

PROOF OF PUBLICATION SEP 2 1983

County of Shoshone,)
STATE OF IDAHO)

Department of Water Resources
Northern District Office

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

92-4124

Name: MULLINS, TED &/or EMILLE
Address: RT. 2, BOX 70, ASOTIN, WA 99402
Source: MAZIE CREEK trib. to SAINT MARIES RIVER, WEST FORK

Priority Date: Jan. 1, 1897
Diversion Point: NWNE Sec. 24 T 42N R 01E
Use: STOCKWATER (0.02 CFS).
In: NWNE Sec. 24 T 42N R 01E

94-4225

Name: RICE, ROBERT A. &/or PHYLLIS H.
Address: P.O. BOX 506, SILVERTON, ID 83867

Source: GROUNDWATER
Priority Date: Jan. 1, 1935
Diversion Point: NESE Sec. 29 T 48N R 02E
Use: IRRIGATION (0.10 CFS); DOMESTIC (0.08 CFS).
In: SWNE SENE NESE Sec. 29 T 48N R 02E FOR 7 ACRES.

94-4226

Name: SISSON, RAMONA
Address: STAR ROUTE, MULLAN, ID 83846

Source: UNNAMED STREAM trib. to COEUR D'ALENE RIVER, SOUTH FK.; WILLOW CREEK trib. to COEUR D'ALENE RIVER, SOUTH FK.

Priority Date: July 16, 1951
Diversion Point: SENW SWNW Sec. 36 T 49N R 05E
Use: DOMESTIC (0.04 CFS)
In: NENE Sec. 35 T 49N R 05E
NWNW Sec. 36 T 49N R 05E

94-4227

Name: ANDERSON, LAWRENCE G.
Address: P.O. BOX 35, SPANGLE, WA 99031

Source: CLEE CREEK trib. to COEUR D'ALENE RIVER
Priority Date: August 1, 1966
Diversion Point: NENE Sec. 10 T 50N R 04E
Use: DOMESTIC (0.04 CFS).
In: NENE Sec. 10 T 50N R 04E

94-4228

Name: NABOB SILVER LEAD CO
Address: P.O. BOX 899, KELLOGG, ID 83837

Source: TRAPPER CREEK, trib. to PINE CREEK, EAST FORK
Priority Date: June 1, 1946
Diversion Point: SWSW Sec. 28 T 48N R 02E
Use: INDUSTRIAL (0.30 CFS); MINING (0.30 CFS).
In: NESW Sec. 28 T 48N R 02E

94-4229

Name: HECLA MINING CO.
Address: P.O. BOX 320, WALLACE, ID 83873

Source: UNNAMED STREAM trib. to CANYON CREEK
Priority Date: Jan. 1, 1922
Diversion Point: NWSW Sec. 04 T 48N R 05E
Use: INDUSTRIAL (0.20 CFS); MINING (1.00 CFS).
In: NESW Sec. 08 T 48N R 05E

s/Gary A. Corbeill, being first duly sworn deposes and says:

THE KELLOGG EVENING NEWS, a daily newspaper of general circulation in said county, published in the City of Kellogg, in the County of Shoshone and the State of Idaho, and which has been published continuously in said county for a period of 78 weeks immediately prior to the publication of the notice hereinafter described, and that the _____

of which the annexed is a true copy, was published in each regular weekly/daily issue of said newspaper, and not in a supplement thereto, for a period of 2 consecutive weeks/days, the first publication thereof being in its issue dated 7-27-83

and the last publication thereof being in the issue dated 8-3-83

Subscribed and sworn to before me this 27 day of August, 1983

Notary Public

94-4233

Name: STALLSWORTH, VIRGIL
Address: SUNSHINE STAR RT., KELLOGG, ID 83837
Source: MOON CREEK trib. to COEUR D'ALENE RIVER
Priority Date: Jan. 1, 1955
Diversion Point: NWNW Sec. 02 T 48N R 03E
Use: IRRIGATION (0.02 CFS)
In: NWNW Sec. 02 T 48N R 03E FOR 1 ACRE

94-4234

Name: MADSEN, MARJORIE R. &/or ROY D.
Address: RT. 1 BOX 5A, CATALDO, ID 83810
Source: SPRING trib. to COEUR D'ALENE RIVER
Priority Date: May 1, 1969
Diversion Point: SESW Sec. 27 T 49N R 01E
Use: IRRIGATION (0.40 CFS); STOCKWATER (0.02 CFS)
In: SESW Sec. 27 T 49N R 01E FOR 20 ACRES

94-4235

Name: GOLD CREEK MINES
Address: P.O. BOX 463, MULLAN, ID 83846
Source: GOLD CREEK trib. to COEUR D'ALENE, RIVER, SOUTH FK.
Priority Date: Jan. 1, 1954
Diversion Point: NENE Sec. 04 T 47N R 05E
Use: MINING (2.00 CFS); DOMESTIC (0.04 CFS); RECREATION (2.00 CFS); RECREATION STORAGE (16.0 AF)
In: SWSE Sec. 33 T 48N R 05E
Exceptions to a claim may be filed with the Director: Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814.

KEND DUNN, Director

7/27 - 8/3/83

YR-L

94-4230
Name: NINE MILE CEMETERY

ASSN. INC.
Address: P.O. BOX 469, WALLACE, ID 83873
Source: SPRING trib. to SINKS.
Priority Date: Jan. 1, 1930
Diversion Point: NWSW Sec. 23 T 48N R 04E
Use: IRRIGATION (0.50 CFS); IRRIGATION STORAGE (0.01 CFS).
In: NESW NWSW SWSW SESW NWSE Sec. 23 T 48N R 04E NENW NWNW Sec. 26 T 48N R 04E FOR 105 ACRES

94-4231

Name: COMER, DENNIS
Address: SUNSHINE STAR RT., KELLOGG ID 83837
Source: MONTGOMERY CREEK trib. to COEUR D ALENE RIVER, SOUTH FORK
Priority Date: Jan. 1, 1938
Diversion Point: NWNW Sec 34 T 49N R 03E
Use: IRRIGATION (0.09 CFS).
In: NWNW Sec 34 T 49N R 03E FOR 3 ACRES

94-4232

Name: BABIN, LLOYD
Address: MURRAY STAR RT., WALLACE, ID 83873
Source: CARPENTER CREEK trib. to BEAVER CREEK
Priority Date: Jan. 1, 1930
Diversion Point: SWSW Sec. 32 T 50N R 04E
Use: IRRIGATION (0.09 CFS); DOMESTIC (0.02 CFS)
In: NESW NWSW Sec. 32 T 50N R 04E FOR 3 ACRES

MICROFILMED

RECEIVED

JUN 28 1983

Claim No. 94-4229

RECEIVED

JUN 27 1983

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

NOTE:

Deadline has been extended
for partially increased fee.
Date Claim Filed
Until 6-30-1983
7-01-1984 thru 6-30-1984
7-01-1984 thru 6-30-1985
Fee
\$30
\$75
\$200Department of Water Resources
Northern District Office

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Hecla Mining Company

(Name of Claimant)

P.O. Box 320, Wallace, Idaho 83873

(Mailing Address)

Telephone No. 752-1251

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) PORTAL & TUNNEL R/W PURCHASED BY DAY MINES FROM FEDERAL M&M Co in 1922
HECLA MERGED DAY MINES
A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Diamond drill hole in Hercules Mine tributary to Canyon creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.20 cfs</u>	Use <u>Industrial</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity	<u>1 cfs</u>	Use <u>Mining</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 1.20 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ SW ¼, Sec. 4 Twp. 48N Rge. 5E B.M., County of Shoshone

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 2" pipe from D.D.H. in Hercules Mine through mine workings to the portal of Tamarack No. 7 tunnel and up hill to wood tank all by gravity 14' diameter x 10' high tank - 10,000 gal.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
48N	5E	8									X								

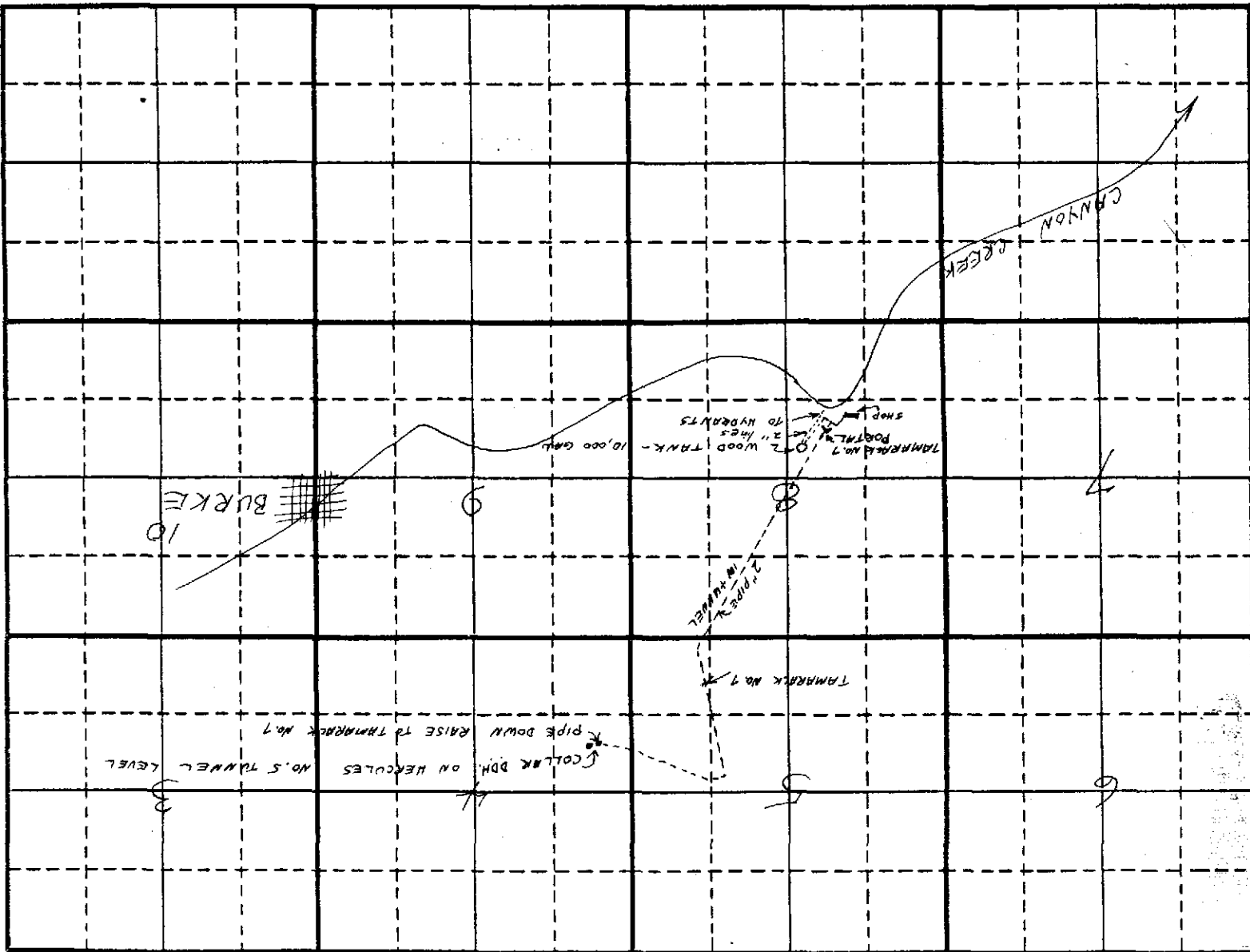
No. of acres

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Machine Shop, Central Mine Rescue Station, Fire protection.Mine is temporarily shut down.

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of SHOSHONE) ss.)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 20th day of June 1983.
James E. Hyde, agent (Claimant)
James E. Hyde (Claimant)
Notary Public
Residing at *Holladay, Idaho*

My commission expires *June 30, 1985*

FOR DEPARTMENT USE ONLY

Received by *JK* Date *6/21/83* Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by *JK* Date *6-28-83*
Published in *Kellogg Evening News* Date *4/21/83 (27782)*
Dates *7/24-8/15/83*

PROOF OF PUBLICATION

RECEIVED

SEP 2 1983

County of Shoshone,)
STATE OF IDAHO)

Department of Water Resources
Northern District Office

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been
filed on water right(s) created by
diversion and beneficial use:

92-4124

Name: MULLINS, TED &/or
EMILLE
Address: RT. 2, BOX 70, ASOTIN,
WA 99402
Source: MAZIE CREEK trib. to
SAINT MARIES RIVER, WEST
FORK

Priority Date: Jan. 1, 1897
Diversion Point: NWNW Sec. 24 T
42N R 01E
Use: STOCKWATER (0.02 CFS).
In: NWNW Sec. 24 T 42N R 01E

94-4225

Name: RICE, ROBERT A. &/or
PHYLLIS H.
Address: P.O. BOX 506, SILVER-
TON, ID 83867

Source: GROUNDWATER
Priority Date: Jan. 1, 1935
Diversion Point: NESE Sec. 29 T
48N R 02E
Use: IRRIGATION (0.10 CFS);
DOMESTIC (0.08 CFS).
In: SWNE SENE NESE Sec. 29 T
48N R 02E FOR 7 ACRES.

94-4226

Name: Sisson, RAMONA
Address: STAR ROUTE, MULLAN,
ID 83846

Source: UNNAMED STREAM trib.
to COEUR D'ALENE RIVER,
SOUTH FK.: WILLOW CREEK trib.
to COEUR D'ALENE RIVER,
SOUTH FK.

Priority Date: July 16, 1951
Diversion Point: SENW SWNW Sec.
36 T 49N R 05E
Use: DOMESTIC (0.04 CFS)
In: NENE Sec. 35 T 49N R 05E
NWNW Sec. 36 T 49N R 05E

94-4227

Name: ANDERSON, LAWRENCE
G.
Address: P.O. BOX 35, SPANGLE,
WA 99031

Source: CLEE CREEK trib. to
COEUR D'ALENE RIVER
Priority Date: August 1, 1966
Diversion Point: NENE Sec. 10 T
50N R 04E
Use: DOMESTIC (0.04 CFS).
In: NENE Sec. 10 T 50N R 04E

94-4228

Name: NABOB SILVER LEAD CO
Address: P.O. BOX 899, KELLOGG,
ID 83837

Source: TRAPPER CREEK, trib. to
PINE CREEK, EAST FORK
Priority Date: June 1, 1946
Diversion Point: SWSW Sec. 28 T
49N R 02E
Use: INDUSTRIAL (0.20 CFS);
MINING (0.20 CFS).
In: NESW Sec. 28 T 48N R 02E

94-4229

Name: HECLA MINING CO.
Address: P.O. BOX 320, WALLACE,
ID 83873

Source: UNNAMED STREAM trib.
to CANYON CREEK
Priority Date: Jan. 1, 1922
Diversion Point: NWSW Sec. 04 T
48N R 05E
Use: INDUSTRIAL (0.20 CFS);
MINING (1.00 CFS).
In: NESW Sec. 08 T 48N R 05E

s/Gary A. Corbeill, being first duly sworn deposes and says:

THE KELLOGG EVENING NEWS, a daily newspaper of general
circulation in said county, published in the City of Kellogg, in the
County of Shoshone and the State of Idaho, and which has been
published continuously in said county for a period of 78 weeks
immediately prior to the publication of the notice hereinafter
described, and that the

of which the annexed is a true copy, was published in each regular
weekly/daily issue of said newspaper, and not in a supplement
thereto, for a period of 2 consecutive weeks/days, the
first publication thereof being in its issue dated 2/21/83
and the last publication thereof being in the issue dated

Subscribed and sworn to before me this 22 day of

Notary Public

94-4233

Name: STALLSWORTH, VIRGIL
Address: SUNSHINE STAR RT.,
KELLOGG, ID 83837
Source: MOON CREEK trib. to
COEUR D'ALENE RIVER
Priority Date: Jan. 1, 1955
Diversion Point: NWNW Sec. 02 T
48N R 03E
Use: IRRIGATION (0.02 CFS)
In: NWNW Sec. 02 T 48N R 03E FOR
1 ACRE

94-4234

Name: MADSEN, MARJORIE R.
&/or ROY D.
Address: RT. 1 BOX 5A, CATALDO,
ID 83810
Source: SPRING trib. to COUER
D'ALENE RIVER
Priority Date: May 1, 1969
Diversion Point: SESW Sec. 27 T 49N
R 01E
Use: IRRIGATION (0.40 CFS);
STOCKWATER (0.02 CFS)
In: SESW Sec. 27 T 49N R 01E FOR
20 ACRES

94-4235

Name: GOLD CREEK MINES
Address: P.O. BOX 463, MULLAN,
ID 83846
Source: GOLD CREEK trib. to
COEUR D'ALENE, RIVER, SOUTH
FK.

Priority Date: Jan. 1, 1954
Diversion Point: NENE Sec. 04 T
47N R 05E
Use: MINING (2.00 CFS);
DOMESTIC (0.04 CFS); RECREA-
TION (2.00 CFS); RECREATION
STORAGE (16.0 AF)
In: SWSE Sec. 33 T 48N R 05E

Exceptions to a claim may be filed
with the Director: Dept. of Water
Resources, 4055 Gov't. Way, Coeur
d'Alene, Id. 83814.

KEN DUNN, Director

7/27 - 8/3/83

YR-L

94-4236

Name: NINE MILE CEMETERY

ASSN. INC.
Address: P.O. BOX 469, WALLACE,
ID 83873
Source: SPRING trib. to SINKS.
Priority Date: Jan. 1, 1930
Diversion Point: NWSW Sec. 23 T
48N R 04E
Use: IRRIGATION (0.50 CFS); IR-
RIGATION STORAGE (0.01 CFS).
In: NESW NWSW SWSW SESW
NWSW Sec. 23 T 48N R 04E NENW
NWNW Sec. 26 T 48N R 04E FOR 106
ACRES

94-4231

Name: COMER, DENNIS
Address: SUNSHINE STAR RT.,
KELLOGG ID 83837
Source: MONTGOMERY CREEK
trib. to COEUR D ALENE RIVER,
SOUTH FORK
Priority Date: Jan. 1, 1938
Diversion Point: NWNW Sec 34 T
49N R 03E
Use: IRRIGATION (0.09 CFS).
In: NWNW Sec 34 T 49N R 03E FOR
3 ACRES

94-4232

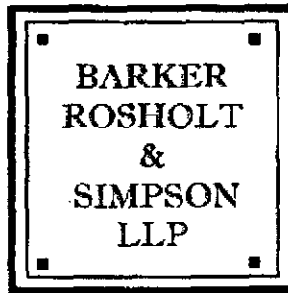
Name: BABIN, LLOYD
Address: MURRAY STAR RT.,
WALLACE, ID 83873
Source: CARPENTER CREEK trib.
to BEAVER CREEK
Priority Date: Jan. 1, 1930
Diversion Point: SWSW Sec. 32 T
50N R 04E
Use: IRRIGATION (0.09 CFS);
DOMESTIC (0.02 CFS)
In: NESW NWSW Sec. 32 T 50N R
04E FOR 3 ACRES

RECEIVED

NOV 16 2001

Department of Water Resources

John A. Rosholt
Albert P. Barker
John K. Simpson
Amy D. Chestnut
Travis L. Thompson



1221 West Idaho Street, Suite 600
Post Office Box 2139
Boise, ID 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

142 3rd Avenue
Post Office Box 1906
Twin Falls, ID 83303-1906
(208) 734-0700 telephone
(208) 736-0041 facsimile
shs@idahowaters.com

Albert P. Barker
apb@idahowaters.com

September 11, 2001

Idaho Department of Water Resources
Northern Regional Office
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615

Rc: Hecla Mining Company

Dear Agent:

Please be advised that the undersigned now represents Hecla Mining Company, and all correspondence regarding Hecla Mining Company's water rights should be addressed to me as follows:

Albert P. Barker
Barker Rosholt & Simpson LLP
P.O. Box 2139
Boise, Idaho 83701-2139

Our records indicate that the following water rights within the jurisdiction of your office are involved:

94-04229; 94-07150; 94-07217; 94-07279; 94-07288; 94-07306; 94-07320

Please let me know if your records differ in any way on Hecla Mining Company's water rights. Thank you for your attention to this matter.

Very truly yours,

BARKER ROSHOLT & SIMPSON LLP

cc: Michael B. White

Call if you want to...

To	Karl Lynn
From	Dianna
Co./Dept	IDWR-50
Phone #	
Fax #	
Date	11/16/01
Pages	1
Post-it Fax Note	7671



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NORTH REGION **RECEIVED**

A. Kenneth Dunn
Director

NOV 16 1983

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

Date: 6-21, 1983

Department of Water Resources

94-4229

Dear Paul Hyde; Agent; Hecla Mining Co.

This office is in receipt of your Claim to a Water Right and Check No. 92-55 in the amount of \$ 90.00 and we are returning same to you because the Claim cannot be ~~formally~~ ^{processed} ~~received~~ until the following information is provided: ^{enclosed}
Please initial change in item #6-A.

_____ Complete Name.	_____ Location of Point(s) - Item 5. of Diversion
_____ Complete Mailing Address.	_____ Location of Place of Use (Acres irrigated if water is - Item 6. claimed for irrigation.)
_____ Date of Priority - Item 1.	_____ Filing Fee. (\$30.00)
_____ Source of Water - Item 2.	_____ Signature.
_____ Amount, Nature & Period of Use - Item 3.	_____ Notarization of Signature.
_____ Total Quantity Claimed - Item 4.	

~~Other~~ Also The homewhich started using water from the
spring tributary to NINEMILE CREEK, IN 1974 REQUIRES AN
Application for Permit which I have enclosed along with instructions

Please note that your Claim has been stamped and initialed as received. If you amend the Claim by adding the needed information and return the Claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee. **INITIAL ALL CHANGES.**

~~Instructions for completing a Claim to a Water Right are included for your information.~~
However, if you desire assistance, please feel free to contact this office.

Sincerely,

IDAHO DEPARTMENT OF WATER RESOURCES

MICROFILMED

- Claim
Check
Instructions

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: [Signature]

Right Number 94-4229 Applicant _____

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
☒ Claim published correctly.
☒ Exceptions processed.

By TK Date 9/12/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 11-8-83

MICROFILMED

100-443887-1000

Department of Water Resources

94-4229

HECLA MINING CO.

P.O. BOX 320, WALLACE, ID 83873

Source: UNNAMED STREAM trib. to CANYON CREEK

Priority Date: 01/01/1922

Diversion Pt: NWSW Sec 04 T 48N R 05E

Use: INDUSTRIAL	(0.20 CFS)
MINING	(1.00 CFS)

In: NESW Sec 08 T 48N R 05E

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

AUGUST 15, 1983

HECLA MINING CO.
P.O. BOX 320
WALLACE

ID 83873

RE: Claim No. 94-4229

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

MICROFILMED

Dear Sir

Please find
as requested.

CA initialed

Thank you

Paul E. Hyde

RECEIVED