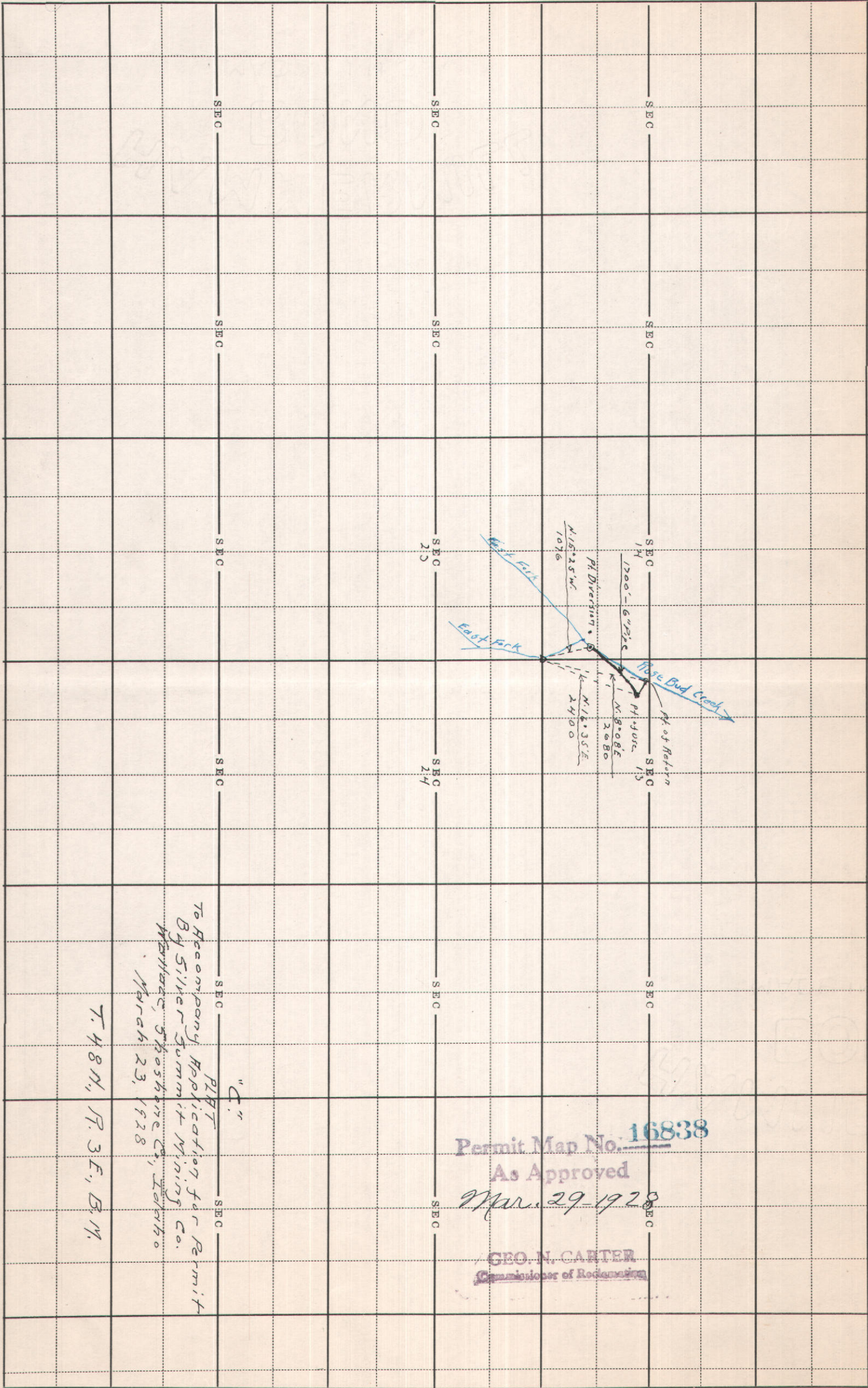




T. 48 N., R. 3 E., B. 17.

To Accompany Application for Permit
By Silver Summit Mining Co.
Wentworth, Shoshone Co., Idaho
March 23, 1928

"C"

PLAT

Permit Map No. 16838

As Approved

Mar. 29-1928

GEO. N. CARTER
Commissioner of Reclamation

State of Idaho

License and Certificate of Water Right

Water License No. 16838

Amount 2.0 sec. ft.

Water District No.

Priority 3-26-1928

THIS IS TO CERTIFY that Silver Summit Mining Company, of Wallace, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 26, 1928; that Permit No. 16838 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.0 second feet, was issued thereunder on December 24, 1929, showing that said works were completed on the 19th day of December, 1929; and that on the 18th day of February, 1930,

Silver Summit Mining Company

of Wallace, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Rose Bud Creek, a tributary of South Fork Coeur d'Alene river, for the purpose of mining, milling and power, under Use Permit No. 16838 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 of Licenses, at page 3660, on the 10th day of April, 1931;

The right hereby confirmed dates from March 26, 1928;

The Point of Diversion is located in the SE ¼, SE ¼, Sec. 14, 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 2.0 cubic feet per second.

Description and location of use: In the NW¼SW¼ of Sec. 13, Twp. 48 N., R. 3 E., B. M.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated

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 10th day of April, 1931.

R. W. FARIS

Commissioner of Reclamation

(SEAL)

94 2148

APPLICATION FOR PERMIT 94-2148 TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 23791
Permit No. 16838
District No.

1. Name of Applicant: **Silver Summit Mining Company**

Postoffice address: **Wallace,** County: **Shoshone,** State: **Idaho.**

I. If applicant is a corporation, give:

(a) Date and place of incorporation: **March 7, 1927, Wallace, Idaho.**

(b) Amount of capital stock: **\$1,500,000**

(c) Amount paid in: **All**

(d) Names and addresses of directors: **Harry P. Pearson, Pres. & director, Ray L. Williams, V. P. & Director, John F. Ferguson, Director, Chas. E. Horning, Director, all of Wallace, Idaho.**

II. The financial resources of the applicant are:

(a) Cash on hand: **\$10,000**

(b) Treasury stock: **\$500,000**

(c) Bonds to be issued:

(d) Other resources: **10 cent assessment from Pearson Mining Company**

2. Quantity of water claimed: **two** cubic feet per second.

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

4. Location of point of diversion: **N. 15°25' W. 1076** feet distant from the **S.E.** corner of Section **14**, T. 48 N., R. 3 E., B. M., and is in the **SE $\frac{1}{4}$ SE $\frac{1}{4}$** of Section **14**, T. 48 N., R. 3 E., B. M., County of **Shoshone.**

5. Water is to be used for: **mining & milling & power.**

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

(a) Point of use of water: **N. 16°35' E. ²⁴⁰⁰/feet** distant from **S.W.** corner of Section **13** T. 48 N., R. 3 E., B. M., in the **NW $\frac{1}{4}$ SW $\frac{1}{4}$** of Section **13**, T. 48 N., R. 3 E., B. M.

(b) Amount of power generated: **30** H. P., under **190** feet head.

(c) Water is to be returned to **Rose Bud Creek** at a point **N. 8°08' E. 2680** feet distant from the **S.W.** corner of Section **13**, T. 48 N., R. 3 E., B. M., in the **NW $\frac{1}{4}$, SW $\frac{1}{4}$** of Section **13**, T. 48 N., R. 3 E., B. M.

7. Estimated cost of works: **\$ 2000**

8. Kind of works: **Dam & pipe.**

9. Height of dam **4** feet; length of dam at top **20** feet; length of dam at bottom **10** feet; material used in dam: **earth & timber.**

10. Size of headgate: Width **1** feet; height **1** feet.

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

Diameter of pipe **6** inches; length of conduit **1700 ft. = 1/3** miles.

Average grade per mile **570** feet.

12. The time required for the completion of such work is **three** 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. 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.

Silver Summit Mining Company, Applicant.

By Julius P. Hall Agent.

Date of first receipt at Department of Reclamation: 9 A. M., March 26, 1928.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16838.

Recorded in Book 60; Page 16838. Approved March 29, 1928.

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 May 28, 1928 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 **September 29, 1929.**

The whole of said work to be completed on or before March 29, 1931.

Beneficial use of water appropriated in accordance herewith, to be made on or before **March 29, 1933.**

Witness my hand this 29th day of March, 1928. GEO. N. CARTER.

Commissioner of Reclamation.

Remarks:

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	
			----- Permit No. 16838 CERTIFICATE OF COMPLETION OF WORKS ----- To All Whom It May Concern: This is to certify that the Silver Summit Mining Co., of Wallace, County of Shoshone, and State of Idaho, the holder of Permit No. 16838, issued upon Application No. 23791 bearing date of priority of March 26, 1928, authorizing the diversion of 2.0 second feet of the waters of Rosebud Creek, County of Shoshone, State of Idaho, for mining, milling and power 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 2.0 second feet of the waters of Rosebud Creek; that the point of diversion of said waters is in the SE¼SE¼ of Sec. 14, Twp. 48 N., R. 3 E., B.M., and that the water is to be used for mining, milling and power purposes. Witness my hand this 24th day of December, A.D. 1929. GEO. N. CARTER Commissioner of Reclamation Proof of Completion of Works made December 19, 1929. Certificate of Completion of Works issued December 24, 1929. 2.0 BR. 7-100. 19.3660																

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 16838

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant: Silver Summit Mining Company

2. Source of water supply: Rosebud Creek

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14

T. 48 N. R. 3 E. County of Shoshone

4. Describe works as they exist, giving dimensions and capacities of same: Concrete diversion dam 18" thick, 30' long, 6' high, 12" sluice gate, screened intake to 6" galv. pipe leading on grade 1445 ft. to intake of 3" pressure pipe which is 380 ft long under 214' head at compressor house. of 16' x 22' also 18 ft shed & 28 ft Hackenrith shop

5. Water is used for: Mining, Milling and Power

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): _____

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

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

Remarks: Water discharges thru 30' pelton wheel belted to an air blower at tunnel portal
Present stream flow about .2 Sec Ft.

This examination was made on the 22nd day of Aug 1930

(Signed)

Fred H. Coleman

Examiner.

16838

Silver Summit Mng. Co

Wallace

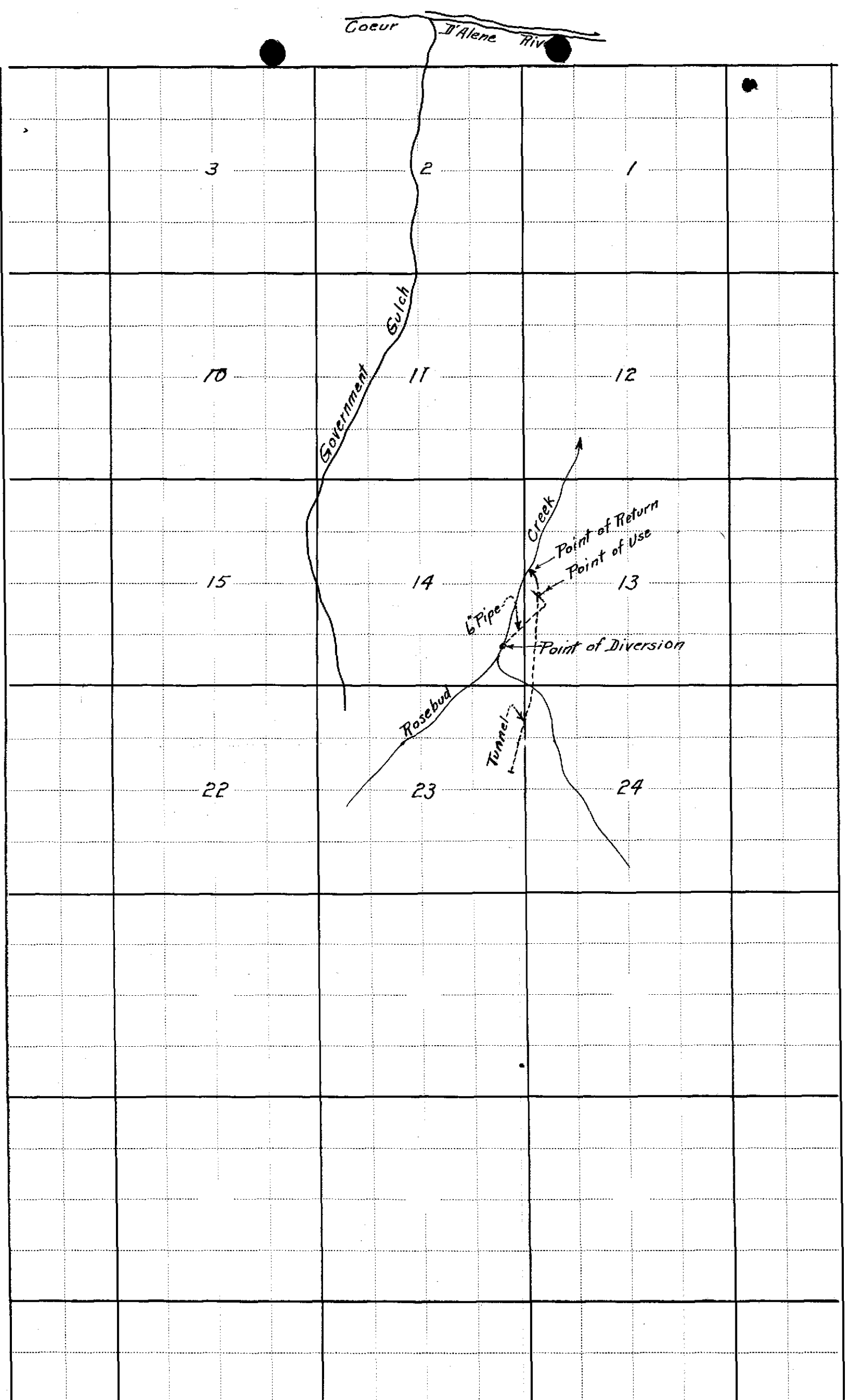
Permit No. 16838

Examination for BEN. 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.



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

16838

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 16838

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Harry P. Pearson, President, Silver Summit Mining Company,
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. Silver Summit Mining Company, Wallace, Idaho. as President and Manager

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit. ✓ March 29, 1928

Ans. Permit No. 16838. Date of Priority March 29, 1928

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

Ans. Rose Bud Creek, Point of Diversion is in the S.E. $\frac{1}{4}$, S.E. $\frac{1}{4}$ of
Sec. 14, T. 48 N., R. 3 E., B.M.

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. Earth, Timber and Concrete dam, 4 ft. high, 20 feet long at top,
bottom 10 ft. long. 1700 ft. 6 inch galvanized iron pipe. Grade per
mile 570 ft. capable of conveying 2 cu. ft. per sec.

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. Mining, Milling and Power. Point of use is in the N.W. $\frac{1}{4}$, S.W. $\frac{1}{4}$,
Sec. 13, T. 48 N., R. 3 E., B.M. at the portal of a proposed 4,400 foot
cross-cut tunnel which is now in 3,200 feet.

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

Ans. At the present time water is used for the air compressor, mining
purposes and to generate 10 H.P. for mine fan and blower.

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

Ans. 2 cu. sec. 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. Same party and Company

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

Ans. Prior to December 1st, 1929 water was being used and is now, as stated in reply to question No. 7 to the amount of 2 cu. sec. feet.

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. No other water right on Rose Bud Creek.

(Sign)

Henry P. Pearson
Pres Silver Summit Mining Co.

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 18th day of February, A. D. 1930.

John E. Sherrard
Probate Judge

My commission expires

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16838

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. T.M. Hally, age 25, P.O. Box 1073, Wallace, Idaho.

Occupation, draughtsman

Ques. 2. Are you acquainted with Harry P. Pearson, the holder of Permit No. 16838? How long have you known him and where does he reside?

Ans. Yes. About five years. He resides in Wallace, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16838, 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. Rose Bud Creek. Point of Diversion is in the S.E. $\frac{1}{4}$, S.E. $\frac{1}{4}$, Sec. 14, T. 48 N., R. 3 E., B.M. Small earth, timber and concrete intake dam and 1700 ft. of 6 inch galvanized iron pipe.

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. Approximately 2 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 improvements which have been made as a direct result of said use.

Ans. Mining, milling and power. At point of use in the N.W. $\frac{1}{4}$, S.W. $\frac{1}{4}$, Sec. 13, T. 48 N., R. 3 E., B.M.

16838

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

Ans. Water is used for air compressor, mining and to generate 10 H.P. for mine fan and blower.

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.

~~Water has not been used for purposes other than heretofore stated. Part of the~~
Ans. 2 second ft. could be used for irrigation and domestic purposes on 18.25 acres recently purchased by the Silver Summit Mining Co. in the S.E. $\frac{1}{4}$,

N.W. $\frac{1}{4}$ and the S.W. $\frac{1}{4}$, N.E. $\frac{1}{4}$, Sec. 13, T. 48 N., R. 3 E., B.M.

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.

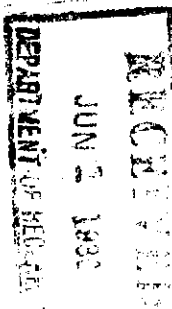
Ans. Prior to December 1, 1929 water was being used and is now, as stated in reply to question No. 7 to the amount of approximately 2 cu. sec. ft.

(Signed) Thos M. Waller

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 18th day of February, A. D. 1930.

My commission expires _____

John E. Sherrard
Notary Public.
Probate Judge.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16838

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. E.A. Ross, age 42, 208 Cypress St., Wallace, Idaho.

Occupation, Engineer's assistant.

Ques. 2. Are you acquainted with Harry P. Pearson, the holder of Permit No. 16838? How long have you known him and where does he reside?

Ans. Yes. About five years. He resides in Wallace, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16838, 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. Rose Bud Creek. Point of Diversion is in the S.E. $\frac{1}{4}$, S.E. $\frac{1}{4}$, Sec. 14, T. 48 N., R. 3 E., B.M. Small earth, timber and concrete intake dam and 1700 ft. of 6 inch galvanized iron pipe.

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. Approximately 2 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 improvements which have been made as a direct result of said use.

Ans. Mining, milling and power. At point of use in the N.W. $\frac{1}{4}$, S.W. $\frac{1}{4}$, Sec. 13, T. 48 N., R. 3 E., B.M.

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

Ans. Water is used for air compressor, mining and to generate 10 H.P. for mine fan and blower.

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.
Water has not been used for purposes other than heretofore stated. Part of the 2 second ft. could be used for irrigation and domestic purposes on 18.25 acres recently purchased by the Silver Summit Mining Co. in the S.E. $\frac{1}{4}$, N.W. $\frac{1}{4}$ and the S.W. $\frac{1}{4}$, N.E. $\frac{1}{4}$, Sec. 13, T. 48 N., R. 3 E., B.M.

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. Prior to December 1, 1929 water was being used and is now, as stated in reply to question No. 7 to the amount of approximately 2 cu. sec. ft.

(Signed) G. H. Ross

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 18th day of February, A. D. 1930.

My commission expires _____

John E. Sherrard
Notary Public
Probate Judge

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 18th day of February, 1930,
at Wallace, County of Shoshone, State of Idaho,
before John E. Sherrard, Probate Judge, proof will be submitted
of the application to beneficial use of 2 cubic feet per second of the
waters of Rose Bud Creek in accordance with the terms and conditions of
Permit No. 16838 heretofore issued by the Commission of Reclamation
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....
Silver Summit Mining Company, Wallace, Idaho

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

The amount applied to beneficial use is 2 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands
irrigated)

Not for irrigation

The name of the canal or ditch or other works by which said water is conducted to such place of use
is 1700 feet of 6 inch iron pipe

The right to take water from such works is based upon Permit No. 16838

The source of supply from which such water is diverted is.....
Rose Bud Creek

The date of the priority which said user is prepared to establish is.....
March 29, 1928

GEO. N. CARTER

Commissioner of Reclamation.

SE SE Sec 14
T. 48 N. 3 E

16838

Permit No. 16838STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Shoshone } SS

Harry P. Pearson, President

Silver Summit Mining Co., being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to appropriate the Public Waters of the state of Idaho, No. 16838, and that his postoffice address is Wallace State of IdahoSecond: That the name of the stream from which said water is to be diverted is Rose Bud CreekThird: That the point of diversion of said water is N. 19° 40' W. 965.0 ft. distant from the S.E. Cor. Sec. 14, T. 48 N., R. 3 E., B.M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 29, 1931.Fifth: That the use for which said water is intended is Mining, Milling & PowerSixth: That on December 1, 1929 ~~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

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

II. Dimensions of work:

(a) Height of dam 4 feet, length of dam at top 20 feet, length of dam at bottom 10 feet. Material used in construction Concrete, earth and wood

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

(b) Capacity of reservoir acre feet.(c) Size of headgate: Width 1 feet, height 1 feet.(d) Conduit Pipe width at bottom feet, width at water line feet, depth of water feet; diameter of pipe 6 inches, average grade per mile is 570 feet. Length of conduit is 1700 miles.Seventh: That said works are capable of conducting to the place of intended use 2 second feet of water.Eighth: That water appropriated under said permit is available for acres of land described as follows: Mining, Milling & PowerNinth: Remarks: That Harry P. Pearson
(Sign here)Subscribed and sworn to before me this 19th day of Dec, 1929My commission expires Harry A. Rogers
County Recorder Notary Public.
By S. A. White, Deputy

16838

