

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

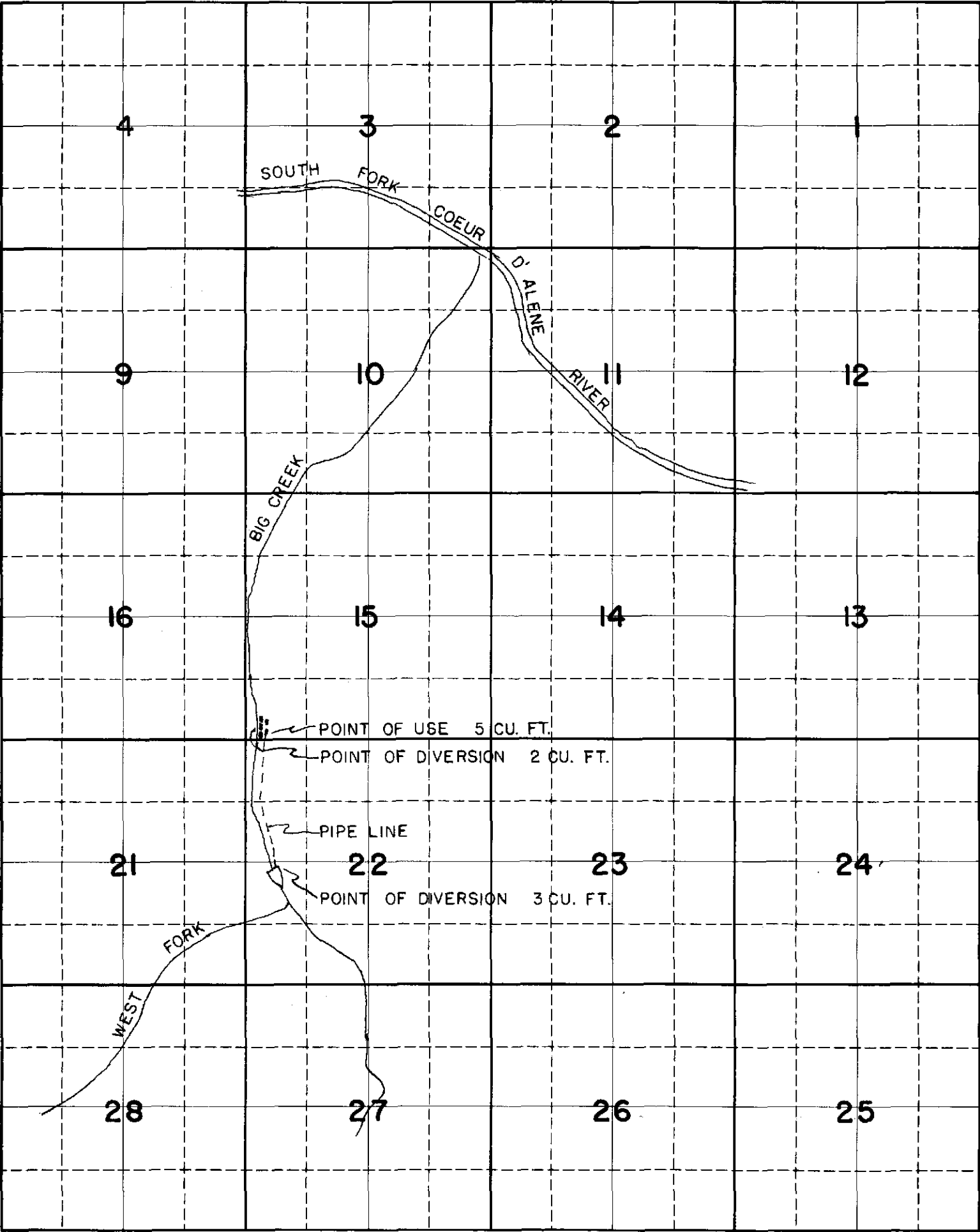
APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder SUNSHINE CONSOLIDATED, INC.
Post office address BOX 890, WALLACE, IDAHO 83873
2. Right obtained by:
a. Decree to in Case of
(Name)
vs. , Dated in
(Name of Court)
Court. County of
b. License No. 18061 issued by the State of Idaho, Department of Reclamation.
3. Source of water BIG CREEK tributary to SOUTH FORK C d'ALENE RIVER
(Name of stream or source)
4. Date of Priority JANUARY 8, 1935
5. Amount of water a. Five (5) c.f.s. and/or
b. acre feet/annum
6. Water is used for MINING AND MILLING from YEAR AROUND to
(Month, Day) (Month, Day)
7. Original location of point of diversion is SW ¼ SW ¼ of Section 15
Township 48 North , Range 3 East , B.M., in SHOSHONE County;
Additional points of diversion, if any a) 3 cubic feet as above, b) 2 cubic feet SW ¼ of SW ¼
of Section 15, Township 48 North, Range 3 East, B.M.
8. ~~Land presently irrigated or~~ place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
48N	R3E	15											5						5 Cu. Ft.

Total number of acres presently irrigated Not Applicable



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: _____

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: a) 3 & b) 2 c.f.s. and/or _____ acre feet
b) SW SW 15 48 N
b. New point of diversion: a) NW 1/4 SW 1/4, Section 22, Township 48 North
3 E
3 East, B.M.

c. Description of method of diversion and conveyance from new points of diversion: _____

a) New steel and concrete dam, gravity flow downstream in 14" steel pipe for
3 c.f.s. b) Diesel pump at creek pumping through 8-inch steel pipe
high pressure tank.

d. Is water to be conveyed to the lands previously irrigated? Yes _____ No _____

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

Old dam partially destroyed. New dam to give slightly more pressure.

Also, water rights to be transferred by lease to Sunshine Mining Company.

f. Do you intend to make the transfer permanent? Renewable at ten-year intervals.

g. Do you intend to abandon completely the old point of diversion? No

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

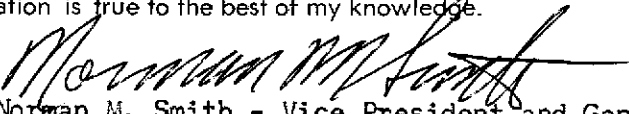
11. CHANGE IN PLACE OF USE

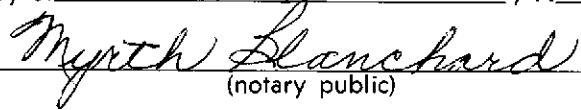
a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	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	
48 N	3E	15											5						5 c.f.s.

- b. Do you intend to make the transfer permanent? Not Applicable
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:
N A
- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: None or Not Applicable
- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.


Norman M. Smith - Vice President and General Manager
(signature of applicant)

Subscribed and sworn to before me this 27th day of January, 1976

(notary public)

My commission expires March 19, 1978.

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 94-2170/1936,
and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 18 day of March, 19 76.


R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

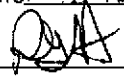
FOR DEPARTMENT USE ONLY

Received by CP Date 2-2-76
1-30-76

Protest filed by: _____ Date _____

Prelim. check by de Date 1-30-76

Fee received by MRS Date 1-30-76 Fee \$30.00 #3354

Approved for publication by 

Published in North Idaho Press Dates 2-12 & 2-19-76

Hearing held _____

Watermaster Recommendation sent _____

State of Idaho
License and Certificate of Water Right

Water License No. 18061

Amount 5 second feet

Water District No.

Priority January 8, 1935

THIS IS TO CERTIFY that W. M. YEAMAN
of Kellogg, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 8, 1935; that Permit No. 18061
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
5 second feet, was issued thereunder on January 21, 1938, showing that said works
were completed on the 14th day of January, 1938; and that on the 12th
day of March, 1938,

SUNSHINE CONSOLIDATED, INC., ASSIGNOR,
of Kellogg, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Big Creek
, a tributary of South Fork of Coeur d'Alene River, for the purpose of mining and
milling, under Use Permit No. 18061 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 3952, on the 25th day of April, 1939;

The right hereby confirmed dates from January 8, 1935;

The Point of Diversion is located about 300 ft. N E from the S W corner Sec. 15, T. 48 N., R. 3 E., B.M.
in the SW 1/4 SW 1/4, Sec. 15, Tp. 48 N., R. 3 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 5
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Point of Use: In the SW 1/4 SW 1/4 Sec. 15,	Twp. 48 N., R. 3 E.,	B.M.

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 Commissioner of Reclamation, affixed at Boise, Idaho,
this 25th day of April, 1939

JAMES SPOFFORD

Commissioner of Reclamation

(SEAL)

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 25269
Permit No. 18061
District No.

1. Name of Applicant: W. M. YEAMAN

Postoffice address: Kellogg County: Shoshone State: Idaho

- I. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

- II. The financial resources of the applicant are:
(a) Cash on hand:
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources:

2. Quantity of water claimed: Five (5) cubic feet per second.

3. Source of water supply: Big Creek River which is a tributary of South Fork of Coeur d'Alene

4. Location of point of diversion: 1995 ft. S. 3° 15' E. from ~~feet distant from~~ the NW corner of Section 22, T. 48 N., R. 3 E., B. M., and is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, T. 48 N., R. 3 E., B. M., County of Shoshone

5. Water is to be used for: Mining and milling

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

- (a) Point of use of water: About 300 ft. / ^{NE} ~~feet distant~~ from SW corner of Section 15 T. 48 N., R. 3 E., B. M., in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, T. 48 N., R. 3 E., B. M.
(b) Amount of power generated: H. P., under feet head.
(c) Water is to be returned to Big Creek at a point near point of use feet distant from the corner of Section, T., R., B. M., in the of Section, T., R., B. M.

7. Estimated cost of works: \$ 3,000.00

8. Kind of works: Dam and flume

9. Height of dam 8 feet; length of dam at top 40 feet; length of dam at bottom 30 feet; material used in dam: Timber and rock

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: Three feet wide, two feet deep
Diameter of pipe inches; length of conduit about 2100 feet. miles
Average grade per mile feet.

12. The time required for the completion of such work is 3 years.

13. The time required for the complete application of the water to the proposed use is 2 additional years.

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

15. (a) Is reservoir to be used? ☐ No ☐ Yes 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 waters of the State of Idaho as herein set forth.

W. M. Yeaman

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. January 8, 1935

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18061

Recorded in Book 65 Page 18061 Approved January 11, 1935

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 March 10, 1935 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 July 11, 1937

The whole of said work to be completed on or before January 11, 1938

Beneficial use of water appropriated in accordance herewith, to be made on or before January 11, 1940

Witness my hand this 11th day of January, 1935.

R. W. FARIS
Commissioner of Reclamation.

Remarks: Such portion of this water as is contaminated by its use in milling will eventually be returned to the Coeur d'Alene River (South Fork) by means of a pipe line of sufficient size.

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>AFFIDAVIT AND ASSIGNMENT</u>																			
STATE OF IDAHO) County of Shoshone)			W. M. Yeaman, being first duly sworn on his oath deposes and says: That he is the identical W. M. Yeaman whose name appears as applicant in the Application for Permit to appropriate the public waters of the State of Idaho, in Application No. 25269, Permit No. 18061, filed with the Commissioner of Reclamation on January 8, 1935; that said application was approved by the Commissioner of Reclamation on the 11th day of January, 1935; that at the time of said application, this affiant was the duly elected, qualified and acting Vice-President and Managing Director of Sunshine Consolidated, Inc., an Idaho Corporation; that its principal place of business and registered office is at Kellogg, Idaho; that said application was made by this affiant for and on behalf of said last named corporation and upon the property of said corporation, and said water right and permit, and all rights thereunder or therein, and at all times since have been and now are the property of said corporation and that through inadvertence, the said permit was made on application of this affiant, when in reality it should have been made by the said Sunshine Consolidated, Inc., and by reason thereof, and in order to correct the same, this affiant, at this time, makes the above and foregoing statements as a matter of clarity as respects the facts of the situation, and further and for, and in consideration of the sum of One and no/100 Dollars (\$1.00) and other consideration, the receipt whereof is acknowledged, does hereby sign, set over and transfer to said corporation all his right, title and interest in and to the said permit, and all rights privileges and obligations thereunder to accrue, to the said Sunshine Consolidated, Inc. and authorizes and directs that the Proof of Completion of Works hereby made in the name of Sunshine Consolidated, Inc., and that this affiant hereby disclaims any and all rights of any kind, nature and description thereunder.																
			W. M. YEAMAN																
			Subscribed and sworn to before me this 4th day of August, A. D. 1937.																
(SEAL)			LESTER S. HARRISON Notary Public in and for the State of Idaho, residing at Kellogg, Idaho																
			Received and filed for record in the Department of Reclamation at Boise, Idaho, at 3:00 P. M., Jan. 18, 1938.																
			R. W. FARIS Commissioner of Reclamation By J. L.																

Permit No. 18061

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that SUNSHINE CONSOLIDATED, INC. of Kellogg, County of Shoshone, and State of Idaho, the holder of Permit No. 18061, issued upon Application No. 25289 bearing date of priority of January 8, 1935, authorizing the diversion of five (5) second feet of the waters of Big Creek, County of Shoshone, State of Idaho, for mining and milling 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 five (5) second feet of the waters of said Big Creek; that the point of diversion of said waters is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, T. 48 N., R. 3 E., B. M.

Witness my hand this 21st day of January, A. D. 1938.

R. W. FARIS
Commissioner of Reclamation

Proof of completion of works made January 14, 1938.

Certificate of completion of works issued January 21, 1938.

LICENCE ISSUED FOR 5.350 FT.

Page 3952

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 94-2170

Notice is hereby given that Sunshine Consolidated, Inc.,
of Box 890, Wallace, Idaho, has applied to
the Department of Water Resources for a change of the point of diversion ~~and~~ ~~the~~
~~point of diversion~~ of the waters of Big Creek, tributary to S.Fk. Coeur d'Alene R.
The right sought to be changed is evidenced by License No. 18061/94-2170
and is recorded as follows: Amount: 5.00 cubic feet per second ~~and~~ ~~the~~
~~point of diversion~~. Priority: January 8, 1935. Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15,
T. 48N, R. 3E, B.M., Shoshone County
The water is used for Mining and Milling purposes year around
within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 48N, R. 3E, B.M.

TO BE CHANGED AS FOLLOWS:

Amount: 5.00 cubic feet per second ~~and~~ ~~the~~ Point of Diversion:
(a) NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22 (3 c.f.s.) and (b) SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15 (2 c.f.s.), T. 48N, R. 3E, B.M.
The water will be used for Mining and Milling purposes year around
within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 48N, R. 3E, B.M.

Any protests against approval of the proposed change of water right application
must be filed with the Idaho Department of Water Resources, 401 Front Avenue, Room
209, Coeur d'Alene, Idaho 83814 on or before March 1, 1976.

R. KEITH HIGGINSON
Director

Published in the North Idaho Press, Wallace, Idaho
on Feb. 12 and Feb. 19, 1976.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

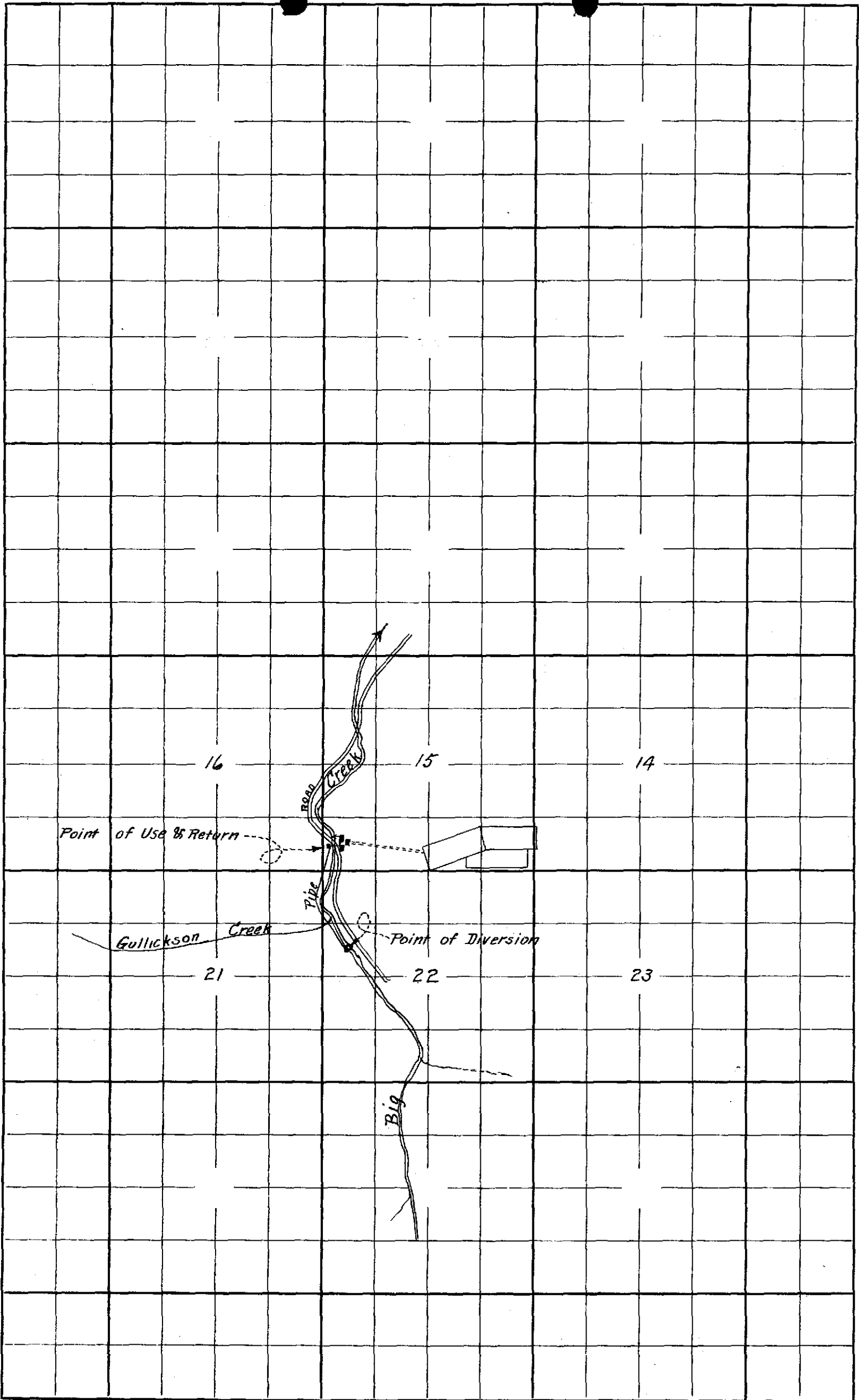
REPORT OF ENGINEER

PERMIT NO. 18061

REPORT ON PROOF OF BENEFICIAL USE

*L. M. 5000 ft. from
Permit*

3-2-8 147



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18061

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Sunshine Consolidated, Inc.

2. Source of water supply: Big Creek

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22
T. 48 N. R. 3 E. County of Shoshone

4. Describe works as they exist, giving dimensions and capacities of same: Log, Rock and Earth dam 5 ft high x 40 ft long. Concrete intake box 8 wide x 24' long x 5' high and thence via 2500 ft of 14" wood stave pipe to Penstock and point of use

5. Water is used for: Mining and milling

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 for other than irrigation): Point of use: In the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 48 N., R. 3 E., B. M.

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

8. What large stream would the water here appropriated finally reach? Coeur D'Alene River

Remarks:

The concrete structure at diversion point is in bad condition due to previous high water

This examination was made on the 1st day of October, 1938

(Signed)

Fred A. Johnson

Examiner.

Joseph T. Hall
Sunshine Consolidated, Inc.
Wallace, Idaho

Permit No. 18061

Examination for Beneficial Use

County Shoshone

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 a 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.
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STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.PERMIT NO. 18061

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Joseph T. Hall, age 27, residence Big Creek, Idaho;Occupation Mining. Postoffice Address Wallace, 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. Sunshine Consolidated, Inc., Kellogg, Idaho.Assistant Secretary-Treasurer and Resident Manager.

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

Ans. Permit No. 18061, dated January 11, 1935. Date of priority
January 8, 1935

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

Ans. Big Creek which is a tributary of the South Fork of Coeur d'Alene
River. Location of point of diversion is 1995 ft. S. 30° 15' East
from the N.W. Cor. of Sec. 22, Twp. 48 N., Range 3, E.B.M. & is in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$
of Sec. 22, Twp. 48 North, Range 3 E.B.M., County of Shoshone.

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.

Ans. Of earth fill and rock construction 5 ft. high, 40 ft. long from which
proceeds 2,500 ft. of 16" wood stave round pipe terminating in a penstock
above the Gullickson Tunnel on Sunshine Consolidated, Inc. property, capable of
conveying five second feet of water.Name of works in which water is conducted to place for use is
"Sunshine Consolidated, Inc. Flume".

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. Water is used at the Gullickson Tunnel as a source of power for
driving ventilating equipment. Is also used for domestic purposes at
the office and at the home of the Manager. Said water is also to be
used for milling and mining purposes.

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

Ans. See answer to No. 6.

18061

OK. R.H.D.

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

Ans. Five second feet

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. Permit originally issued to W. M. Yeaman. Assigned by him to Sunshine Consolidated, Inc.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used. Since Feb. 1936 these works have been carrying a full capacity of water and the same has been used continuously at the Company office and the manager's residence, and for operating the ventilating equipment at the Gullickson Tunnel when work is being conducted therein; said water will also be used for other mining and milling operations when the property has been further developed.

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. None

(Sign)

Joseph T. Hall

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 Wallace, County of Shoshone State of Idaho, on this 12th day of March A. D. 1938

J. T. Hall

Notary Public in and for the State of Idaho, residing at Wallace, Idaho.

My commission expires Feb 14-1940.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18061

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. John Edgar, age 28, residence Wallace, Idaho, Mining Engineer,
Postoffice Address Wallace, Idaho.

Ques. 2. Are you acquainted with Sunshine Consolidated, Inc., the holder of Permit No. 18061? How long have you known him and where does he reside?

Ans. Yes, for three years. Present place of business, Kellogg,
Idaho

Ques. 3. Have you read or heard read said Permit No. 18061, 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. Big Creek which is a tributary of the South Fork of Coeur d'Alene River.
Location of point of diversion is 1995 ft. S. 30° 15' E. from the N.W. corner of Sec. 22, Twp. 48 N., Range 3 E. B. M., and is in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 22, Twp. 48 North, Range 3 E. B. M., County of Shoshone.

Of earth fill and rock construction 4 ft. high, 40 ft. long from which proceeds 2,500 ft. of 16" wood stave round pipe terminating in a penstock above the Gullickson Tunnel on Sunshine Consolidated, Inc. property, capable of conveying five second feet of water.

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. Five second feet

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. For domestic purposes at the office and Manager's house on Big Creek, and is also used at the Gullickson Tunnel as a source of power for driving ventilating equipment.

18061 OK. P.H.B.

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

Ans. See answer to question No. 6

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. No.

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

Ans. For domestic purposes at the Manager's residence and have also seen the ventilating equipment in use at the Gullickson Tunnel

(Signed) John Edgar

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 Wallace, County of Shoshone, State of Idaho, on this day of March 12, A. D. 1938.

My commission expires Feb 14-1940

[Signature]
Notary Public.

In and for the State of Idaho,
residing at Wallace, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18061

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. Joe Kernaghan, Age 54, Miner, Wallace, Idaho.

Post Office Address Box 625, Wallace, Idaho.

✓ Ques. 2. Are you acquainted with Sunshine Consolidated, Inc., the holder of Permit No. 18061? How long have you known him and where does he reside?

✓ Ans. Yes, for three years, Present place of business

Kellogg, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18061, 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.

✓ Big Creek which is a tributary of the South Fork of Coeur d'Alene River.

Ans. Location of point of diversion is 1995 ft. S. 3° 15' E. from the N.W. corner of Sec. 22, Twp. 48 N., Range 3 E., B.M. and is in the SW 1/4 of NW 1/4 of Sec. 22, Twp. 48 North, Range 3 E., B.M., County of Shoshone.

Of earth fill and rock construction 4 ft. high, 40 ft. long from which proceeds 2,500 ft. of 16" wood stave round pipe terminating in a penstock above the Gullickson Tunnel on Sunshine Consolidated, Inc. property, capable of conveying five second feet of water.

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. Five second feet.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

✓ Ans. For domestic purposes at the office and Manager's house on Big Creek, and is also used at the Gullickson Tunnel as a source of power for driving ventilating equipment.

18061

R.H.B.

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

Ans. See answer to question 6

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. No

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

Ans. For domestic purposes at the Manager's residence and have also seen the ventilating equipment in use at the Gullickson Tunnel

(Signed)

Joseph A. McLaughlin

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 Wallace, County of Shoshone, State of Idaho, on this day of March 12, A. D. 1938

My commission expires

Feb 14-1938

Notary Public.

In and for the State of Idaho,
Residing at Wallace, Idaho.

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:30 A. M. on the 12th day of March, 1938,
Wallace Bank and Trust
 at Building, Wallace, County of Shoshone, State of Idaho, before
H.J. Hull, Notary Public, proof will be submitted of the
 application to beneficial use of five (5) cubic feet per second of the waters of Big Creek
 in accordance with the terms and conditions of Permit No. 18061
 heretofore issued by the DEPARTMENT OF RECLAMATION of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Sunshine Consolidated, Inc. 209 Civic Center Building, Wallace, Idaho.

The use to which said water has been applied is Mining and Milling

The amount applied to beneficial use is five (5) cubic feet per second

The place where said water is used ~~as for irrigation, give full and accurate description of the~~
lands irrigated is about 500 feet Northeast from Southwest corner of Section
15, Township 48 North, Range 3 East, Boise Meridan, in the Southwest (SW)
quarter (2) of the Southwest (SW) quarter (2) of Section 15, Township
48 North, Range 3 East, Boise Meridan, Shoshone County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place
 of use is Sunshine Consolidated, Inc. Flume

The right to take water from such works is based upon Permit No. 18061

The source of supply from which such water is diverted is Big Creek

The date of priority which said user is prepared to establish is January 8, 1935

18061

W. W. PARRIS

Commissioner of Reclamation.

Permit No. 18061

STATE OF IDAHO
Department of Reclamation

RECEIVED

JAN 18 1938

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO, }
County of SHOSHONE } SS

Joseph T. Hall being first duly sworn, upon his oath deposes and says:
First: That he is the ass't secretary & treasurer of Sunshine Consolidated, Inc. the holder and owner of Permit to Appropriate the Public Waters of the state of Idaho, No. 18061, and that his postoffice address is Wallace State of Idaho

Second: That the name of the stream from which said water is to be diverted is BIG CREEK

Third: That the point of diversion of said water is 1995 ft. S 3°15' E from the NW corner of Section 22, T 48 N. R 3 E, B.M., and is in the SW 1/4 of the NW 1/4 of Section 22, T 48 N. R 3 E, B. M., County of Shoshone

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by January 11, 19 38.

Fifth: That the use for which said water is intended is Mining and milling

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Dam and pipe line (See accompanying letter)

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 4 feet, length of dam at top 40 feet, length of dam at bottom 40 feet. Material used in construction Wood, earth, stone and concrete

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width None feet, height feet.

(d) Conduit width at bottom feet, width at water line feet, depth of water feet; diameter of pipe 16 inches, average grade per mile is feet. Length of conduit is 2500* miles.

(State whether ditch, flume or pipe.)

Seventh: That said works are capable of conducting to the place of intended use five second feet of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows:

Ninth: Remarks: That See accompanying letter for further details

Subscribed and sworn to before me this 14th day of January, 19 38

(Sign here)

My commission expires Feb 14-1940

Notary Public.

18061

18061

18061

AFFIDAVIT AND ASSIGNMENT

STATE OF IDAHO)
) ss
County of Shoshone)

W. M. Yeaman, being first duly sworn on his oath deposes and says:
That he is the identical W. M. Yeaman whose name appears as applicant in
the Application for Permit to appropriate the public waters of the State
of Idaho, in Application No. 25269, Permit No. 18061, filed with the
Commissioner of Reclamation on January 8, 1935; that said application was
approved by the Commissioner of Reclamation on the 11th day of January,
1935; that at the time of said application, this affiant was the duly
elected, qualified and acting Vice-President and Managing Director of
Sunshine Consolidated, Inc., an Idaho Corporation; that its principal
place of business and registered office is at Kellogg, Idaho; that said
application was made by this affiant for and on behalf of said last named
corporation and upon the property of said corporation, and said water
right and permit, and all rights thereunder or therein, and at all times
since have been and now are the property of said corporation and that
through inadvertence, the said permit was made on application of this
affiant, when in reality it should have been made by the said Sunshine
Consolidated, Inc., and by reason thereof, and in order to correct the
same, this affiant, at this time, makes the above and foregoing statements
as a matter of clarity as respects the facts of the situation, and further
and for, and in consideration of the sum of One and no/100 Dollars (\$1.00)
and other consideration, the receipt whereof is acknowledged, does hereby
sign, set over and transfer to said corporation all his right, title and
interest in and to the said permit, and all rights privileges and obliga-
tions thereunder to accrue, to the said Sunshine Consolidated, Inc. and
authorizes and directs that the Proof of Completion of Works hereby made
in the name of Sunshine Consolidated, Inc., and that this affiant hereby

18061

disclaims any and all rights of any kind, nature and description thereunder.

W.M. Veaman

Subscribed and sworn to before me this 4th day of August.

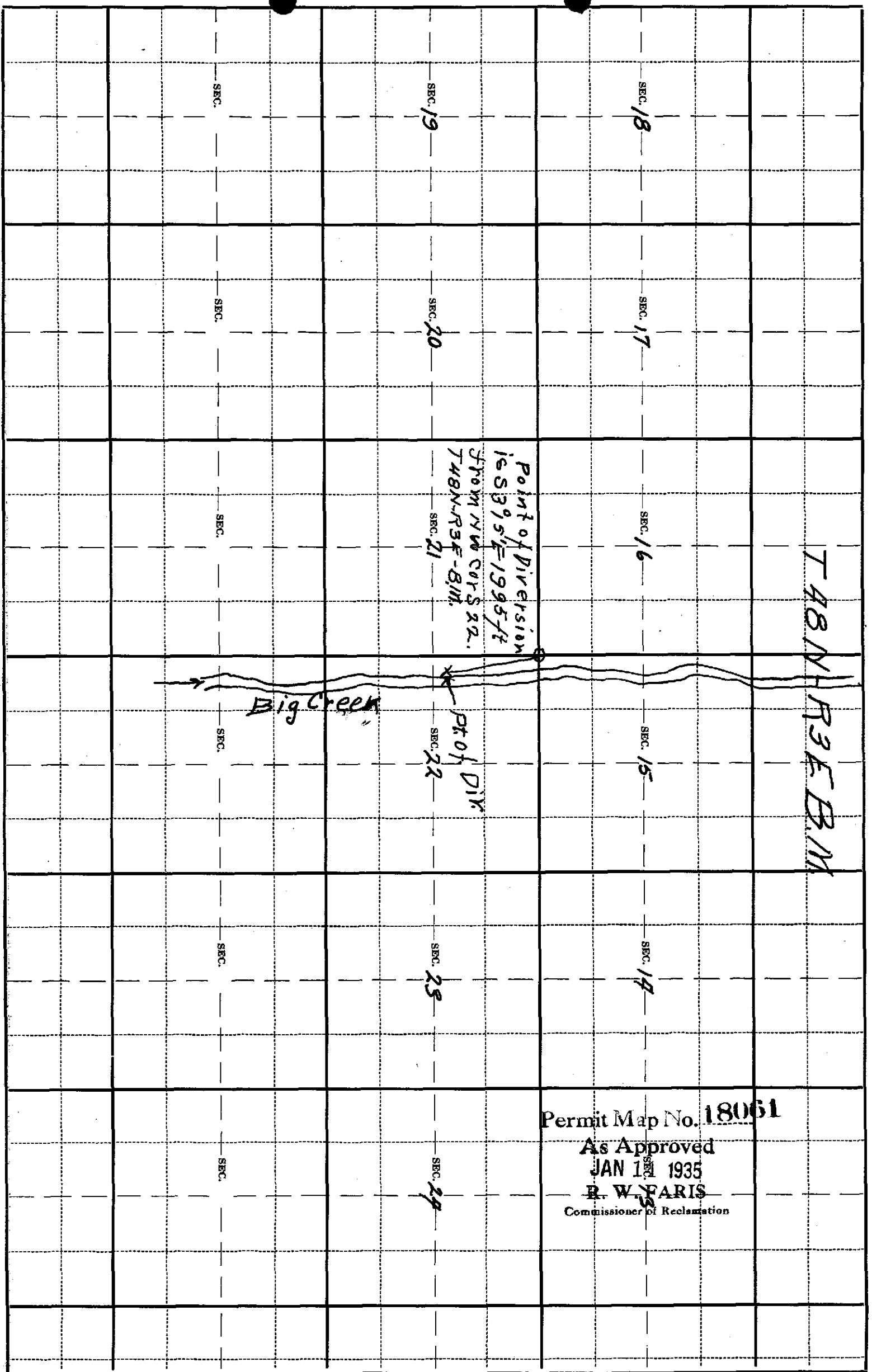
A.D. 1937.

Lester S. Harrison
Notary Public in and for the State
of Idaho, residing at Kellogg, Idaho



NAME OF APPLICANT W. M. YEAMAN

FORM NO. 0



Permit Map No. 18061
As Approved
JAN 11 1935
R. W. FARIS
Commissioner of Reclamation