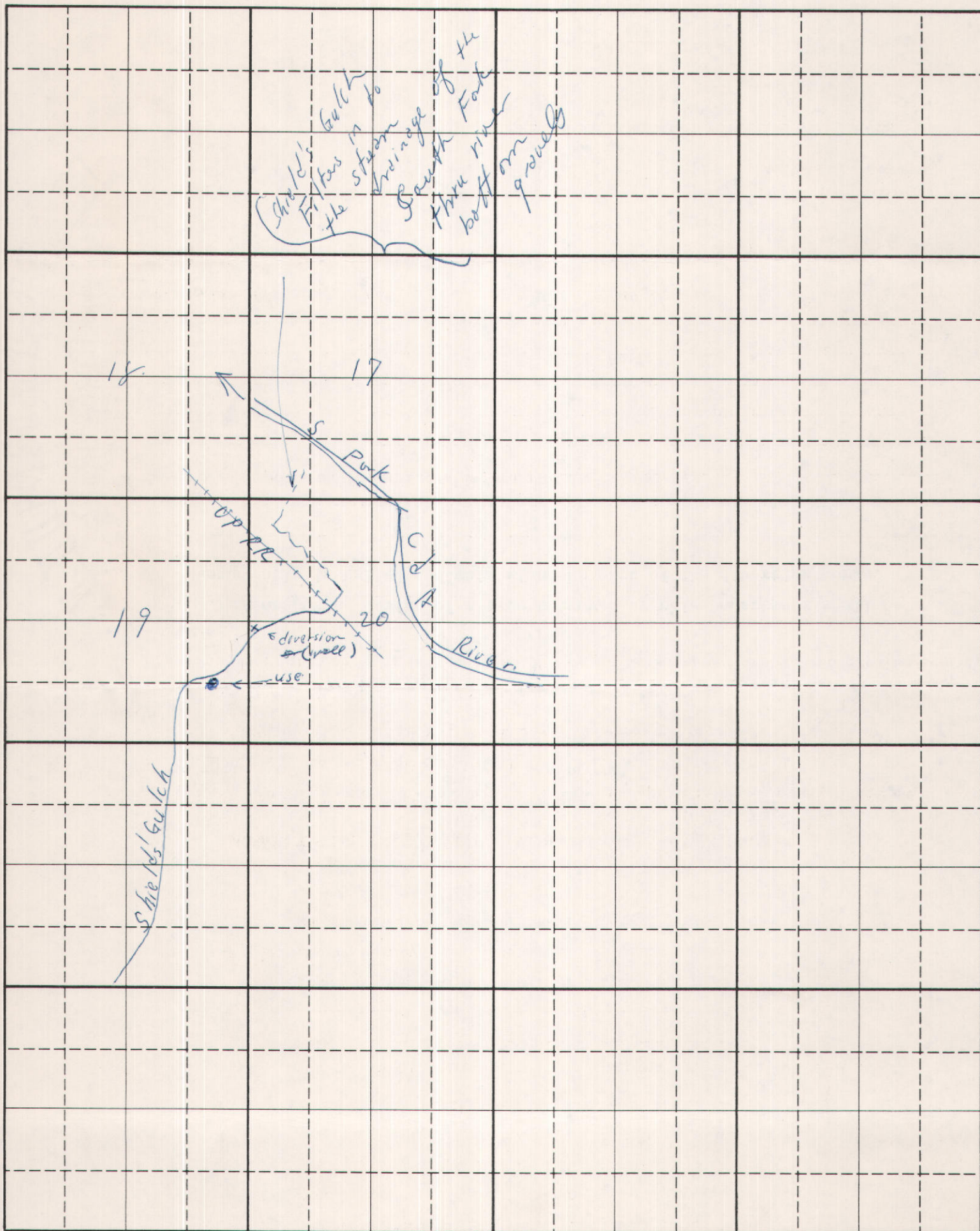


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

American Smelting & Refining Co.
(Applicant)

by R. H. Pettit Jr.

Chief Engineer

34 7056

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(Late Proof)
License of Water Right No. 94-7056 Priority July 14, 1974 Amount .38 cfs

THIS IS TO CERTIFY, that AMERICAN SMELTING AND REFINING CO.
of Wallace Idaho, has complied with the terms and conditions of Permit
No. 94-7056 issued pursuant to Application for Permit dated June 5, 1974,
and has submitted proof to the Department of Water Resources on September 9, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .38 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (1 unit)	from January 1 to December 31	at 04 cfs and	1.2 acre feet
Commercial	from January 1 to December 31	at .38 cfs and	N/A
Fire Protection	from January 1 to December 31	at .10 cfs and	N/A

(both dates inclusive)

Subject, however, to the condition that no more than .38 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
N/A acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, Twp. 48N,
Rge. 4E B. M. in the County of Shoshone

Description and location of place of use:

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 $\frac{1}{4}$	
48N	4E	19																X	

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26th day of
June, 19 81.

Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 94-7056 IN THE
NAME OF THE AMERICAN SMELTING AND REFINING CO.

ORDER OF REINSTATEMENT

WHEREAS, on June 5, 1974, the American Smelting and Refining Company filed with the Department of Water Resources (formerly the Department of Water Administration) an application for permit to appropriate 0.50 cubic feet per second of groundwater to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, Twp. 48N, Rge. 4E, B.M., Shoshone County, to be used for domestic, fire protection and milling purposes; and,

WHEREAS, on July 15, 1974, the Department approved said application and issued Permit No. 94-7056 with the condition that proof of beneficial use of water and construction of works be submitted to the Department on or before August 1, 1977; and,

WHEREAS, on May 31, 1977, the Department notified the permit holder by certified mail that proof of beneficial use of water was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on August 11, 1977, the Department notified the permit holder that Permit No. 94-7056 had lapsed for failure to submit the required proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 94-7056 be REINSTATED and the priority advanced to July 14, 1974.

Dated this 19 day of September, 1977.


BOBBY D. FLEENOR
Chief, Operations Bureau

RECEIVED
SEP 20 1977
WATER RESOURCES
DIVISION

APPLICATION FOR AMENDMENT

Comes now American Smelting and Refining Company of (address) _____

No. 94-7056, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SWSE 1/4 NW 1/4, Sec. 20, T. 48N

R. 4E, B.M. Other points of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 20, T48N, R4E, B.M.

NO CHANGE

mo. - day

mo. - day

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs, or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs, or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

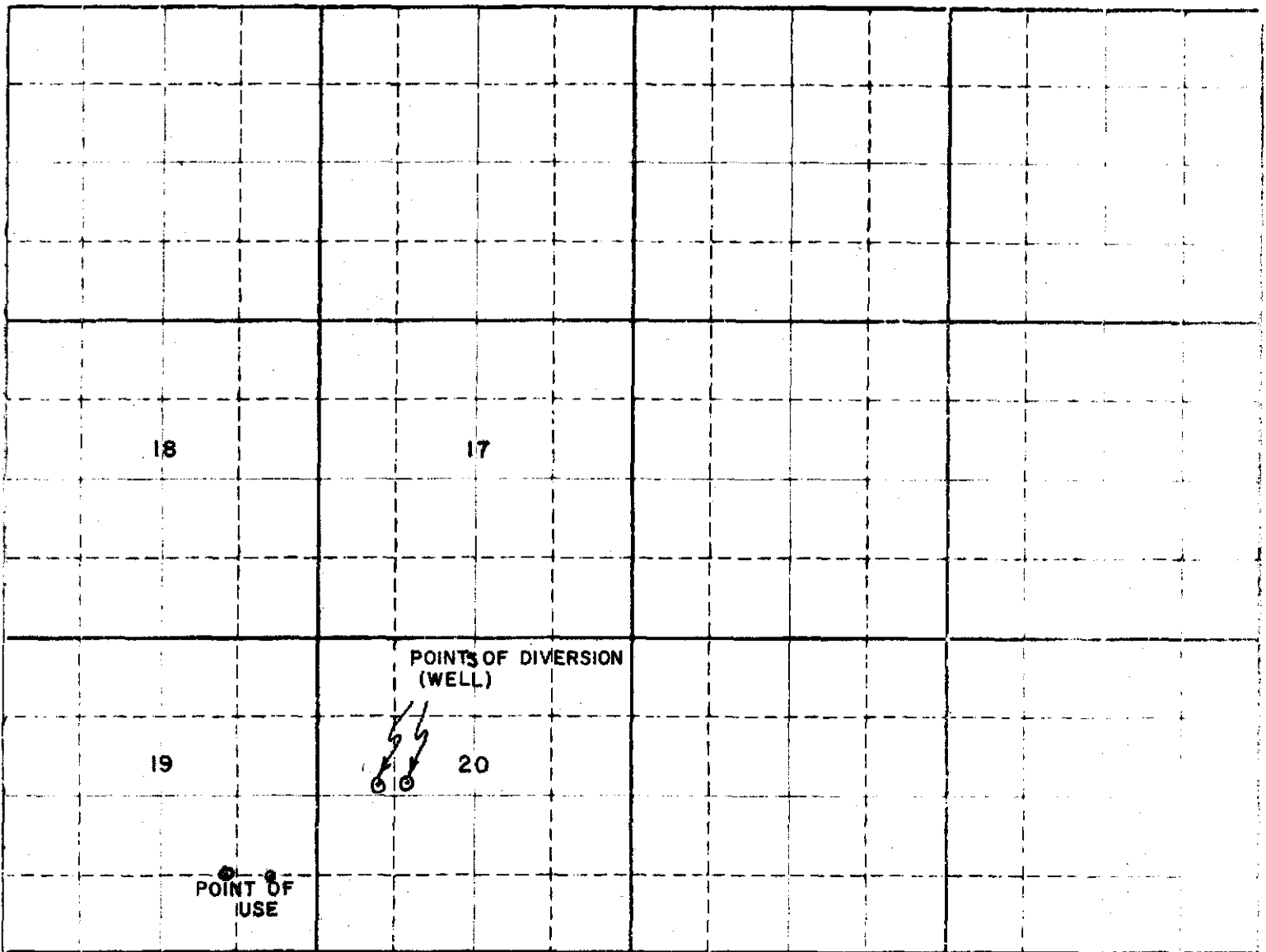
3. Place of use or land to be irrigated: NO CHANGE

[illegible]

Total number of acres to be irrigated

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at New York, New York, this 4th day of April, 1977

ASARCO Incorporated

Norman T. Jones

(signature) Vice President

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

Administrator, Resources Administration Division

I, NORMAN C. YOUNG

~~Director~~ of the Department of Water ~~Administration~~

Resources

hereby APPROVE the above application for amendment on Permit No. 94-7056.

Witness my hand this 26th day of April, 19 77

Norman C. Young

~~Director~~

Administrator, Resources Administration Div.

Identification No. 94-7056

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant American Smelting and Refining Co.
post office address Box 440, Wallace, Idaho, 83873
2. Source of water supply Ground Water in Shield's Gulch which is a tributary of S. Fork-Coeur d'Alene River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20 Township 48N
Range 4E B.M. Shoshone County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into Shield's Gulch at a point in SE $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 19 Township 48N Range 4E B.M. Shoshone County
4. Water will be used for the following purposes:
Amount $\frac{1}{2}$ cfs for operation of mill purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount ~~104~~ for domestic purpose from " to " (both dates inclusive)
(cfs or acre-feet per annum)
Amount ~~10~~ for fire protection purpose from " to " (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. $\frac{1}{2}$ cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. a shallow well at diversion point which is about 50' West of the stream line of Shield's Gulch. This will be covered by a 75 H.P. Deep Well pump (with one standby) The water will be pumped thru a 3" or 4" pipe to the point of use.
b. Height of storage dam none feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is 20 feet. Possibly will be a dug well.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 3 years.
b. Estimated construction cost is \$ 12,800.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19 Township 48N
and SW Range 4E B.M.
(2) Amount of power to be generated: none hp under _____ feet of head.
(3) List number of each kind of livestock to be watered none
(4) Name of municipality to be served none, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: will furnish domestic water for a 150 man mining and milling operation, and the water for a mill, which will concentrate silver copper ore. If it proves feasible some water will be reused in the mill - possibly 50%

94 7056

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes as described above. We will use a minor amount of water furnished by Idaho Water Co., which bought the Duck Water System.

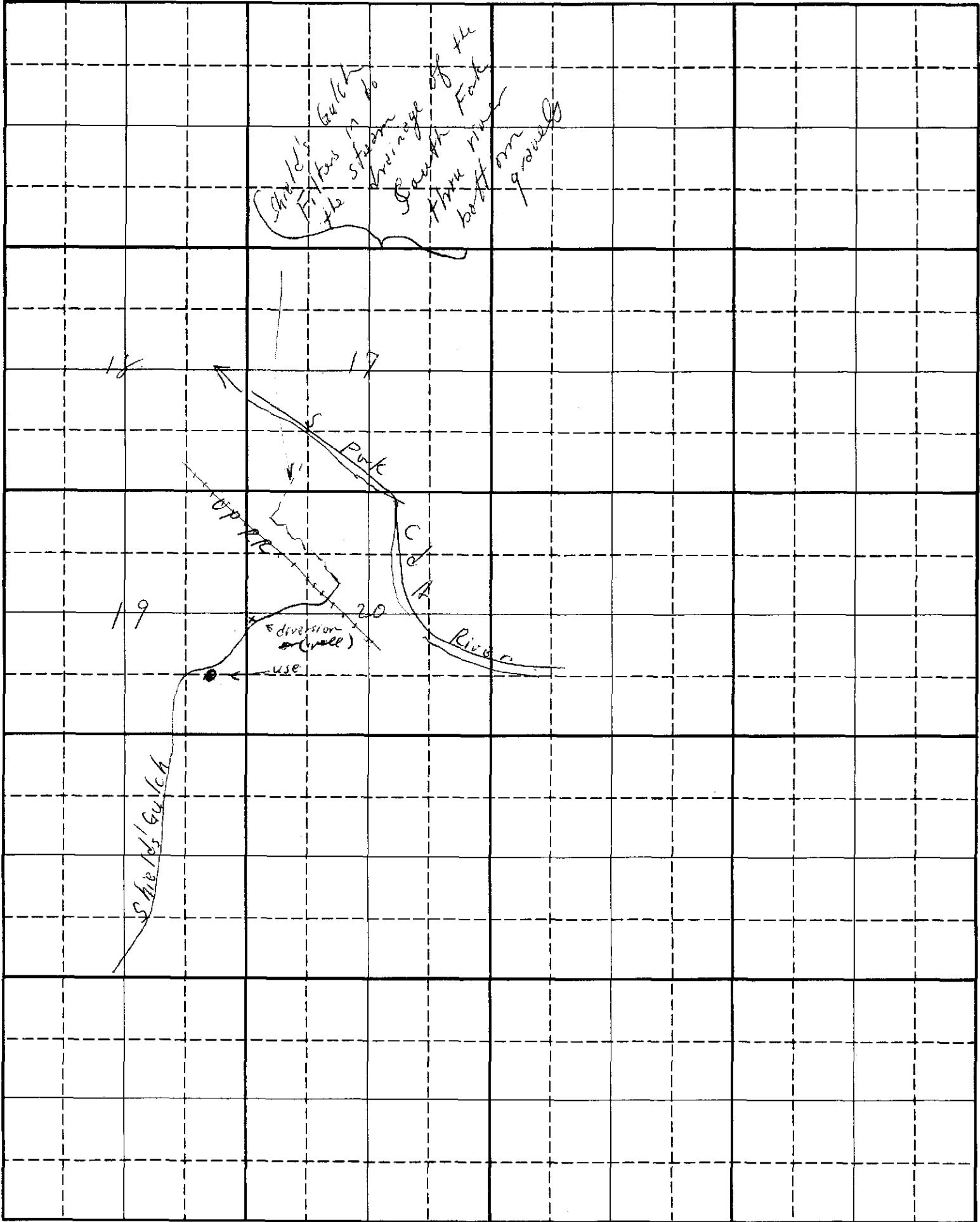
9. a. Who owns the property at the point of diversion Coeur d'Alene Mines.

b. Who owns the land to be irrigated or place of use Coeur d'Alene Mines

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. American Smelting and Refining Company
has a long term lease from the owner. The
lease covers mineral and surface rights.

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

American Smelting & Refining Co.
(Applicant)
by R. H. Pettit Jr.
Chief Engineer
SA 7056

Received by CP Date 6-5-74 Time 11:30 A.M.
Preliminary check by TE Fee \$ 25.00
Receipted by TE Date 6-5-74 # 14115
Publication prepared by CP Date 6-7-74
Published in North Idaho Press
Publication dates 6-13 & 6-20-74
Publication approved CP Date 7-1-74
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by BOE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

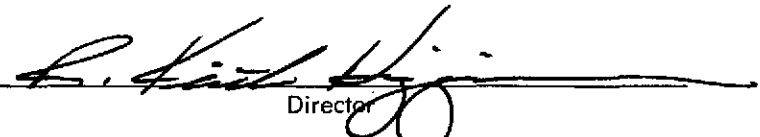
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 94-7056, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 77.
- c. Other: A measuring device of a type approved by this Department 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 15 day of July 19 74.


Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>EE</u>	<u>6/5/74</u>	Application No. <u>94-7056</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>EE</u>	<u>6/5/74</u>	In form to receipt Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)			☐ Request Special Use Permit from U.S. F.S. ☐ Request Easement from B. L. M. ☐ Request Information from Applicant
(5)	<u>EE</u>	<u>6/5/74</u>	In form for advertising
(6)			Located within Water District No. _____
(7)	<u>EE</u>	<u>7/8/74</u>	Critical groundwater area: yes _____ no ☒
(8)	<u>EE</u>	<u>7/8/74</u>	Groundwater levels: ____ Decline (comment) _____ ☒ Stable (comment) _____ ____ Increasing (comment) _____
(9)			Comments: _____
(10)	<u>CP</u>	<u>7/1</u>	Affidavit of Publication received (date) <u>JUNE 24, 1974</u>
(11)	<u>CP</u>	<u>6/7</u>	Final date for protests <u>JULY 1, 1974</u> Protests received: yes _____ no ☒
(12)			Date and Place of hearing _____ Decision reached at hearing _____
(13)	<u>EE</u>	<u>7/8/74</u>	All requested information received from agencies or applicant yes ☒ no _____
(14)	<u>EE</u>	<u>7/8/74</u>	Action recommended: ☒ Approve Priority <u>6-5-74</u> ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☐ No additional conditions for approval
(15)	District <u>Platte</u>	By <u>[Signature]</u>	Date <u>7/8/74</u> 94 7056 RECEIVED

STATE OF IDAHO,)

ss.

County of Shoshone.)

PROOF OF PUBLICATION

Water Application
No. 94-7056

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that American Smelting and Refining Company, Box 440, Wallace, Idaho has on June 5, 1974 submitted Application No. **94-7056** for a permit to appropriate 0.5 cubic feet per second of water from a ground water source by means of well, pump, and pipeline within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 48N, R. 4E, B.M., Shoshone County to be used from Jan. 1 to Dec. 31 for mill operation (0.5 cfs), domestic (0.04 cfs), and fire protection purposes (0.10 cfs) within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 48N, R. 4E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before July 1, 1974.

R. KEITH HIGGINSON
Director

June 13, 20, 1974

James Hackett, being first duly sworn,
deposes and says:

That he is the Editor of the North Idaho Publishing Company, publishers of the North Idaho Press, a daily newspaper printed and published at Wallace, Shoshone County, State of Idaho, which said newspaper has a general circulation in said county, and has been continuously and uninterruptedly printed and published in said county during a period of twelve (12) consecutive months prior to the 13 day of June A.D., 1974. That the Legal Notice of which a complete and correct copy is herto attached, was first published in said newspaper in its issue dated the 13 day of June A.D., 1974 and published in Two (2) issues of said newspaper, the last publication thereof being in the issue dated the 20 day of June A.D., 1974.

James S. Hackett
Subscribed and sworn to before me this
21st day of June, A.D., 1974.
D. J. Counsell

My commission expires September 25, 1977.

Notary Public for the State of Idaho
residing at Wallace, Idaho

94-7056

March 8, 1977

Re: Permit No. 94-7056

American Smelting and Refining
Company
Box 440
Wallace, ID 83873

ATTN: C. J. Ward

We have typed an Application for Amendment form and have enclosed it for your review and signature. This will amend Permit No. 94-7056 to allow you to use two points of diversion under this right.

Please be sure to have an elected official of the firm sign the amendment form indicating his title, then return the form to our office along with the required \$10 filing fee.

Feel free to contact us if there are any questions.

Very truly yours,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:cp

Enclosure

ASARCO

RECEIVED

FEB 11 1977

Northwestern Mining Department
F. D. Owsley
Manager

Department of Water Resources

February 16, 1977

RECEIVED

FEB 23 1977

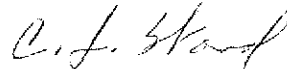
Department of Water Resources
Northern District Office

State of Idaho
Department of Water Administration
Statehouse, Annex 2
Boise, Idaho 83707

Dear Sirs:

We wish to apply for a permit for a well in the NW 1/4 of SW 1/4 of Section 20 Township 48NR4E to supply water for a 150 man mining and milling operation. The well now on the property no longer furnishes water for the operation.

Very truly yours,



C. J. Ward
Unit Superintendent
Coeur Unit

CJW:vw



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

~~K. STEPHEN KILGORE~~

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

July 8, 1981

American Smelting & Refining Co.

Box 440

Wallace, ID 83873

Dear Sirs,

RE: Permit No. 94-7056

Enclosed is a copy of the Water Right License issued on the above referenced Permit.

Please be advised that one of the conditions of your permit was that a measuring device be installed as part of your diversion works. That requirement has been waived with issuance of the enclosed license. However, in the event that water supply shortages become a problem installation of measuring devices may be required.

Sincerely,

JIM JOHNSON

Water Distribution Supervisor

JJ:mr

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 2, 1981

American Smelting & Refining Co.
Box 440
Wallace, Idaho 83873

Dear Sirs,

A representative of this Department has made an examination of the works covered by your Permit No. **94-7056**, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: **.38 cfs** Source: **groundwater**

The maximum quantity diverted shall not exceed **N/A** acre feet per year.

Point(s) of diversion: **SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, Twp. 48N, Rge. 4E, B.M.**

Beneficial use: **Domestic use for 1 unit, commercial use and fire protection use within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp. 48N, Rge. 4E.**

Priority date established: **July 14, 1974 (late proof)**

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

IM JOHNSON
Water Distribution Supervisor

RECEIVED
JUN 10 1981
WATER RESOURCES
DIVISION

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED
MAY 26 1981
Department of Water Resources

94-7056

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 5/14/81 Accompanied by BILL RUST Total Q measured 170 gpm
If source is surface water, estimate total flow of source _____
Methods of measurement Sparkling gage Meets Permit requirements? yes

Measurement calculations:

170
141.8 = 0.38 cfs capacity

$$CAPACITY = \frac{75(.8)(8.8)}{35 + 40(2.3)} = \frac{528}{127} = 4.15 \text{ cfs} *$$

ALLOW .04 for domestic as per permit & .10 for fire protection as per permit

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	75	GE	5K6257X4168A	Johnson	U/K	Sparkling	good	
	75	GE	" "	Johnson	U/K	Sparkling		backup pump

System Description 4ft culvert 38ft deep with 2 pumps, one pump is backup. water is conveyed by 4" steel pipe to place of use.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = _____ AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
Commercial (Mill)	0.38 ✓	N/A	1/1	12/31
Domestic	0.04 ✓	1.2	1/1	12/31
Fire protection	0.10 ✓	N/A	1/1	12/31
Total	0.38 ✓	N/A		

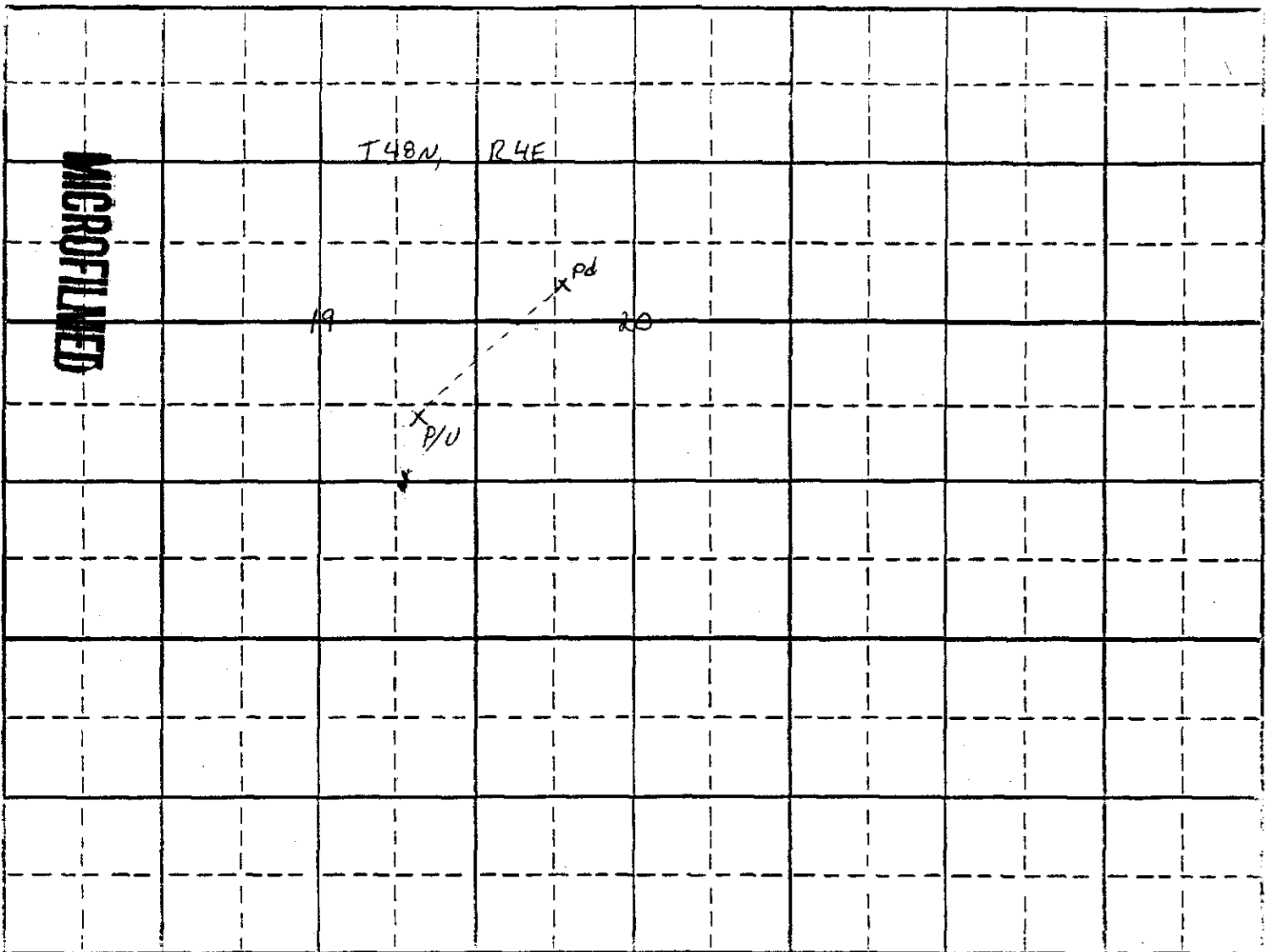
Remarks

* The pump installed on the well under this permit can produce much more water than required to satisfy the use. The recommended quantity that can be used under the permit is not the capacity but rather the amount measured which is 0.38 cfs.

4/3/81

MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

No diagram submitted with this exam. R

Point(s) of diversion: SE 1/4 SEC 20 T48N, R4E

Place(s) 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	
✓ 48N	4E	19																X	

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Examiner's Signature

James Beard

Date 5/15/81

Checked by

[Signature]

Date 5/18/81

Approved by

[Signature]

Date 5/28/81

September 20, 1977

Re: Permit No. ⁹⁴⁻⁷⁰⁵⁶~~36-7250~~

American Smelting & Refining Co.
Box 440
Wallace, Idaho 83873

Gentlemen:

Enclosed is an Order of Reinstatement; please note that the priority has been advanced to July 14, 1974.

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Coeur d'Alene.

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

RECEIVED
SEP 21 1977
FBI - COEUR D'ALENE

✓

Identification No. _____
Permit No. 94-7056

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
SEP 9 1976
Department of Water Resources

1. a) Name of Permit Holder ASARCO Incorporated
b) Post Office Address Box 440, Wallace, Idaho 83873
2. Permit Number 94-7056
3. Date of Priority that you are prepared to establish 1-1-76
4. a) Source from which water was appropriated Well
b) Location of the point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20
Township 48 North, Range R4E Boise Meridian, Other points of diversion: None
5. a) The amount of water and use to which the water has been applied:
Amount 1/2 cfs for operation of purposes from 1-1-76 to 9-7-77 incl.
(cfs and/or acre-feet per annum) mill (Month-Day) (Month-Day)
Amount .04 cfs for domestic purposes from 1-1-76 to 9-7-77 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount .04 for fire protection purposes from 1-1-76 to 9-7-77 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1/2 cfs cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Sparling propeller mainline meter
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
ASARCO Incorporated has a long-term lease from Coeur d'Alene Mines Co., owners of the property.
b) Describe the agreement or understanding by which you take water from the works:
ASARCO Incorporated has a long-term lease from Coeur d'Alene Mines Co. which covers surface and mineral rights.
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 6-5/8" deep well pump with 75 HP motor.
12" well casing. Depth of well - 40'.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Sparling propeller mainline motor.
c) Give well driller's name and address and the date the well was completed: Brand X Water Well Co.,
Lindon Cordon, Rt. 1 8543, Rathdrum, Idaho 83858
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

RECORDED

9/20/77

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

9-7-77

(Date)

C. J. Ward

C.J.Ward (Signature)

State of Idaho)

County of Shoshone)

) ss.

On this 7th day of September, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at Wallace, Idaho

Commission expires January 1, 1978

My commission expires January 1, 1978

ASARCO

Northwestern Mining Department
F. D. Owsley
Manager

September 7, 1977

RECEIVED

SEP 9 1977

Department of Water Resources

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

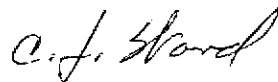
Attention: Mr. Stephen Allred, Director
Dept. of Water Resources

Dear Sir:

Please find enclosed a proof of beneficial use
affidavit for permit No. 94-7056.

It was an oversight on our part that the notification
of the completion of the project was not forwarded to
you in the proper time-frame.

Very truly yours,



C. J. Ward
Unit Superintendent
Coeur Unit

CJW:vw
Enclosure

RECEIVED

✓



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

August 11, 1977

American Smelting & Refining Co.
Box 440
Wallace, Idaho 83873

Gentlemen:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 94-7056 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated May 31, 1977.

Your permit cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.

C. STEPHEN ALLRED
Director

CSA:jfr

Encl.

RECEIVED
AUG 14 1977
CITY OF WALLACE

May 31, 1977

CERTIFIED MAIL

138615

Re: Permit No. 94-7056

American Smelting and Refining Co.
Box 440
Wallace, Idaho 83873

Gentlemen:

One of the conditions of approval of your water Permit No. 94-7056 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before August 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



STEPHEN ALLRED

Director

:jfr

: Proof affidavit

✓

RECORDED
INDEXED

May 2, 1977

American Smelting & Refining Co.
Box 440
Wallace, Idaho 83873

Gentlemen:

Enclosed is a copy of the approved application for amendment issued on the above referenced permit.

Sincerely,

JANICE RENK
Water Rights Supr.

jfr

Encl.

MICROFILMED

✓

ASARCO

Northwestern Mining Department
F. D. Owsley
Manager

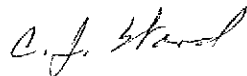
April 15, 1977

Mr. Robert G. Haynes
Regional Supervisor
State of Idaho
Department of Water Resources
Northern District Office
4055 Government Way
Coeur d'Alene, Idaho 83814

Dear Sir:

Enclosed for your approval is an application for amendment of our permit No. 94-7056 and a check in the amount of \$10 to cover the filing fee. In accordance with your letter of March 8, 1977, it has been signed by an elected official of ASARCO Incorporated.

Yours very truly,



C. J. Ward
Unit Superintendent
Coeur Unit

CJW:vw
Enclosures

RECEIVED

✓

94-7056
R E C E I V E D

NOV 30 1972

November 29, 1972

Department of Water Administration
Northern District Office

American Smelting & Refining Company
P. O. Box 440
Wallace, Idaho 83873

Attn: Geo. A. Deshler, Supt. of Mills

Dear Mr. Deshler:

We received your November 22, 1972, request for additional water for your Calena Mill operation.

Enclosed is an application for permit to appropriate water which you should complete and submit to the Department as soon as possible.

It may be more convenient for you to contact our Northern District Office at 401 Front Avenue, Room 209, Coeur d'Alene, Idaho, if you have any questions concerning this application.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:dr

cc: Northern District Office, ✓
Dept. of Water Admin.
Enc: letter of 11/22/72

Enc: App w/ins.

94-7056



AMERICAN SMELTING AND REFINING COMPANY
NORTHWESTERN MINING DEPARTMENT
P. O. BOX 440
WALLACE, IDAHO 83873

RECEIVED

NOV 23 1972

November 22, 1972

F. D. OWSLEY
MANAGER

Department of State Administration
Boise, Idaho

RECEIVED

NOV 23 1972

Department of Water Administration

State of Idaho
Department of Water Administration
R. Keith Higginson, Director
Boise, Idaho

Gentlemen:

Because of a need for more water at our Galena mill operation, we request your approval to construct a large sump to bedrock approximately 1,000 feet south of the South Fork of the Coeur d'Alene River basin in Lake Gulch and north of #4 tailing pond.

At the present time we have two clarification ponds at the proposed site. These would be eliminated and one large deep sump constructed.

The work to be performed is southeast of the present stream channel as the enclosed sketch indicates.

The present channel would not be disturbed.

All effluent from our present operations would enter this sump and be recycled or the excess, if any, returned to the stream as is the present practice.

This request is made because when operating the new Osburn impoundment area no effluent is recovered and it is necessary to obtain an additional water source during the dry season. Pumps would be installed in this catch basin to return the water to the mill operation.

This work must necessarily be done during the low water period, therefore, we respectfully request your early consideration.

Very truly yours,

Geo. A. Deshler
Geo. A. Deshler, Superintendent
of Mills

GAD:vw
Enclosure → *Returned w/ltts
of 11-29 ds*
cc: R.F.Pettit, w/enc.
T.Erskine, "
G.B.Christian, "

94-7056

July 16, 1974

Re: Permit No. 94-7056

American Smelting & Refining Co.
Box 440
Wallace, Idaho 83873

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 94-7056. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

94 7056

June 7, 1974

Re: Application No. 94-7055 - Joe R. Huston
" " 94-7056 - American Smelting & Refining Co.

North Idaho Press
507 Cedar
Wallace, ID 83873

Gentlemen:

Enclosed are legal notices which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us galley proofs for review before publication.

After sending us galley proofs, proceed with the publications on the dates we have inserted, assuming the notices are correct. If we have any corrections, we will notify you before the first publications. If you cannot publish the notices on the proposed dates, please contact us immediately.

Affidavits of publication must be submitted to our office along with the publication bills. Your cooperation in this matter is appreciated.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Enc: Legal Notices (2)

Bill Submitted 7-1-74 by CP

94-7056

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that American Smelting and Refining Company,
Box 440, Wallace, Idaho
has on June 5, 1974 submitted Application No. 94-7056
for a permit to appropriate 0.5 cubic feet per second ~~one foot per second~~
of water from a ground water source
by means of well, pump, and pipeline
within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 48N, R. 4E, BM, Shoshone County

to be used from Jan. 1 to Dec. 31
for mill operation (0.5 cfs), domestic (0.04 cfs), and fire protection
purposes (0.10 cfs)
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 48N, R. 4E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before
July 1, 1974.

R. KEITH HIGGINSON

Director

Published in the North Idaho Press, Wallace, Idaho
on June 13 and June 20, 1974

94 7056

June 6, 1974

Re: Application for Permit No. 94-7056

American Smelting and Refining Co.
Box 440
Wallace, ID 83873

Gentlemen:

Attached is your receipt No. 14115 in the amount of \$25 for the filing fee on the above referenced application which was received in this office.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Attachment

94 7056