

No Color
Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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 BUNKER LIMITED PARTNERSHIP
(Name of Claimant)
P. O. Box 29, Kellogg, Idaho 83837 Telephone No. (208) 784-1261
(Mailing Address) (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) 1885

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)
Milo Creek tributary to S. Fork Coeur d'Alene River

(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>.3 CFS</u>	Use	<u>Mining and Industrial</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .3 CFS TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ NE ¼, Sec. 13 Twp. 48N Rge. 2E B.M., County of Shoshone
Additional points of diversion: None

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. 3' diversion dam pipe to 60,000 gal. water tank located at the Reed Tunnel dump.

(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	2E	13		X															

No. of acres

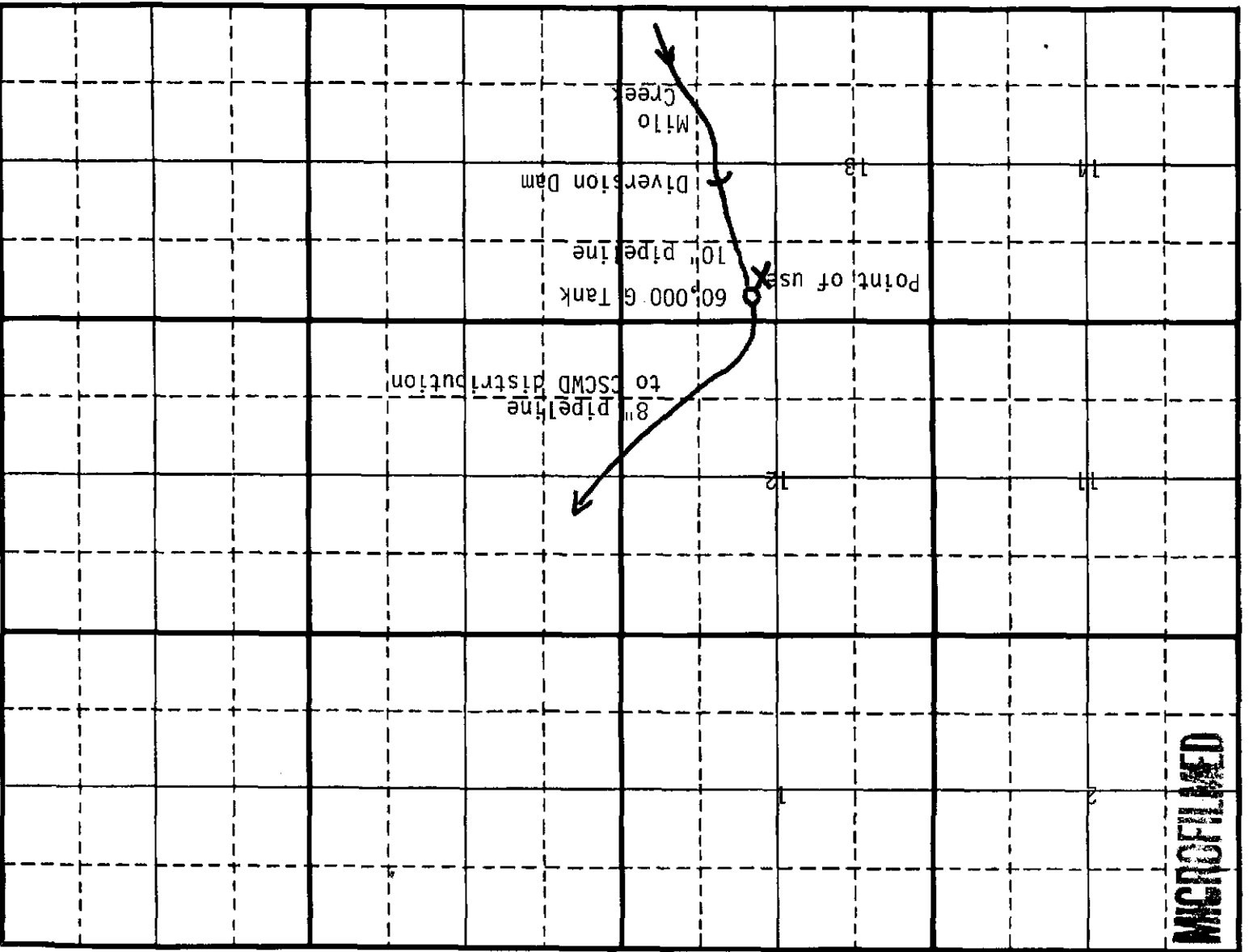
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Water is used for personal sanitation of miners and other employees, for cleaning and irrigation in connection with underground green house, for general use around mine surface and machine shop, and for fire protection of facilities, located at the Reed dump and tunnel.

NOTE: Include here the type and number of stock watered: None

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

(8) Remarks Whole flow (approx 3 cfs) of upper Milo Creek was diverted and used for water supply for towns of Warden and Kellogg and mining operations in the vicinity. 10% of this was reserved to Bunker Hill when the Domestic Water system was sold to CSCWD. See the attached letter for additional details.

R2E



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 24th day of June

(Claimant)

1983

Notary Public
Residing at

My commission expires 11-18-86

FOR DEPARTMENT USE ONLY

Received by ATB Date 6/28/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ATB Date 6/28/83
\$20.00 fee received by ATB Date 6/28/83 (28396)
Published in Kellogg, Ida. News Dates 7-20, 27-83

PROOF OF PUBLICATION

County of Shoshone,)
)
STATE OF IDAHO)

NOTICE OF CLAIMS TO WATER RIGHTS

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

94-4216

Name: BUNKER LIMITED PART-
NERSHIP

Address: P.O. Box 29, KELLOGG,
ID 83837

Source: GROUNDWATER

Priority Date: Jan. 1, 1933

Diversion Point: SWNW Sec. 06 T
48N R 03E SENE NENE NWNE Sec.
01 T 48N R 02E

Use: INDUSTRIAL (3.34 CFS);
MINING (3.34 CFS).

In: SENE Sec. 01 T 48N R 02E SESW
NENE Sec. 02 T 48N R 02E

94-4217

Name: BUNKER LIMITED PART-
NERSHIP

Address: P.O. BOX 29, KELLOGG,
ID 83837

Source: GOVERNMENT CREEK
trib. to COEUR D'ALENE RIVER,
SOUTH FK.

Priority Date: Jan. 1, 1899

Diversion Point: SESW Sec. 02 T 48N
R 02E

Use: INDUSTRIAL (7.00 CFS).

In: NENE SESW Sec. 02 T 48N R
02E.

94-4218

Name: BUNKER LIMITED PART-
NERSHIP

Address: P.O. Box 29, KELLOGG,
ID 83837

Source: MILO CREEK trib to
COEUR D'Alene River, South FK.

Priority Date: Jan. 1, 1885

Diversion Point: SWNE Sec. 13 T
48N R 02E

Use: INDUSTRIAL (0.30 CFS);
MINING (0.30 CFS)

In: NWNE Sec. 13 T 48N R 02E

94-4220

Name: ANDERSON, RICHARD L.
&/or BARBARA

Address: P.O. BOX 123, SILVER-
TON, ID 83867

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

Priority Date: Jan. 1, 1945

Diversion Point: SWNW Sec. 21 T
48N R 04E

Use: IRRIGATION (0.60 CFS);
STOCKWATER (0.0026 CFS);
DOMESTIC (0.08 CFS).

In: NWNW SWNW Sec. 21 T 48N R
04E FOR 30 ACRES.

94-4221

Name: MAXWELL, THOMAS E.

Address: STAR RT. BOX 476,
MULLAN, ID 83846

Source: DAISY GULCH CREEK
trib. to COEUR D'ALENE RIVER,
SOUTH FK.

Priority Date: September 15, 1926

Diversion Point: NWSE Sec. 30 T
48N R 06E

Use: IRRIGATION (0.14 CFS);
DOMESTIC (0.04 CFS).

In: NENW SENW Sec. 31 T 48N R
06E NENW Sec. 31 T 48N R 06E FOR
5 ACRES

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 _____

WATER RIGHTS CLAIM
STATE OF IDAHO

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 7-20-83

and the last publication thereof being in the issue dated

7-27-83

Gary A. Corbeill

Subscribed and sworn to before me this 28th day of

July, 1983

Wendell R. Brainerd

Notary Public

94-4222

Name: MAXWELL, THOMAS E.

Address: STAR RT. BOX 476,
MULLAN, ID 83846

Source: SPRINGS trib. to SINKS

Priority Date: Jan. 1, 1932

Diversion Point: SENW Sec. 31 T
48N R 06E

Use: RECREATION (0.10 CFS).

In: SENW Sec. 31 T 48N R 06E

94-4224

Name: WATTS, JOE L. &/or SAN-
DRA L.: BENTLEY, FRED W. &/or
MARY M.

Address: 622 N. 20th, COEUR
D'ALENE, ID 83814

Source: PARAGON CREEK trib. to
Prichard Creek.

Priority Date: March 31, 1906

Diversion Point: NWNE Sec. 18 T
49N R 06E

Use: MINING (10.00 CFS).

In: NWNE Sec. 18 T 49N R 06E

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

7/20/27/'83

YoldLg

NOTICE OF WATER RIGHT.

To all concerned, Notice is hereby given: 1st:

That Empire State-Idaho Mining & Developing Company, a corporation, hereby claim the use of the waters of this spring to the extent of five cubic feet per second.

2nd: It is intended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows: On south side of county road at the mouth of Government Gulch and on the west side thereof, Yreka Mining District.

3d: The purpose for which said water is intended to be used is for domestic and boiler purposes. The place of intended use is at Empire State's new mill.

4th: It is intended to divert said water by means of a flume 8 inches square on a grade of 1/2" to the rod. The general course of the proposed canal is easterly. The length of the proposed canal is 1000 feet. It is intended to use said waters for irrigating the following described lands Shoshone County, State of Idaho.

5th: It is intended to have the works for diversion and use of said water as aforesaid completed within 2 years.

Witness our hands at Government Gulch, this 1st day of Nov., 1900.

Empire State-Idaho Mining & Developing Co.,
By W. Clayton Miller, Res. Manager.
Claimant.

Affidavit of W. Clayton Miller as to statements contained in said notice and of the posting of same, sworn to Nov. 3, 1900, before C. H. Wentz, a Notary Public in and for Shoshone County, in the State of Idaho. (Seal).

Recorded Nov. 3rd, 1900 in Book "N" of Misc., at page 184,
records of Shoshone County, State of Idaho.
Horace M. Davenport, County Recorder

QUITCLAIM DEED.

Federal Mining and Smelting
Company, (a corporation),
Grantor.

-to-

Bunker Hill and Sullivan
Mining and Concentrating
Company, a corporation,
Grantee.

Dated, April 29th, 1910.

Recorded, Apr. 29", 1910.

Deed Book "40" pg 387.

Consideration \$1.00.

Corporate Seal attach'd.

Duly acknowledged April 29, 1910, by F.H. Brownell,
President of the grantor corporation, before B.B.
Adams, a Notary Public, Spokane Co., Wash. (Seal).

"Grants, conveys, quitclaims"

DESCRIPTION.

All its right, title and interest in and to the following described
property situate in Yreka Mining District, Shoshone County, Idaho, to-wit:-

All water rights owned by the Federal Company in the waters of the
Creek flowing down Government Gulch, and in the Creek known as Mile Creek,
in said Yreka Mining District.

(With other property not described under caption this abstract).

(The grantor to have the right of use of the property conveyed herein
until the ores contained in certain mining properties hereby conveyed
shall have been worked out and exhausted.)

The grantor shall, none the less, retain, and have forever the right
to all surplus waters in Government Gulch, not actually needed in the op-
eration of the Sweeny Mill, with all necessary rights of way for flumes and
other means of taking up and conveying said water, for the purpose of op-
erating any other mill which grantor, its successors or assigns, may estab-
lish in the operation of any mines owned by it west of Government gulch.

The use of such water shall be second in right, and subsequent to the
right of grantee to operate said Sweeny mill with water from Government
gulch.

-375-

COUNTY,

(#)

Conveys all waters rights in Milo Creek and Government Gulch.

WATER RIGHT
5 Cubic Feet per Second of the waters of a spring on
south side of county road at mouth of Government Gulch,
on west side thereof.

-375-

CLAIM , MINING DISTRICT,
STATE OF

COUNTY,

File No.	
LOCATION	Located by Empire State-Idaho Mining & Dev.Co Date Nov.1st,1900
	Recorded at Wallace,Idaho Date Nov.3rd,1900 By Book "N" Misc. Page 184
DIMENSIONS	By Locators ft x ft. By Official Survey ft. x ft.= Acres
BOUNDARIES	NORTH SOUTH EAST WEST
SURVEY	By Date No.
PATENT	Date of Appn. Date of Receiver's Receipt
	Date of Patent No. Recorded at Date Book Page
	Year By Date Affidvt. by Rec'd Book Page
ANNUAL LABOR	By By By By By By By
(#)	From To Date Interest Rec'd Book Page E.S.I.M&D Co Federal M&S Co Sept 1/03 All Jan 21/04 25 Deeds 564. Federal M&S Co B H & S M&C Co Apr 29/10 All Apr 29/10 40 Deeds 307.
TRANSFERS	
(#)	Conveys all waters rights in Milo Creek and Government Gulch.

RECORDED

BUNKER LIMITED PARTNERSHIP

THE BUNKER HILL COMPANY
XXSUEBIOARYXXRXXGULXXRESNAPOESXXCHEMICALXXCORPORATION
POST OFFICE BOX 29 O KELLOGG, IDAHO 83837 O (208) 784-1261

June 22, 1983

State of Idaho
Department of Water Resources
Route 5, Box 203, Suite 1
Coeur d'Alene, Idaho 83814

Gentlemen:

The following narrative and attached documents are offered in support of the attached Claim for Water Rights on Milo Creek, tributary to the South Fork of the Coeur d'Alene River. On November 1, 1982, Bunker Limited Partnership acquired the properties of The Bunker Hill Company. The total water rights to Milo Creek held by Bunker Hill Company consisted of 10% of fourteen or more claims totalling in excess of 164 CFS. These had been claimed between May 5, 1855 and November 18, 1897 by various individuals, and by April 29, 1910 had been transferred to The Bunker Hill Company's predecessor, The Bunker Hill and Sullivan Mining and Concentrating Company. Copies of the associated claims and abstracts of transfers and pages of the Shoshone County records are attached.

During the period from 1910 to 1943 the various water uses and supplies had been changed and consolidated into essentially its present configuration of a municipal water system serving the towns of Wardner, Kellogg, south of Railroad Avenue, and the Reed tunnel and dump area, as well as The Bunker Hill mine and mill system. This municipal system was transferred along with 90% of the Milo Creek water rights to the Central Shoshone County Water district on July 28, 1975.

The following list summarizes the claims to, and transfers of the Water Rights to Milo Creek now claimed in part by Bunker Limited Partnership.

200 inches of Milo Creed claimed by J. F. Wardner - May 5, 1885
200 inches of Milo Creek claimed by J. F. Wardner - April 7, 1886
Both foregoing transferred to Bunker Hill and Sullivan Mining and Concentrating Company - August 2, 1887.

6 inches of Spring A, by Sweeney, Esler & Moore - July 20, 1888
10 inches of Spring B by Sweeney, Esler & Moore - July 20, 1888
10 inches of Spring C by Sweeney, Esler & Moore - July 20, 1888
600 inches of Milo Creek by Charles Sweeney - May 21, 1889
The preceding 4 claims were transferred to the Last Chance Mining Co. on April 20, 1891; then to the Federal Mining and Smelting Company on August 31, 1904; then to the Bunker Hill and Sullivan Mining and Concentrating Company on April 29, 1910.

continued.....

200 inches of Milo Creek by Bunker Hill & Sullivan Mining and Concentrating Company on June 19, 1890.

1500 inches of Milo Creek by F. W. Bradley on September 8, 1894 - transferred to Bunker Hill & Sullivan Mining and Concentrating Company on December 19, 1894.

1500 inches of Milo Creek by G. A. Sonneman on September 10, 1894 - transferred to Bunker Hill & Sullivan Mining and Concentrating Company on December 4, 1894.

1500 inches of Milo Creek by Chas. W. Simmons on September 12, 1894 - transferred to Bunker Hill & Sullivan Mining and Concentrating Company on November 30, 1894.

10 CFS from Reed Tunnel by Geo. A. Sonneman on March 31, 1896 - transferred to Bunker Hill & Sullivan Mining and Concentrating Company on April 25, 1896.

20 CFS of Milo Creek by F. W. Bradley on July 21, 1896 - transferred to Bunker Hill & Sullivan Mining and Concentrating Company on October 23, 1897.

10 CFS of Milo Creek by Bunker Hill & Sullivan Mining and Concentrating Company on November 18, 1897.

10 CFS of Milo Creek by Bunker Hill & Sullivan Mining and Concentrating Company on November 20, 1897.

This list is not complete, there being other claims associated with the Wardner Water Company and Alexander Monk which were acquired by The Bunker Hill & Sullivan Mining and Concentrating Company in 1909.

However, this should be adequate to support the priority claimed herein.

If any questions arise regarding this claim, please contact the undersigned.

Sincerely,



R. E. Padget
Sr. Engineer

REP:rm

WATER DEED

THIS INDENTURE, Made this 28th day of July, 1975,
by and between THE BUNKER HILL COMPANY, a Delaware corporation, Party
of the First Part, and CENTRAL SHOSHONE COUNTY WATER DISTRICT, an
Idaho municipal corporation, Party of the Second Part, P. O. Box 367, Kellogg,
Idaho, 83837.

WITNESSETH:

That the said Party of the First Part, for and in consideration of the
sum of One Dollar (\$1.00), lawful money of the United States of America, and
other good and valuable considerations to it in hand paid by the said Party of
the Second Part, the receipt whereof is hereby acknowledged, does by these
presents remise, release and forever QUITCLAIM unto the said Party of the
Second Part, and to its successors and assigns forever, Ninety (90%) per cent of
its right, title and interest in and to the waters flowing in that certain creek named
Milo Creek, situated in Shoshone County, Idaho, expressly retaining and reserving
unto itself ten (10%) per cent of any water in said creek to which it has a valid
and subsisting right.

TO HAVE AND TO HOLD the said water and water rights unto the
Party of the Second Part and its successors and assigns forever.

IN WITNESS WHEREOF, the said parties have hereunto set their hands the
day and year first above written.

THE BUNKER HILL COMPANY

CENTRAL SHOSHONE COUNTY
WATER DISTRICT

James D. Dalley
Title President
Date 7-28-75

Charles W. D. Brown
President
7-28-75

POOR QUALITY ORIGINAL

STATE OF IDAHO)
) ss.
County of Shoshone)

On this 28th day of July, 1975, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared James H. Haller, known to me to be the President of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

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

Joanne Hebert
Notary Public for the State of Idaho
Residing at: Kellogg, Idaho

STATE OF IDAHO)
) ss.
County of Shoshone)

On this 28th day of July, 1975, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared DARRELL I. PETERSEN, known to me to be the PRESIDENT of the municipal corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

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

Joanne Hebert
Notary Public for the State of Idaho
Residing at: KELLOGG, IDAHO

MICROFILMED

QUITCLAIM DEED.

Federal Mining and Smelting
Company, (a corporation),
Grantor.

-to-

Bunker Hill and Sullivan
Mining and Concentrating
Company, a corporation,
Grantee.

Dated, April 29th, 1910.

Recorded, Apr. 29", 1910.

Deed Book "40" pg 387.

Consideration \$1.00.

Corporate Seal attach'd.

Duly acknowledged April 29, 1910, by F.H. Brownell,
President of the grantor corporation, before B.B.
Adams, a Notary Public, Spokane Co., Wash. (Seal).

"Grants, conveys, quitclaims"

DESCRIPTION.

All its right, title and interest in and to the following described
property situate in Yreka Mining District, Shoshone County, Idaho, to-wit:-

All water rights owned by the Federal Company in the waters of the
Creek flowing down Government Gulch, and in the Creek known as Mile Creek,
in said Yreka Mining District.

(With other property not described under caption this abstract).

(The grantor to have the right of use of the property conveyed herein
until the ores contained in certain mining properties hereby conveyed
shall have been worked out and exhausted.)

The grantor shall, none the less, retain, and have forever the right
to all surplus waters in Government Gulch, not actually needed in the op-
eration of the Sweeny Mill, with all necessary rights of way for flumes and
other means of taking up and conveying said water, for the purpose of op-
erating any other mill which grantor, its successors or assigns, may estab-
lish in the operation of any mines owned by it west of Government gulch.

The use of such water shall be second in right, and subsequent to the
right of grantee to operate said Sweeny mill with water from Government
gulch.

TAXES.

1909 and prior years, Paid,
1910 taxes now in process
of assessment.

JUDGMENTS & LIENS.

N o n e.

STATE OF IDAHO)

County of Shoshone)

- SS.

The undersigned hereby certify
that the within sheets, numbered from One (1) to Twenty-two (22) inclusive
contain a full and correct abstract of all instruments or conveyances of
record affecting the property described in caption hereof, and that the
within instruments are executed and acknowledged as herein shown.

And further certify that there are, according to county indices, no
judgments, suits pending or liens of any kind, against any of the within
named grantees, which are liens on the lands described herein, in any Court
of record in Shoshone County; that there are no taxes or assessments due
or unpaid, that no tax deeds have been given thereon and that there are no
tax sales of said property unredeemed.

DATED at Wallace, Idaho, this Eighth day of July, A.D. 1910, at the hour
of eleven (11) O'clock, A.M.

SHOSHONE ABSTRACT COMPANY, LTD.

By W. F. [Signature] Secretary.

① -355-

WILLIAM A. SUDEN CO., SPOKANE, STATIONERS, PRINTERS, ENGRAVERS, BOOKBINDERS. 228 N. 1ST ST.

SECRET

200 inches, waters of Milo Creek.

WATER RIGHT

CLAIM , YREKA

MINING DISTRICT,

STATE OF

SHOSHONE

IDaho

COUNTY,

LOCATED BY

Recorded at

By

DATE

APRIL 7, 1886

RECORDED AT

MURRAY

DATE

MAY 25, 1886

BY

L.F. ROBERTSON

BOOK

H. MISC.

PAGE

104

LOCATIONS

By Locators

ft. x

ft.

By Official Survey

ft. x

ft. =

Acres

BUNDARIES

NORTH

SOUTH

EAST

WEST

SURVEY

By

DATE

No.

PATENT

Date of Appn.

Date of Receiver's Receipt

Date of Patent

No.

Recorded at

DATE

BOOK

PAGE

Year

By

By

By

By

By

By

By

By

ANNUAL LABOR

From

To

DATE

Interest

Rec'd

BOOK

PAGE

J.F. Wardner

S.G. Reed

MAY 23/87

All

MAY 25/87

M Deeds

482.

Simeon G. Reed

B H & S M&C Co

AUG 2/87

All

AUG 6/87

N Deeds

405.

TRANSFERS

WATER RIGHT.
Spring "A" - On East side of Milo Creek - 6 inches measured
under 4 inch pressure, of waters of spring on east side Milo
Creek at point about 400 feet below the Reed Tunnel.

3-374-

CLAIM ,

MINING DISTRICT,
STATE OF

COUNTY,

LOCATION	Located by Charles Sweeny, A.M. Esler and Frank R. Moore		Date July 20, 1888							
	Recorded at	Murray, Idaho	Date	August 6, 1888	By	Frank R. Moore	Book	"H"	Misc. Page	570.
DIMENSIONS	By Locators	ft x	ft.	By Official Survey	ft. x	ft.	Acres			
BOUNDARIES	NORTH	SOUTH		EAST		WEST				
SURVEY	By					Date	No.			
PATENT	Date of Appn.		Date of Receiver's Receipt							
	Date of Patent	No.	Recorded at		Date	Book	Page			
	Year	By	Date	Affdt. by	Rec'd	Book	Page			
ANNUAL		By								
LABOR		By								
		By								
		By								
		By								
		By								
		By								
		By								
	From	To	Date	Interest	Rec'd	Book	Page			
	Chas. Sweeny, A.M.									
	Esler and Frank R. Moore	Last Chance Mng Co	Apr 17/91	All	Apr 20/91	X Deeds	29.			
Sheriff's Deed	Last Chance M. Co. (By Sheriff)	Federal M&S Co	Aug 31/04	All	Sep 16/04	26 Deeds	380. (#)			
	Federal M&S Co	B H & S M&C Co	Apr 29/10	All	Apr 29/10	40 Deeds	387.			
TRANSFERS										
Sold under Decree and Order of Sale in action wherein Spokane & Eastern Trust Co was plaintiff and Empire State-Idaho M & D Co and Last Chance Mng Co, were defendants - Foreclosure of Mortgage, given by Last Chance Mng Co Jan. 2nd, 1896. (#)										

WATER RIGHT
Spring "B" - 10 inches measured under 4 inch pressure, waters
of spring on west side of Milo creek at a point about 400 ft
below Spring "A".

2-373-

CLAIM ,

MINING DISTRICT,
STATE OF

COUNTY,

LOCATION	Located by Charles Sweeny, A.M. Esler and Frank R. Moore		Date July 20, 1888			
	Recorded at Murray, Idaho	Date August 6, 1888	By A.M. Esler	Book "H" Misc. Page 570.		
DIMENSIONS	By Locators	ft x	ft. By Official Survey	ft. x	ft. =	Acres
BOUNDARIES	NORTH	SOUTH		EAST		WEST
SURVEY	By	Date			No.	
PATENT	Date of Appn.		Date of Receiver's Receipt			
	Date of Patent	No.	Recorded at	Date	Book	Page
	Year	By	Date	Aff'dt. by	Rec'd	Book Page
		By				
		By				
ANNUAL		By				
LABOR		By				
		By				
		By				
		By				
		By				
		By				
	From	To	Date	Interest	Rec'd	Book Page
	Chas. Sweeny, A.M.					
	Esler and Frank	Last Chance Mg Co	Apr 17/91	All	Apr 20/91	X Deeds 29.
	R. Moore					
Sheriff's	Last Chance M. Co					
Deed	(By Sheriff)	Federal M & S Co	Aug 31/04	All	Sep 16/04	26 Deeds 380. (#)
	Federal M&S Co	B H & S M&C Co	Apr 29/10	All	Apr 29/10	40 Deeds 387.
TRANSFERS						
Sold under Decree and Order of Sale in action wherein Spokane & Eastern Trust Co was plaintiff, and Empire State-Idaho M & D Co and Last Chance Mining Co, were defendants - Foreclosure of mortgage given by Last Chance Mining Co, Jan. 2, 1896. (#)						

RECORDED

③ -372-

COUNTY,

TRANSFERS

Federal M & S Co B H & S M & C Co Apr 29/10 All Apr 29/10 40 Deeds 387.

Sold under Decree and Order of Sale in action wherein Spokane & Eastern Trust Co was plaintiff, and Empire State-Idaho M & D Co and Last Chance Mining Co were defendants. Foreclose of mortgage given by Last Chance Mining Co Jan.2nd,1896. (#)

WATER RIGHT
600 Inches of the waters of Milo Creek, under 4 inch pressure
2000 feet above Town of Wardner.

④ -371-

CLAIM , MINING DISTRICT, COUNTY, STATE OF

LOCATION	Located by Charles Sweeny		Date May 21, 1889				
DIMENSIONS	Recorded at Murray, Idaho		Date June 14, 1889	By W.W. Woods	Book "I" Misc Page 119		
	Location amended by Charles Sweeny June 15, 1889, see Book "I" Miscellaneous, page 121.						
BOUNDARIES	By Locators	ft x	ft.	By Official Survey	ft. x	ft. =	Acres
	NORTH	SOUTH		EAST		WEST	
SURVEY	By	Date			No.		
	Date of Appn.		Date of Receiver's Receipt				
PATENT	Date of Patent		No.	Recorded at	Date	Book	Page
	Year	By	Date	Advt. by	Rec'd	Book	Page
ANNUAL LABOR	By						
	By						
TRANSFERS	From	To	Date	Interest	Rec'd	Book	Page
	Chas. Sweeny	Last Chance M. Co	Aug 3d/91	All	Aug 7/91	X Deeds	201.
SHERIFF'S DEED	Last Chance M. Co						
	(By Sheriff)	Federal M & S Co	Aug 31/04	All	Sep 16/04	26 Deeds	380. (#)
	Federal M & S Co B H & S M&C Co		Apr 29/10	All	Apr 29/10	40 Deeds	387.
	Sold under Decree and Order of Sale in action wherein Spokane & Eastern Trust Co was plaintiff, and Empire State-Idaho M & D Co and Last Chance Mining Co, were defendants - Foreclose of mortgage given by Last Chance Mining Co, Jan. 2nd, 1896. (#)						

RECORDED

200 inches,waters of Milo Creek.

WATER RIGHT CLAIM , YREKA MINING DISTRICT, SHOSHONE COUNTY, STATE OF IDAHO

W. & J. BORDEN CO. STATIONERS, PRINTERS, ENGRAVERS, BOOKBINDERS 67811

LOCATION	Located by		B H & S M & C Co		Date		June 19,1890	
	Recorded at		Murray		Date		June 23,1890 By V.M.Clement Book I.Misc. Page 325.	
DIMENSIONS	By Locators		ft. x		ft. By Official Survey		ft. x ft.= Acres	
	BOUNDARIES		NORTH		SOUTH		EAST WEST	
SURVEY	By				Date		No.	
	PATENT		Date of Appn.		Date of Receiver's Receipt			
ANNUAL LABOR	Date of Patent		No.		Recorded at		Date Book Page	
	Year		By		Date		Addvt. by Rec'd Book Page	
TRANSFERS	From		To		Date		Interest Rec'd Book Page	

(Being surplus water above 200 inches located by J.F.Wardner May 23,1887,Loc.H,pg 279)

POOR QUALITY ORIGINAL

1500 inches, waters of Milo Creek.

WATER RIGHT CLAIM , YREKA MINING DISTRICT, SHOSHONE COUNTY, STATE OF

W. A. BORDEN CO. RECORDERS, STATIONERS, PRINTERS, ENGRAVERS, BOOKBINDERS, 3201

LOCATION	Located by	F.W.Bradley		Date	Sept 8, 1894		
	Recorded at	Murray	Date	Sept 15, 1894	By	F.W.Bradley	Book K.Misc. Page 310
DIMENSIONS	By Locators	ft. x	ft.	By Official Survey	ft. x	ft.=	Acres
BOUNDARIES	NORTH	SOUTH		EAST		WEST	
SURVEY	By				Date	No.	
PATENT	Date of Appn.	Date of Receiver's Receipt					
	Date of Patent	No.	Recorded at		Date	Book	Page
ANNUAL LABOR	Year	By	Date	Aff'dt. by	Rec'd	Book	Page
		By					
		By					
		By					
		By					
		By					
		By					
TRANSFERS	From	To	Date	Interest	Rec'd	Book	Page
	F.W.Bradley	B H & S M & C Co	Oct 18/94	All	Dec 19/94	7 Deeds	30.

RECORDED

WATER RIGHT CLAIM , YREKA MINING DISTRICT, SHOSHONE COUNTY, IDAHO
1500 inches, waters of Milo Creek
STATE OF

LOCATION	Located by George A. Sonnemann		Date Sept 10, 1894	
	Recorded at Murray	Date Sep 15, 1894	By F.W. Bradley	Book K. Misc. Page 308
DIMENSIONS	By Locators	ft. x ft.	By Official Survey	ft. x ft. = Acres
BOUNDARIES	NORTH	SOUTH	EAST	WEST
SURVEY	By	Date		No.
PATENT	Date of Appn.		Date of Receiver's Receipt	
	Date of Patent	No.	Recorded at	Date Book Page
	Year	By	Date	Advt. by Rec'd Book Page
		By		
		By		
ANNUAL LABOR		By		
		By		
		By		
		By		
		By		
TRANSFERS	From	To	Date	Interest Rec'd Book Page
	Geo A Sonnemann	E H & S M & C Co	Oct 18/94	All Dec 4/94 7 Deeds 18.

POOR QUALITY ORIGINAL

RECORDED
INDEXED

WATER RIGHT

CLAIM , YREKA

MINING DISTRICT,
STATE OF

SHOSHONE
IDAHO

COUNTY,

LAW & JORDEN CO. SCOTLAND STATIONERS, PRINTERS, ENGRAVERS, BOOKBINDERS, 27811

LOCATION	Located by	Chas W Simmons		Date	Sept 12,1894		
	Recorded at	Murray	Date	Sept 15,1894	By	F.W.Bradley	Book K.Misc. Page 307
DIMENSIONS	By Locators	ft. x	ft.	By Official Survey	ft. x	ft.=	Acres
BUNDARIES	NORTH	SOUTH		EAST		WEST	
SURVEY	By	Date			No.		
PATENT	Date of Appn.	Date of Receiver's Receipt					
	Date of Patent	No.	Recorded at		Date	Book	Page
	Year	By	Date	Affdvt. by	Rec'd	Book	Page
ANNUAL LABOR	By						
	By						
	By						
	By						
	By						
	By						
TRANSFERS	From	To	Date	Interest	Rec'd	Book	Page
	C.W.Simmons	B H & S M & C Co	Oct 18/94	All	Nov 30/94	7 Deeds	15.

POOR QUALITY ORIGINAL

10 cubic feet per second, waters of Reed Tunnel.

WATER RIGHT CLAIM, YREKA MINING DISTRICT, SHOSHONE COUNTY, STATE OF IDAHO

COPYED BY STATIONER, PRINTERS, ENGRAVERS, BOOKBINDERS, 1741									
LOCATION	Located by George A Sonnemann					Date March 31, 1896			
	Recorded at Murray		Date April 7, 1896		By F.W. Bradley Book L. Misc. Page 355				
ENSIONS	By Locators		ft. x	ft.	By Official Survey		ft. x	ft. =	Acres
UNDARIES	NORTH		SOUTH		EAST		WEST		
SURVEY	By					Date		No.	
PATENT	Date of Appn.					Date of Receiver's Receipt			
	Date of Patent		No.	Recorded at		Date	Book	Page	
ANNUAL LABOR	Year	By	Date	Advt. by		Rec'd	Book	Page	
		By							
		By							
		By							
		By							
		By							
		By							
TRANSFERS	From	To	Date	Interest	Rec'd	Book	Page		
	Geo A Sonnemann	B H & S M&C Co	Apr 25/96	All	May 13/96	7 Deeds	322.		

20 cubis feet per second, waters of Milo Creek.

WATER RIGHT CLAIM , YREKA MINING DISTRICT, SHOSHONE COUNTY, IDAHO STATE OF

LOCATION	Located by F.W.Bradley		Date July 20,1896.	
	Recorded at Murray	Date July 21,1896	By F.W.Bradley	Book L.Misc. Page 403
DIMENSIONS	By Locators	ft. x	ft. By Official Survey	ft. x ft. Acres
BOUNDARIES	NORTH	SOUTH	EAST	WEST
SURVEY	By		Date	No.
PATENT	Date of Appn.		Date of Receiver's Receipt	
	Date of Patent	No.	Recorded at	Date Book Page
	Year	By	Date	Affdvt. by Rec'd Book Page
ANNUAL LABOR		By		
		By		
		By		
		By		
		By		
		By		
TRANSFERS	From F.W.Bradley	To B H & S M & C Co	Date Feb 23/97	Interest All Rec'd Feb 27/97 Book 7 Deeds Page 454.

RECORDED

POOR QUALITY

POOR QUALITY

Point of diversion to be where this notice is posted at the forks of Milo Creek between the Lackawana and Miner's Delight Lode mining claims, about 1000 ft. southerly from the Bunker Hill & Sullivan old concentrator building and that I intend to appropriate this water and convey it a distance of about 700 ft. northerly in a flume 3 ft. wide and 2 ft. deep, thence an additional distance of 1400 ft. northerly by a pipeline 10 inches in diameter, from which the water will be drawn off and used for the purpose of driving water wheels, for furnishing steam, for cooling compressed air and for sorting ore at the ore bin and powerhouse of the Bunker Hill & Sullivan Company, located on Milo Creek about 1/4 mile south of the town of Gardner. Of the water so drawn off from said pipeline for power purposes, 3 cu. ft. per sec. is to be used at such a height as to be turned into the flume of the Last Chance Mining Company, which flume is built of rough lumber and is 10" deep by 24" wide and has a grade of 3/16" per 16 1/2 ft. and was built to carry the water located in Milo Creek by Charles Greeny on the 21st day of May, 1899. The remainder of the water hereby located and appropriated namely 17 cu. ft. per second will be used and returned into Milo Creek at a point lower than the level of said Last Chance flume.

12

10 cubic feet per second, waters of tail race from Pelton wheel in machine shops of B H & S M & C Co at Wardner.

WATER RIGHT CLAIM , YREKA MINING DISTRICT, SHOSHONE COUNTY, IDAHO STATE OF

WATER RIGHT CLAIM, YREKA, MINING DISTRICT, SHOSHONE COUNTY, IDAHO

LOCATION	Located by	George A Sonnemann		Date	Dec 21, 1896		
	Recorded at	Murray	Date	Dec 31, 1896	By	F.W. Bradley	Book L. Misc. Page 504
DIMENSIONS	By Locators	ft. x	ft.	By Official Survey	ft. x	ft. =	Acres
BUNDARIES	NORTH	SOUTH		EAST		WEST	
SURVEY	By				Date	No.	
PATENT	Date of Appn.	Date of Receiver's Receipt					
	Date of Patent	No.	Recorded at		Date	Book	Page
ANNUAL LABOR	Year	By	Date	Affdt. by	Rec'd	Book	Page
		By					
		By					
		By					
		By					
		By					
TRANSFERS	From	To	Date	Interest	Rec'd	Book	Page
	Geo A Sonnemann	B H & S M & C Co	Jan 15/97	All	Jan 19/97	7 Deeds	430.

10 cubic feet per second, waters of flume.

WATER RIGHT CLAIM , YREKA MINING DISTRICT, SHOSHONE COUNTY, IDAHO STATE OF

NOT A RECORD OF LOCATION, PATENT, SURVEY, AND DEEDS, BOOKS AND DEEDS ONLY

LOCATION	Located by	David A.Porter		Date	Feb.20,1897		
	Recorded at	Murray	Date	Feb 24,1897	By	F.W.Bradley	Book L.Misc. Page 520
DIMENSIONS	By Locators	ft. x	ft.	By Official Survey	ft. x	ft.=	Acres
BOUNDARIES	NORTH	SOUTH		EAST		WEST	
SURVEY	By			Date	No.		
PATENT	Date of Appn.	Date of Receiver's Receipt					
	Date of Patent	No.	Recorded at		Date	Book	Page
ANNUAL LABOR	Year	By	Date	Affdt. by	Rec'd	Book	Page
		By					
		By					
		By					
		By					
		By					
		By					
		By					
TRANSFERS	From	To	Date	Interest	Rec'd	Book	Page
	David A.Porter	B H & S M & C Co	Mch 13/97	All	Mch 16/97	7 Deeds	460.

POOR QUALITY ORIGINAL

MICROFILMED

10 cubic feet per second, waters of Milo Creek.

14 -359-

WATER RIGHT

CLAIM , YREKA

MINING DISTRICT,
STATE OF

SHOSHONE
IDAHO

COUNTY,

ORDER TO LOCATE, STATIONARY, MINING, ENGRAVING, BOOKS, INDUSTRIAL, 1891

LOCATION

Located by B H & S M & C Co

Date Nov 18, 1897

Recorded at Murray

Date Nov 23, 1897

By B H & S M Co Book M. Misc. Page 6

MEASUREMENTS

By Locators

ft. x

ft.

By Official Survey

ft. x

ft. =

Acres

BOUNDARIES

NORTH

SOUTH

EAST

WEST

SURVEY

By

Date

No.

PATENT

Date of Appn.

Date of Receiver's Receipt

Date of Patent

No.

Recorded at

Year

By

Date

Affidvt. by

Date

Book

Page

By

Rec'd

Book

Page

By

ANNUAL

By

LABOR

By

By

By

By

By

From

To

Date

Interest

Rec'd

Book

Page

TRANSFERS

D E E D.

THIS INDENTURE, Made this 20th day of August, A. D. 1909, between Stanly A. Easton, of Kellogg, Idaho, party of the first part, and the Bunker Hill & Sullivan Mining and Concentrating Company, an Oregon corporation, party of the second part,

WITNESSETH: That the said party of the first part for and in consideration of the sum of \$ 1^{xx}/₁₀₀ in hand paid by the said party of the second part, receipt whereof is hereby acknowledged, has granted, bargained, sold, remised, released, conveyed, aliened and confirmed, and by these presents does grant, bargain, sell, remise, release, convey, alien and confirm unto the said party of the second part and to its successors and assigns forever, all of the following described property situated in Shoshone County, Idaho, to-wit:

1. All that certain water right situated in Yreka Mining District, County of Shoshone, State of Idaho, on Milo Gulch, below what is known as the Reed Ore Bin, the said water right having been located by Alexander Monk on June 6th, 1891, location notice of which is recorded in Book "I" of Miscellaneous Records, page 574, Records of Shoshone County, Idaho.

2. Also all that certain water right located March 12, 1888 by Alexander Monk and Scott McDonald, and recorded in Book "H" of Miscellaneous Records, page 93, Records of Shoshone County, Idaho, said water right being located on Silver Creek, a tributary of Milo Creek in said Shoshone County, Idaho.

3. Also all those certain ^{water} rights described as Spring No. 1, tributary to Milo Gulch, and situated on Lot 14 in Block 6 of the town of Wardner; Spring No. 2, situated on Lot No. 12, Block 36, of the town aforesaid; Spring No. 3, situated on Lot No. 11, Block 36, of said town; Springs No. 4 and No. 5, situated near the

bridge between the said town of Wardner and the Sullivan Mine, all of which are more particularly described in the location notice thereof as recorded in the office of the deputy recorder of Yreka Mining District, Shoshone County, Idaho, on page 25 in Book "A" of Miscellaneous Records of said district. Also Springs No. 6, described in the location notice thereof, as recorded on page 33 of Book "A" aforesaid. Also all the flumes, pipes, conduits and tanks of whatsoever nature now used in confining and conducting water from said springs and all rights, privileges and appurtenances pertaining thereto. Also the North Half of Lot 9 in Block 3, of the town of Wardner. Also all the other property described in the deed from the Wardner Water Company, a corporation, to Alexander Monk, which is of record in Book "Q" of Deeds, page 382, Records of Shoshone County, Idaho.

4. Also all the entire water plant and system formerly owned by Alexander Monk and deeded to the first party on December 26th, 1904, used to supply the town of Wardner and the buildings adjacent thereto with water for domestic purposes, including all springs, water rights, conduits, mains, laterals, and taps in the town of Wardner and in the vicinity thereof, formerly owned by said Monk, and all dams, tanks, reservoirs, buildings, plant machinery, fixtures and apparatus of every kind, nature and description used in supplying said town of Wardner and the adjacent country with water for domestic purposes and all lands of every name, nature and description used in connection therewith. Also all easements and all rights of way owned by said party of the first part in or near the towns of Wardner or Kellogg, in, upon, or across the streets of said towns, and in, upon or across other property for pipe lines, ditches and flumes and other conduits for water, it being the purpose of this deed to convey all of the right and title of the party of the first

MICROFILMED

part in and to the entire water system and plant and rights appurtenant thereto and all fixtures and property of whatsoever name, nature and description used in connection therewith.

Together with all the hereditaments, appurtenances thereunto belonging or in any wise appertaining, and the rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever of said party of the first party, either in law or in equity, or in and to the above bargained premises with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the said party of the second part, its successors and assigns forever.

IN WITNESS WHEREOF the party of the first part has hereunto set his hand and seal the day and year first above written.

Witnesses:

Stanly A. Easton (SEAL)

STATE OF IDAHO,)
County of Shoshone.) SS.

I, Clarence Simons a Notary Public in and for said county and state do hereby certify that on this 30th day of August ~~July~~, A. D. 1909, personally appeared before me Stanly A. Easton to me known to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Given under my hand and official seal this 30th day of August, 1909.

Clarence Simons

Notary Public in and for said county and state.

File # 1.4

No 1706.

ABSTRACT OF TITLE
TO

POOR QUALITY ORIGINAL

The following described real estate situated in the County of
Shoshone, State of Idaho:

That certain Water Right located by Charles Sweeny, A.M. Es-
ler and Frank R. Moore on the 20th day of July, A.D. 1888, the
notice of location being recorded in Book "I" Misc, page 25

That certain Water Right located by Charles Sweeny, A.M. Es-
ler and Frank R. Moore on the 20th day of July, A.D. 1888, the
notice of location being recorded in Book "H" Misc., pg 570

That certain Water Right located by Charles Sweeny, A.M. Es-
ler and Frank R. Moore on the 20th day of July, A.D. 1888, the
notice of location being recorded in Book "H" Misc., pg 570

That certain Water Right located by Charles Sweeny on the
21st day of May, A.D. 1889, the notice of location being re-
corded in Book "I" of Miscellaneous records, at page 119,
and amended by Charles Sweeny June 15th, A.D. 1889, said am-
ended notice of location being recorded in Book "I" pg 121

That certain Water Right located by David Rees on the 12th
day of June, A.D. 1899, the notice of location thereof being
recorded in Book "M" of Miscellaneous records, at page 396.

That certain Water Right located by E.S. Wiard on the Fifth
day of September, A.D. 1899, the notice of location being re-
corded in Book "M" of Miscellaneous records, at page 476.

That certain Water Right located by the Empire state-Idaho
Mining & Developing Company on the 1st day of November, A.D
1900, the notice of location being of record in Book "N" of
Miscellaneous records, at page 134 thereof.

LOCATION OF WATER RIGHT.

Notice is hereby given that the undersigned, in compliance with the laws of the United States and of Title Nine of the Revised Statutes of Idaho Territory, have this day located and claimed the right to the use of about ten inches measured under a four inch pressure to be diverted from the natural channel of the stream known as and called Spring "C", at a point about 500 feet up Milo creek from the southwest corner of the Spokane Concentrator, said point of diversion being in Yreka Mining District, Shoshone County, Idaho Territory.

That said water is claimed for the purpose of milling and reducing the ores of the Emma and Last Chance Con. M. Company, at the town of Wardner said water is to be diverted by a flume to said concentrator on a size 3 X 3.

Located this 20th day of July,
A.D. 1888.

Witnesses present at location:
R.K. Neil.
W.W. Woodward.

Chas. Sweeny)
A.M. Esler - Locators.
Frank R. Moore)

Recorded at the request of Spokane Con. Co., Dec. 3rd, 1888 in Book I of Misc., at page 25 thereof, records of Shoshone County, Idaho Territory. Thos. E. McLelland, County Recorder, By John P. Sheehy, Deputy.

MICROFILMED

POOR QUALITY COPY

LOCATION OF WATER RIGHT. SPRING "A".

Notice is hereby given that the undersigned, in compliance with the laws of the United States and of Title Nine of the Revised Statutes of Idaho Territory, have this day located and claimed the right to the use of six (6) inches, measured under a four inch pressure, to be diverted from the natural spring on the east side of Milo creek at a point about 400 feet below the Reed tunnel, below the Bunker Hill & Sullivan Concentrator on said creek, said point of diversion being in Yreka Mining District, Shoshone County, Idaho Territory.

That said water is claimed for the purpose of milling and reducing of ores, more particularly from the Emma & Last Chance Mines, and for other purposes at the town of Wardner, in said County.

Said water to be diverted by a wooden flume of a size eight inches square and about eleven hundred feet long down and along the course of said creek to the mill under erection.

Located this 20th day of July, A.D. 1888.

Witnesses present at location:
J.F.O'Neill
R.K.Neil

Chas. Sweeny)
A.M. Esler - Locators.
Frank R. Moore)

Recorded at the request of A.M. Esler Aug. 6th, 1888 in Book "H" of Misc., at page 570 thereof, records of Shoshone County, Idaho Territory. Thos. E. McLelland, County Recorder, By M.J. Sweeny, Deputy.

POOR QUALITY ORIGINAL

LOCATION OF WATER RIGHT. SPRING "B".

Notice is hereby given that the undersigned, in compliance with the laws of the United States and of Title Nine of the Revised Statutes of Idaho Territory, have this day located and claimed the right to the use of ten inches, measured under a four inch pressure, to be diverted from the natural spring on the west side of Milo creek, at a point about 400 feet below Spring "A", and on the west side of Milo creek, said point of diversion being in Yreka Mining District, Shoshone County, Idaho Territory.

That said water is claimed for the purpose of milling and reducing ores, more particularly of the Emma & Last Chance Mines, and for other purposes at the town of Wardner, in said County.

Said water to be diverted by flume and about 25 feet long, running to and connecting with the main flume from Spring "A", the latter located and claimed by the undersigned.

Located this twentieth (20) day of July, A.D. 1888.

Witnesses present at location:
J.F.O'Neill
R.K.Neil.

Chas Sweeny)
A.M.Esler -Locators,
Frank R.Moore)

Recorded at the request of A.M.Esler Aug.6th, 1888 in Book "H" of Misc., at page 570 thereof, records of Shoshone County, Idaho Territory. Thos.E.McLelland, County Recorder, By M.J.Sweeny, Deputy.

NOTICE OF LOCATION OF WATER RIGHT.

I, the undersigned, a citizen of the United States, do hereby locate, claim and intend to appropriate according to the laws of the United States and of the Territory of Idaho, six hundred inches of water, under a four inch pressure, from Milo creek, about 2000 feet above the town of Wardner, at or near where this notice is posted, Yreka Mining District, Shoshone County, Idaho.

This water is to be diverted by means of a flume, the proper size to carry the above amount of water, about fifteen hundred feet long, and to be used for the purpose of concentrating the ores of the Emma and Last Chance Mines.

Located this 21st day of May, 1889.

Witness - W.C. Miller,

Locator - Chas. Sweeny.

Recorded at the request of W.W. Woods June 14, 1889, in Book "I" of Misc., at page 119 thereof, records of Shoshone County, Idaho Territory. Frank Tibbals, County Rec.

POOR QUALITY ORIGINAL

AMENDED LOCATION OF WATER RIGHT.

Notice is hereby given that the undersigned, in compliance with the laws of the United States and of Title Nine of the Revised Statutes of Idaho Territory, has this day located and claimed the right to use six hundred (600) inches of water, measured under four inch pressure, to be diverted from the natural channel of the stream known as Milo creek, about 2000 feet above the town of Wardner, and at the place where this notice is posted, being situated in the Yreka Mining District, Shoshone County, Idaho Territory.

Said water is claimed for the purpose of mining and milling and more particularly for the concentrating works of the Emma and Last Chance mines and is to be diverted by means of a flume two feet wide and one foot deep and is to be conducted about 112 rods to a point opposite the Spokane Concentrating Company's Mill.

This being an amended location of the one made May ..., 1889. This amended location made this 15th day of June, A.D. 1889.

Witness present at location - W.C. Miller. Chas. Sweeny - Locator.

Recorded at the request of Fred E. Lucas, June 19th, 1889 in Book "I" of Misc., at page 121 thereof, records of Shoshone County, Idaho Territory. Frank Tibbals, County Recorder.

RECORDED

D E E D.

Chas. Sweeny, A.M. Esler
and Frank R. Moore,
Grantors.

-to-

Last Chance Mining
Company, a corpora-
tion, Grantee.

Dated, April 17th, 1891.

Recorded, Apr. 20", 1891.

Deed Book "X" page 29.

Consideration \$5.00.

Duly acknowledged April 17, 1891, by all of above
grantors, before F.K. McBroom, a Notary Public in
and for Spokane County, Washington. (Not'l Seal).

"Grant, bargain, sell and convey".

DESCRIPTION.

Water Location, Spring "A", on the east side of Milo Creek, as the same
was located on the 28th day of July, 1888, and recorded in Book "H" of Misc-
ellaneous Records of Shoshone County, Idaho, at page 570.

Also Water Location, Spring "B", as located by the parties of the
first part on the 20th day of July, 1888, and recorded in Book "H" of Misc-
ellaneous Records of Shoshone County, Idaho, page 570.

Also Water Location, Spring "C", as the same was located by the part-
ies of the first part on the 20th day of July, 1888, and recorded in Book
... of Miscellaneous Records of Shoshone County, Idaho, page 25, Dec. 3, 1888.

(With other property not described under caption hereof).

QUITCLAIM DEED.

Charles Sweeny,
Grantor.

-to-

Last Chance Mining
Company, a corpora-
tion, Grantee.

Dated, August 3rd, 1891.

Recorded, Aug. 7th, 1891.

Deed Book "X" pg 201.

Consideration \$5.00.

Duly acknowledged Aug. 4th, 1891, before H.M. Dav-
enport, a Notary Public, in and for County
of Shoshone, in the State of Idaho. (Not'l seal)

"Grant, bargain, sell, remise, release and forever quitclaim".

DESCRIPTION.

That certain water right located by party of the first part May 21st,
1889 for 600 inches of water to be taken from Milo Creek, in Yreka Mining
District, Shoshone County, State of Idaho, as described in notice of loca-
tion recorded in the office of the Recorder of said County Book "I" page
119 and more particularly described in the record of an amended notice
of location made by the party of the first part on June 15, 1889, of record
in the same Book "I" page 121.

MORTGAGE.

Last Chance Mining Company,
a corporation, Mortgagor.

-to-

F. Rockwood Moore,
Mortgagee.

(Corporate Seal)

Dated, March 6th, 1893.

Recorded, Mch 8", 1893.

Book "L" Mtg., pg 208.

Consideration \$327,993.32

Duly acknowledged March 6, 1893, by Charles Sweeny,
Vice President of Last Chance Mining Company, be-
fore John C. Onderdonk, a Notary Public, in and for
the County of Spokane, State of Washington. (Seal)

Secures payment of a certain promissory note bearing even
date herewith, due two years after date, with interest at
rate of one per cent per month.

DESCRIPTION.

The following tracts and parcels of land and premises lying and be-
ing in the County of Shoshone and State of Idaho, known as and described
as follows, to-wit:-

The Last Chance and Emma lode claims, Last Chance Tunnel-site and the
Emma and Last Chance Millsite, all situated in Yreka Mining District.

Also all water rights, water ways, flumes, ditches and conduits and all
tramways used in connection with any of the above described property, all
of said property being situate on the west side of Milo Creek, near the
town of Wardner, in the mining district and county aforesaid.

"The release of this mortgage is of record in Book "M" of
Mortgages at page 194 thereof, records of Shoshone County,
State of Idaho. Barry H. Hillard, County Recorder, by Chas.
A. Ervin, Deputy".

"An Agreement between the Mortgagee herein and W.D. Plants & Co., one of the
creditors of the Mortgagor herein, and which relates to this mortgage, is of
record in Book "D" of Agreements at page 80 records of Shoshone Co, Idaho.
Barry H. Hillard, County Recorder, By Chas A. Ervin, Deputy".

POOR QUALITY ORIGINAL

AGREEMENT.

Frank Rockwood Moore,

-to-

W.D.Plants & Co.,

Dated, May 1st, 1893.

Recorded, Jan. 21, 1896.

Book "D" Agr't., pg 80.

Duly acknowledged Oct. 30, 1893 by Frank Rockwood Moore, before John C. Onderdonk, a Notary Public, in and for Spokane County, State of Wash. (Seal).

WITNESSETH: That Whereas, the Last Chance Mining Company, a corporation, on the 6th day of March, 1893, executed and delivered to the party of the first part herein, its mortgage deed conveying its mining claims, tunnels, tunnel locations, mills and machinery and their appurtenances, situate in Shoshone County, Idaho, to secure the sum of \$327,993.32, and

Whereas, the said sum so secured is made up of the indebtedness of the said Last Chance Mining Company, to divers persons and corporations, and said mortgage is held in fact by the said party of the first part herein as trustee for said creditors of said Last Chance Mining Co., and

Whereas, said Last Chance Mining Co was and is indebted to the party of the second part herein, in the sum of \$393.85 and said sum was intended to be and is included in the amount to secure which said mortgage was given.

NOW THEREFORE, This Agreement Witnesseth: that the said party of the first part, in consideration of the premises and of one dollar to him in hand paid, the receipt whereof is hereby acknowledged, does hereby covenant and agree to and with the said parties of the second part, that he holds said mortgage as trustee for the said party of the second part to the extent of the interest of the said party of the second part, in the sum secured thereby and that from the moneys paid to him by the said Last Chance Mining Co on the indebtedness secured by said mortgage, whether acquired by suit or otherwise, he will pay to the said parties of the second part such proportion of the money so received as the indebtedness of the Last Chance Mining Co to the party of the second part is of the whole amount secured by said mortgage.

"The Mortgage referred to in this Agreement is of record in Book "L" of mortgages at page 208, records of Shoshone County, State of Idaho. Barry N. Hillard, County Recorder, By Chas A. Ervin, Deputy".

MORTGAGE.

Last Chance Mining Company,
a corporation, Mortgagor.

-to-

Spokane and Eastern Trust
Company, Trustee, Mortgagee.

Dated, January 2nd, 1896.

Recorded, Jan. 6th, 1896.

Book "M" Mtge., pg 153.

Consideration \$400,000.00.

(Corporate Seals of Mortgagor & Mortgagee attached)

Duly acknowledged Jan. 2, 1896 by Cyrus Happy and
F. Lewis Clark, President & Secretary respective-
ly of Last Chance Mining Co., before Geo. P. Cragin,
a Notary Public, Spokane Co., Washington. (Seal).

Clerk's certificate attached.

Duly acknowledged Jan. 2, 1896 by J. P. M. Richards,
and Isaac H. Foster, President and Secretary res-
pectively of Spokane and Eastern Trust Co, before
R. Lewis Rutter, a Notary Public, in and for County
of Spokane, Wash. (Seal). Clerk's certificate at'd

Bonds in the sum of \$400,000.00 issued to secure the above loan, to
the number of 940,370 to be for the sum of \$1000.00 each, 270 to be
for the sum of \$100.00 each and 300 to be for the sum of \$10 each
each to bear date of January 2, 1896 and to be payable on or before
the 2nd day of January, A.D. 1902. Interest at the rate of 6% per
annum, payable on the 2nd days of July and January of each year.

(Form of Bond attached)

DESCRIPTION.

All of the property now owned or hereafter to be acquired, real and
personal, by the party of the first part and all its estate, right and title
therein, that is to say: The Last Chance lode, the Emma lode, Republican Frac-
tion lode, Emma and Last Chance Millsite, in Yreka Mining District, County
of Shoshone and State of Idaho.

Also all water rights, flumes, ditches, tramways, power plants, machinery
pumps, cars, tracks, tools, and mining appliances in and about, upon or belong-
ing to the said mining claims and millsite, or used in connection therewith

(The above Mortgage foreclosed under case No. 1794, see following
pages of this abstract for Sheriff's Certificate of
sale and Sheriff's Deed).

RELEASE OF MORTGAGE.

S. Frances Moore, Executrix of
Last Will and Testament of
F. Rockwood Moore, deceased.

-to-

Last Chance Mining Company.

Dated, January 13, 1896.

Recorded, Feb. 14", 1896.

Book "M" Mtge., pg 194.

Witnesses - Two.

Duly acknowledged Jan. 13, 1896 before John P. Kavanaugh, a Notary Public, Multnomah Co., Ore. (Seal).

Do hereby certify and declare that a certain mortgage bearing date the 6th day of March, 1893, made and executed by The Last Chance Mining Company, a corporation organized and existing under the laws of the State of Washington, party of the first part therein, to F. Rockwood Moore, of the City of Spokane, State aforesaid, the party of the second part therein, to secure the payment of the sum of \$327,993.32 upon all that certain lode mining claim known as and called the Last Chance, also that certain lode mining claim known as and called the Emma, also the Last Chance Tunnelsite also the Emma and Last Chance Millsite, all situated in the Yreka Mining District, Shoshone County, State of Idaho, together with the mills, machinery and improvements thereon, also all water rights water ways, flumes, ditches, conduits, tramways used in connection with the aforesaid property, as more particularly described in said mortgage, which is recorded in the office of the County Recorder of the said County of Shoshone, State of Idaho, in Book "I." of Mortgages at page 208 thereof, on the 8th day of March, 1893, together with the debt thereby secured, is fully paid, satisfied and discharged.

POOR QUALITY ORIGINAL

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE.

Spokane and Eastern Trust)
Company, Trustee, Plaintiff.)

-vs-

Last Chance Mining Company)
and the Empire State-Idaho)
Mining and Developing Com-)
pany, Defendants.)

SHERIFF'S CERTIFICATE OF SALE OF
REAL ESTATE
ON DECREE OF FORECLOSURE AND ORD-
ER OF SALE AND EXECUTION.

By virtue of a decree and order of sale, made and entered in the above entitled court, and cause, on the 3rd day of June, A.D. 1903, and a writ of execution issued thereunder by the clerk of said court, under the seal thereof, bearing date the 16th day of June, A.D. 1903, for the sum of \$530,832.78, with interest thereon from June 3rd, 1903 at six per cent per annum and costs taxed at \$63.85 payable in gold coin of the United States or partially in bonds of the Last Chance Mining Company, as provided in said judgment and decree, together with \$4,000.00 counsel fees and accruing costs, by which decree and order of sale and writ of execution, I, Charles Manley, as Sheriff of Shoshone County, State of Idaho, was commanded to levy upon and give notices for sale and to sell the following described property and premises situate and being in Shoshone County, State of Idaho, to-wit:-

Water right located by Charles Sweeny May 21, 1889, notice of location recorded in Book "I" Misc., at page 119 thereof.

Water right located by Charles Sweeny, A.M. Esler and Frank R. Moore, notice of location recorded in Book "H" of Misc., at page 570 thereof, the same being known as Spring "A".

Water Right located by Charles Sweeny, A.M. Esler and Frank R. Moore, notice of location recorded in Book "H" of Misc., at page 570, the same being known as Spring "B".

Water Right located by Charles Sweeny, A.M. Esler and Frank R. Moore, notice of location recorded in Book ... of Misc., at page 25 thereof, the same being known as Spring "C".

(Together with other property not described under caption)

And that I duly advertised and noticed said premises and property to be sold by me in front of the court house door in the City of Wallace, in Shoshone County, State of Idaho, on the 20th day of July, A.D. 1903, at 10 o'clock in the forenoon on said day, that previous to said sale I caused due and legal written notice thereof to be published for twenty days immediately before and next preceeding such sale, in the Wallace Press, a weekly newspaper published in the City of Wallace, in said County and State due proof of said publication having been made and filed in said court,

and caused said written notice to be posted in three of the most public places in the precinct and City of Wardner, in said Shoshone County, State of Idaho, that being the precinct and city where the said property and premises were and are situated, and caused said written notice to be posted in three of the most public places in Wallace precinct and City, in said county and state, that being the precinct and city where the said premises and property were to be and were sold, for twenty days before the time so set for the said sale, and that on the 20th day of July, A.D. 1903, the day on which said premises and property were so noticed and advertised to be sold as aforesaid, I attended at the time and place fixed for said sale and exposed the said premises and property for sale at public auction, according to law, to the highest bidder, in gold coin of the United States or partially in bonds of the Last Chance Mining Company, as provided in said judgment or decree, having first given notice that said premises and property, were to be sold to satisfy a judgment amounting to \$530,832.78 with interest thereon from June 3rd, A.D. 1903 at the rate of six per cent per annum and costs taxed at \$63.85, payable in gold coin of the United States, or partially in bonds of the Last Chance Mining Company, as provided in said judgment and decree together with \$4,000.00 counsel fees and accruing costs, when, the Empire State-Idaho Mining and Developing Company being the highest and best bidder therefor, the said premises and property were struck off and sold by me to the said Empire State-Idaho Mining and Developing Company for the sum of \$470,000.00 payable in gold coin of the United States, or partially in bonds, as provided in said judgment and decree, which was the whole price bid for the said premises and property, and which said sum of \$470,000.00, partially in bonds of the Last Chance Mining Company, as provided in said judgment or decree, I acknowledge and have received.

The said premises and property are as hereinbefore particularly described.

And the said premises and property are subject to redemption, in lawful money of the United States, pursuant to the statute in such cases made and provided.

Given under my hand this 20th day of July, A.D. 1903.

Charles Vanley,
Sheriff of Shoshone County
State of Idaho.

POOR COPY

Filed at the request of C.W. Betts Jul 28, 1903., at 3 o'clock, P.M.
Stanley P. Fairweather, County Recorder, By John P. Sheehy,
Deputy.

NOTE: The Assignment of this Certificate of Sale, Empire State-Idaho Mining & Developing Company, to Federal Mining & Smelting Company, reference to which is made in the following Sheriff's Deed, is not on file or of record in Recorder's Office.

SHERIFF'S DEED.

Charles Manley, Sheriff of
Shoshone County, Idaho,
Grantor.

-to-

Federal Mining & Smelting
Company, a corporation,
Grantee.

Dated, August 31st, 1904.

Recorded, Sept. 16, 1904.

Deed Book "26" pg 380.

Consideration \$470,000.00

Duly acknowledged Sept. 13, 1904, before Stanley P.
Fairweather, a Notary Public, in and for Shoshone
County, in the State of Idaho. (Seal).

WHEREAS, by virtue of a Decree and order of sale, issued out of and under the seal of the District Court of the First Judicial District of the State of Idaho, in and for the County of Shoshone, holding terms at Wallace, Idaho, tested on the 16th day of June, A.D. 1903, upon a judgment rendered in said court on the 3rd day of June, A.D. 1903, in favor of Spokane & Eastern Trust Company, Trustee, plaintiff, and against Last Chance Mining Company and Empire State-Idaho Mining and Developing Company, defendants, and to Charles Manley, the then acting Sheriff of Shoshone County, Idaho, directed and delivered, commanding that he should sell the premises hereinafter described in a manner prescribed by law; and

Whereas, the said Charles Manley, Sheriff as aforesaid, did, on the 20th day of July, A.D. 1903, sell the hereinafter described real estate at public auction at the court house door in Wallace, Shoshone County, Idaho, after having first given due notice of the time and place of said sale by advertising and by posting notices of said sale according to law; and

Whereas, at said sale the Empire State-Idaho Mining & Developing Company became the purchaser of the real estate hereinafter described, for the sum of \$470,000.00 by reason of being the highest bidder therefor, at said sale; and

Whereas, afterwards, to-wit: On the 27th day of September, 1903, for a valuable consideration, the said Empire State-Idaho Mining & Developing Company (a corporation) sold, assigned and transferred its right, title and interest in and to the hereinafter described real estate, to the Federal Mining & Smelting Company (a corporation) the hereinafter named party of the second part, and

Whereas, the time for redemption of the said real estate from said sale has now fully expired, and no application has been made to redeem the hereinafter described premises;

(Continued on following page).

NOW THEREFORE, I, Charles Vanley, Sheriff of Shoshone County, Idaho, as aforesaid, the party of the first part, in pursuance of the statute in such case made and provided, and for and in consideration of the sum of four hundred and seventy thousand dollars (\$470,000.00) paid as aforesaid, by the Empire State-Idaho Mining & Developing Company, to Charles Vanley, Sheriff of Shoshone County, Idaho, do hereby grant, bargain, sell, convey and confirm unto the said Federal Mining & Smelting Company (a corporation), the following described real estate, to-wit:-

Water right located by Charles Sweeny, notice of location recorded in Book "I" of Misc., at page 119 thereof.

Water right located by Charles Sweeny, A.M. Esler and Frank R. Moore, notice of location recorded in Book "H" of Misc., at page 570 thereof, the same being known as Spring "A".

Water right located by Charles Sweeny, A.M. Esler and Frank R. Moore, notice of location recorded in Book "H" of Misc., at page 570 thereof, the same being known as Spring "B".

Water right located by Charles Sweeny, A.M. Esler and Frank R. Moore, notice of location recorded in Book .. of Misc., at page 25 thereof, the same being known as Spring "C".

(With other property not described under caption this abstract)

POOR QUALITY ORIGINAL

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: LB

Right Number 94-4218 Applicant Bunker Ltd. Ptn.

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 [Signature] Date 8/19/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 8/31/83

MICROFILMED

RECEIVED
AUG 23 1983
Department of Water Resources

94-4218_

BUNKER LIMITED PARTNERSHIP

P.O. BOX 29, KELLOGG, ID 83837

Source: MILD CREEK trib. to COEUR D ALENE RIVER, SOUTH FK.

Priority Date: 01/01/1985

Diversion Pt: SWNE Sec 13 T 48N R 02E

Use: INDUSTRIAL	(0.30 CFS)
MINING	(0.30 CFS)

In: NWNE Sec 13 T 48N R 02E

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 9, 1983

BUNKER LIMITED PARTNERSHIP
P.O. BOX 29
KELLOGG ID 83837

RE: Claim No. 94-4218

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
1-10