FEES FOR USE PERMIT:	
For the first Sec. Ft.	\$5.00
For each additional Sec. Ft. or Fraction	
Thereof	.25

**NOTICE OF PROOF
OF COMPLETION OF WORKS
and**

**APPLICATION OF WATER
TO BENEFICIAL USE**

NOTICE is hereby given that at 2:00 o'clock P. M., on the 25th day of September, 1958, at Kellogg, County of Shoshone, State of Idaho, before HARRIET BERGMAN, a Notary Public, proof will be submitted of the completion of works for the diversion of twenty-three (23) cubic feet per second of surface waters from the North Fork of the Coeur d'Alene River, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 26562 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the corporation holding said permit are THE BUNKER HILL COMPANY, a corporation, at Kellogg, County of Shoshone, State of Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is twenty-three (23) cubic feet per second.

3. The use to which said water has been applied is for mining, milling, metallurgical and domestic purposes, and the amount applied to beneficial use is twenty-three (23) cubic feet per second.

4. The point of diversion of said water is S. 88° 30' E. 1750 feet distant from the Northwest Corner of Section 31, T. 49 N., R. 2 E., B. M. and is in the NE Quarter of the NW Quarter of Section 31, T. 49 N., R. 2 E., B. M., County of Shoshone.

5. The place where said water is used is S. 32° W. 1450 feet distant from the NE corner of Section 2, T. 48 N., R. 2 E., B. M., in the NE Quarter of Section 2, T. 48 N., R. 2 E., B. M.

6. The date of priority which said user is prepared to establish is the 25th day of September, 1956.

GEO. N. CARTER, State Reclamation Engineer.