

NOV 16 1937



RETURN TO WRITER
 REASON FOR NON-DELIVERY CHECKED
 Unknown
 For a better address
 Refused
 No such name in state named

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

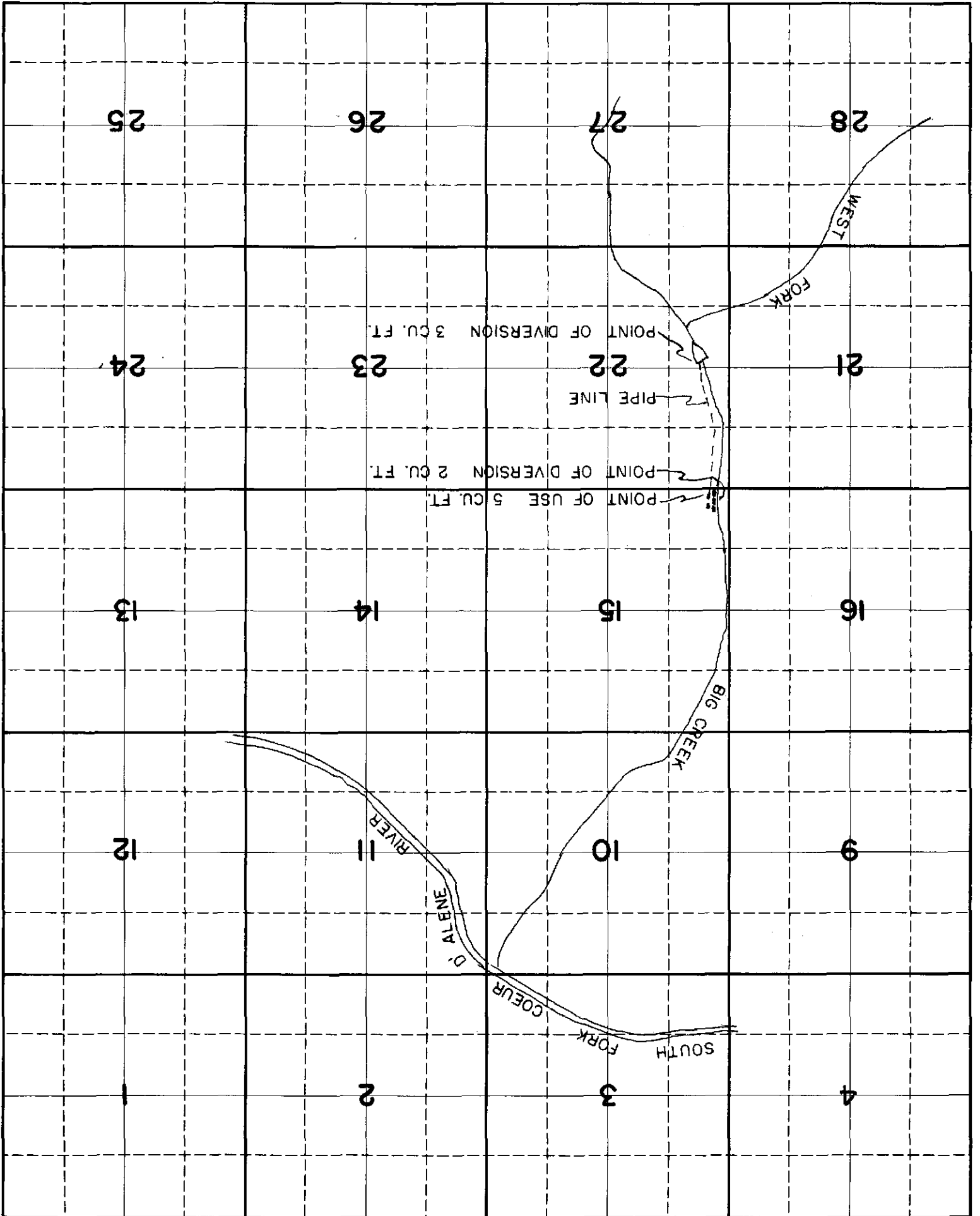
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

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

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

Total number of acres presently irrigated Not Applicable

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



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

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: a) 3 & b) 2 c.f.s. and/or _____ acre feet
b) SW SW 15 48 N

b. New point of diversion: a) NW 1/4 SW 1/4, Section 22, Township 48 North
3 E
3 East, B.M.

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

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

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

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

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

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

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

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

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

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

11. CHANGE IN PLACE OF USE

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
48 N	3E	15											5						5 c.f.s.

Total Number of Acres to be Irrigated _____

Mining and Milling

b. Do you intend to make the transfer permanent? Not Applicable

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

N A

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: None or Not Applicable

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own

risk. The information contained in this application is true to the best of my knowledge.

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

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

(notary public)

My commission expires March 19, 1978

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

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

and said application is hereby APPROVED

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

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

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

Witness my hand this 18 day of March, 1976

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

FOR DEPARTMENT USE ONLY

Received by Date 1-30-76

Prelim. check by Date 1-30-76

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

Approved for publication by

North Idaho

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

Hearing held

Watermaster Recommendation sent

94 2350

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

Application No. 25269
Permit No. 18061
District No.

1. Name of Applicant: W. M. YEAMAN

Postoffice address: Kellogg

County: Shoshone

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

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

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

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

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

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

(a) Point of use of water: About 300 ft. / ^{NE} ~~feet distant~~ from SW corner of Section 15 T. 48 N., R. 3 E., B. M., in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, T. 48 N., R. 3 E., B. M.

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

(c) Water is to be returned to Big Creek at a point near point of use feet distant from the corner of Section, T., R., B. M., in the of Section, T., R., B. M.

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

8. Kind of works: Dam and flume

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

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

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet; dimensions of flume: Three feet wide, two feet deep

Diameter of pipe inches; length of conduit about 2100 feet. ~~miles~~

Average grade per mile feet.

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

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

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

15. (a) Is reservoir to be used? ☐ No ☐ Yes If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

W. M. Yeaman

Applicant.

By

Agent.

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

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18061

Recorded in Book 65 Page 18061 Approved January 11, 1935

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before March 10, 1935 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before July 11, 1937

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

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

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

R. W. FARIS
Commissioner of Reclamation.

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

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>AFFIDAVIT AND ASSIGNMENT</u>																			
STATE OF IDAHO) County of Shoshone)			ss																
			W. M. Yeaman, being first duly sworn on his oath deposes and says: That he is the identical W. M. Yeaman whose name appears as applicant in the Application for Permit to appropriate the public waters of the State of Idaho, in Application No. 25289, Permit No. 18061, filed with the Commissioner of Reclamation on January 8, 1935; that said application was approved by the Commissioner of Reclamation on the 11th day of January, 1935; that at the time of said application, this affiant was the duly elected, qualified and acting Vice-President and Managing Director of Sunshine Consolidated, Inc., an Idaho Corporation; that its principal place of business and registered office is at Kellogg, Idaho; that said application was made by this affiant for and on behalf of said last named corporation and upon the property of said corporation, and said water right and permit, and all rights thereunder or therein, and at all times since have been and now are the property of said corporation and that through inadvertence, the said permit was made on application of this affiant, when in reality it should have been made by the said Sunshine Consolidated, Inc., and by reason thereof, and in order to correct the same, this affiant, at this time, makes the above and foregoing statements as a matter of clarity as respects the facts of the situation, and further and for, and in consideration of the sum of One and no/100 Dollars (\$1.00) and other consideration, the receipt whereof is acknowledged, does hereby sign, set over and transfer to said corporation all his right, title and interest in and to the said permit, and all rights privileges and obligations thereunder to accrue, to the said Sunshine Consolidated, Inc. and authorizes and directs that the Proof of Completion of Works hereby made in the name of Sunshine Consolidated, Inc., and that this affiant hereby disclaims any and all rights of any kind, nature and description thereunder.																
			W. M. YEAMAN																
			Subscribed and sworn to before me this 4th day of August, A. D. 1937.																
(SEAL)			LESTER S. HARRISON Notary Public in and for the State of Idaho, residing at Kellogg, Idaho																
			Received and filed for record in the Department of Reclamation at Boise, Idaho, at 3:00 P. M., Jan. 18, 1938.																
			R. W. FARIS Commissioner of Reclamation By J. L.																

Permit No. 18061

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that SUNSHINE CONSOLIDATED, INC. of Kellogg, County of Shoshone, and State of Idaho, the holder of Permit No. 18061, issued upon Application No. 25289 bearing date of priority of January 8, 1935, authorizing the diversion of five (5) second feet of the waters of Big Creek, County of Shoshone, State of Idaho, for mining and milling purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use five (5) second feet of the waters of said Big Creek; that the point of diversion of said waters is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, T. 48 N., R. 3 E., B. M.

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

R. W. FARIS
Commissioner of Reclamation

Proof of completion of works made January 14, 1938.

Certificate of completion of works issued January 21, 1938.

LICENCE ISSUED FOR 5.350 FT.

Page 3952

March 19, 1976

Re: Transfer No. 94-2170/1936

Sunshine Consolidated, Inc.
Box 890
Wallace, Idaho 83873

Gentlemen:

Enclosed herewith is a copy of your approved Application for Transfer No. 94-2170/1936.

Be sure to note that a special condition requiring you to install and maintain a measuring device as part of the diverting works has been placed upon this transfer. Enclosed is a letter describing different types of measuring devices accepted by the Department.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enc: Copy of transfer
Infor letter

bc: Northern Regional Office

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

PROOF OF PUBLICATION

RECEIVED
Mar 9 1976
Department of Water Resources
Northern District Office

Legal Notice

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO 94-2170

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

TO BE CHANGED AS FOL- LWS:

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

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

R. KEITH HIGGINSON
Director

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

John McGee, 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 12 day of February A.D., 1976. That the Legal Notice of which a complete and correct copy is hereto attached, was first published in said newspaper in its issue dated the 12 day of February A.D., 1976 and published in Two (2) issues of said newspaper, the last publication thereof being in the issue dated the 19 day of February A.D., 1976.

John C. McGee
Subscribed and sworn to before me this
27 day of March, A.D., 1976.

Doris Gounsviller

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

September 25, 1977

4055 Government Way - Suite #1

(208) 667-6484

March 2, 1976

Re: Application for Transfer No. 94-2170 - Sunshine Consolidated, Inc.

North Idaho Press
507 Cedar
Wallace, ID 83873

Gentlemen:

Could you please submit the affidavit of publication and bill in connection with the above referenced item. The legal notice was to have been published in your newspaper on February 12 and February 19, 1976.

Your assistance in this matter would be appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

44-38861-1000



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

COBUR D' ALENE, IDAHO 83814

NORTHERN DISTRICT

Route 5, Box 203 - Suite #1

4055 Government Way

(208) 667-6484

February 6, 1976

Re: Change of Water Right No. 94-2170 - Sunshine Consolidated, Inc.

North Idaho Press
507 Cedar
Wallace, ID 83873

Gentlemen:

Enclosed is a legal notice 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 a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES
District Supervisor

RGH:CP

Enc: Legal Notice(s)

Bill: 3-8-76.4

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 94-2170

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

TO BE CHANGED AS FOLLOWS:

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

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

R. KEITH HIGGINSON
Director

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

April 17, 1972

Re: License Nos. 94-2170
94-2171

Sunshine Consol, Incorporated
Post Office Box # 890
Wallace, Idaho 83873

Gentlemen:

Please find enclosed copies of the two above referenced licenses and the examination reports in connection with those licenses. Also enclosed, please find two (2) copies of this Department's Application for Transfer form, with instructions for filing.

If we may be of any assistance in the completion of these transfer forms, or if we may assist you in any other manner, please do not hesitate to contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB:CS

Enc: referenced copies
two transfer forms

94-2170

July 25, 1967

RE: Permits 18061, 18064 and 15030

C
O
P
Y

Norman M. Smith
Mining Engineer
Big Creek
Kellogg, Idaho 83837

Dear Mr. Smith:

Water rights are acquired by two methods in the State of Idaho. One by permit and license through this Department, the other by diversion and beneficial use. However, there is no record of rights obtained by diversion and use. The new statutes allow for claims to be filed in our office for old use rights.

Water rights can be lost by two means; abandonment and forfeiture. Forfeiture is the non-use of available water for a period of 5 years. Abandonment is to abandon without ever planning on using the water again and can happen at anytime.

Water rights become appurtenant to the use or lands licensed for and can be sold or leased as personal property. However, if the place of use is changed a transfer of the right must be made through our office.

We do have records of water licenses for two of the companies. Water license 18061 for 5.0 c.f.s., and 18064 for 2.0 c.f.s. issued to Sunshine Consolidated, Inc. for water out of Big Creek. Water license 15030 for 2.0 c.f.s. issued to Sunshine Mining Company for water from Big Creek.

We can find no filings for water for the Lincoln Mining Company or the Silver Dollar Mining Company.

If we can be of further assistance please let us know.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

18061

MRB:ejw

NORMAN M. SMITH
MINING ENGINEER
BIG CREEK
KELLOGG, IDAHO 83837

July 19, 1967

RECEIVED
JUL 24 1967

Department of Reclamation

Mr. R. Keith Higginson
Bureau of Reclamation
State House
Boise, Idaho

Dear Mr. Higginson:

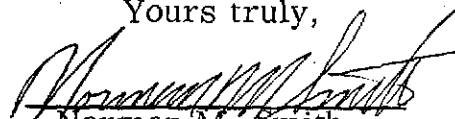
I am trying to learn the status of certain water rights of several mining companies in Shoshone County. The County Recorder informed me of your name and office and believed you could furnish the data desired.

First, how is a water right acquired and maintained; and how is it lost? Can a water right be leased or sold?

Second, what is the status of the water rights of the following companies - all in Shoshone County, T 48N, R 3E, BM:

1. Sunshine Consolidated, Inc. *18061 - 18064*
 - a. On Big Creek, Sec. 22. *500 cfs 200 cfs*
 - b. On a west tributary of Big Creek in sections 21 and 22.
2. Sunshine Mining Company
 - a. On Big Creek, Sec. 22, T 48N, R 3E, BM. *15030*
 - b. On an east tributary of Big Creek in Sec. 15. *200 cfs*
3. Lincoln Mining Co. or Silver Dollar Mining Company.
On Spring Gulch, Sec. 14.

Yours truly,


Norman M. Smith

NMS/m

December 4, 1939

Re: Permits Nos. 18061 & 18064
Sunshine Consolidated, Inc.

Mr. H. J. Hull.
Attorney at Law,
Wallace, Idaho.

Dear Sir:-

We are in receipt of your letter of December 1st, in which you inquire as to the status of the above numbered permits in the name of Sunshine Consolidated, Inc.

In reply beg to advise that the field examinations have been duly made, and licenses issued under both of these permits, and mailed to Mr. Joseph T. Hall, as follows:

License No. 18061 for five (5) second feet of the waters of Big Creek, with priority of January 8, 1935.

License No. 18064 for two (2) second feet of the waters of Gullickson Creek, with priority of January 8, 1935.

The issuance of the license is the final step, and nothing more is required in order to complete these water rights.

Very truly yours,

JAMES SPOTFORD
Commissioner of Reclamation
By

JLA

Chief Clerk

18061

FELIX REA
ASSOCIATE

H. J. HULL
ATTORNEY AT LAW
WALLACE, IDAHO

December 1, 1939

Commissioner of Reclamation,
Boise, Idaho.

Re: Permits Nos. 18061 and 18064,
Sunshine Consolidated, Inc.

Dear Sir:

On March 23, 1938, the Sunshine Consolidated, Inc. furnished your department with proof of application of water to beneficial use in respect to the above numbered water rights.

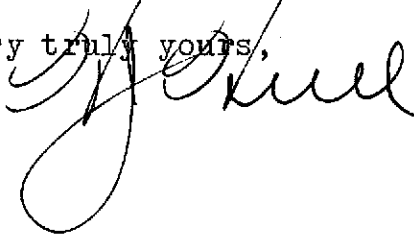
Under date of April 8, 1938, your office acknowledged receipt of the proofs, but stated that before final action could be taken it would be necessary for your engineer to make a field examination and that at the time you could give no indication of when the examination would be made.

I write to inquire whether or not that examination has been made, and if not, when we may expect the examiner, and whether or not anything remains to be done on the part of the applicant to perfect its title to the water rights in question.

Thanking you for this information, I am

Very truly yours,

HJH:CM



18061

May 1, 1939

Re: Permit No. 18061

Sunshine Consolidated, Inc.
C/o Joseph T. Hall,
Wallace, Idaho.

Dear Sir:-

We are herewith enclosing License and Certificate of Water Right issued under the above numbered permit, confirming the right of Sunshine Consolidated, Inc., to use 5 second feet of the waters of Big Creek, a tributary of the South Fork of Coeur d'Alene River, with a date of priority of January 8, 1935, for mining and milling purposes in the SW¹ SW⁴ of Section 15, Township 48 North, Range 5 East, B.L.

The Department's Receipt No. 16968 for the \$5.00 fee paid in connection with final proof is also enclosed.

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

By

Chief Clerk

JLA
Enc.

18061

April 3, 1939

Re: Permits Nos. 18061 and 18064
Sunshine Consolidated, Inc.

Mr. Joseph T. Hall,
Wallace, Idaho

Dear Sir:-

We enclose Departmental Receipt No. 16938 for \$5.00, received this morning, and inasmuch as you did not state which fee this was intended to pay, we have applied it on Permit No. 18064, and will issue license thereon and send you within a few days.

This permit is for 2 second feet of the waters of Gallickson Creek.

We remind you that we have not yet received the \$5.00 fee about which we wrote you in connection with final proof on Permit No. 18061, which is for 5 second feet of the waters of Big Creek.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

JLA

By

Chief Clerk

18061

March 4, 1939

Re: Permit No. 18061

Sunshine Consolidated, Inc.
C/o Joseph T. Hall
Wallace, Idaho

Dear Sir:-

A short time ago we received the report of our field engineer on examination for beneficial use under the above numbered permit.

Therefore, upon receipt of the statutory fee of \$5.00, a license will be issued.

Very truly yours,

JAMES SPONFORD
Commissioner of Reclamation
By

JLA

Chief Clerk

18061

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

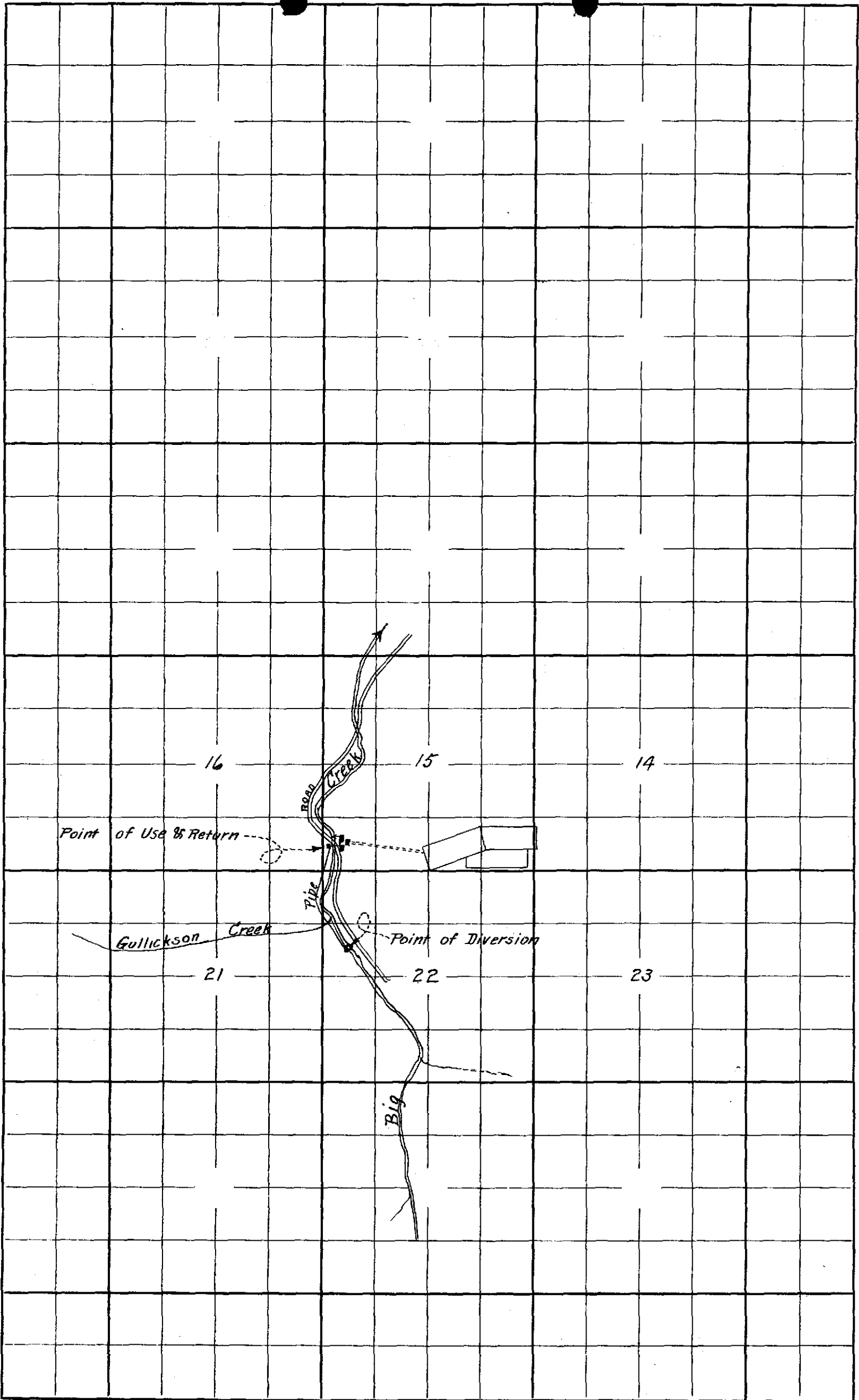
REPORT OF ENGINEER

PERMIT NO. 18061

REPORT ON PROOF OF BENEFICIAL USE

*L. M. 5000 ft. from
Permit*

3-2-3 147



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18061

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

1. Name of applicant Sunshine Consolidated, Inc.

2. Source of water supply: Big Creek

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

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

5. Water is used for: Mining and milling

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): Point of use: In the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 48 N., R. 3 E., B. M.

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

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

Remarks:

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

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

(Signed)

Fred A. Johnson

Examiner.

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

Permit No. 18061

Examination for Beneficial Use

County Shoshone

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
-

April 8, 1938

Re: Permits 18061 & 18064.

Mr. Joseph T. Hall
Asst. Secretary-Treasurer
Sunshine Consolidated, Inc.
Wallace, Idaho

Dear Sir:

This will acknowledge receipt of the depositions of the holder, depositions of two witnesses, and the affidavits of proof of publication from the newspaper, all in connection with beneficial use proofs under the two above-numbered permits.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made, since the department has but one field engineer who makes examinations all over the state.

However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination so that you may show him over the grounds. After his reports are on file in this office you will be further notified as to fees due before the issuance of your licenses.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

j1
cc to H. J. Hall.

18061

April 8, 1938

Re: Permits 18061 & 18064.

Mr. Joseph T. Hall
Asst. Secretary-Treasurer
Sunshine Consolidated, Inc.
Wallace, Idaho

Dear Sir:

This will acknowledge receipt of the depositions of the holder, depositions of two witnesses, and the affidavits of proof of publication from the newspaper, all in connection with beneficial use proofs under the two above-numbered permits.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made, since the department has but one field engineer who makes examinations all over the state.

However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination so that you may show him over the grounds. After his reports are on file in this office you will be further notified as to fees due before the issuance of your licenses.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

j1
cc to H. J. Hull.

18061

H. J. HULL
LAWYER
WALLACE, IDAHO

March 23, 1938

Mr. R. W. Faris,
Commissioner of Reclamation,
Boise, Idaho.

Re: Sunshine Consolidated, Inc.,
Permit Nos. 18061 and 18064.

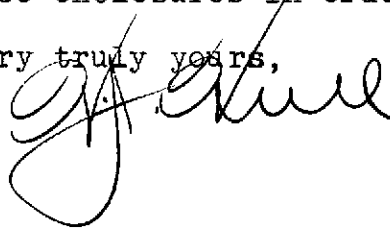
Dear Mr. Faris:

With respect to each of the foregoing permits I
am enclosing herewith the following:

1. Proof of Publication of Notice of Proof of
Application of Water to Beneficial Use;
2. Deposition of Holder;
3. Depositions of two witnesses.

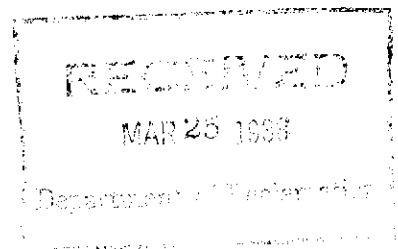
Trusting you find these enclosures in order, I am

Very truly yours,



HJH:CM

Encls.



18061

PROOF OF PUBLICATION

STATE OF IDAHO, }
County of Shoshone. } ss.

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

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

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

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

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

The place where said water is used is about 300 feet Northeast from Southwest corner of Section 15, Township 48 North, Range 3 East, Boise Meridian, in the Southwest (SW) quarter (¼) of the Southwest (SW) quarter (¼) of Section 15, Township 48 North, Range 3 East, Boise Meridian, Shoshone County, Idaho.

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

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

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

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

R. W. FARIS,
Commissioner of Reclamation.
4x—Feb. 4-11-18-25. 1938.

My commission expires June 16, 1939.

L. N. Shum, being first duly sworn, deposes and says: That he is the Principal Clerk of the Press-Times Publishing Company, publishers of the Wallace Press-Times, a daily newspaper printed and published at Wallace, Shoshone County, 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 seventy-eight consecutive weeks prior to the 4th day of July, 1938.

Pursuant to the provisions of Chapter 154 of the 1933 Session Laws of the State of Idaho, said Press-Times Publishing Company has designated Friday of each week as the day on which will be published legal notices required by law or by order of any court of competent jurisdiction within the State of Idaho.

That the Notice of which a complete and correct copy is hereto attached, was first published in said newspaper in its Friday issue dated the 4th day of July, 1938, and was published in each successive Friday issue of said newspaper for 4 issues, the last publication thereof being in the Friday issue dated the 25th day of July, 1938.

Subscribed and sworn to before me this 15 day of July, 1938

J. W. G. G. G.
Notary Public for the State of Idaho,
residing at Wallace, Idaho.

18061

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

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Joseph T. Hall, age 27, residence Big Creek, Idaho;Occupation Mining. Postoffice Address Wallace, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Sunshine Consolidated, Inc., Kellogg, Idaho.Assistant Secretary-Treasurer and Resident Manager.

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

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

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

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

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

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

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

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

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

Ans. See answer to No. 6.

18061

OK. R.H.D.

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

Ans. Five second feet

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

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

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

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None

(Sign)

Joseph T. Hall

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Wallace, County of Shoshone State of Idaho, on this 12th day of March A. D. 1938

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

My commission expires Feb 14-1940.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18061

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

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

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

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

Ques. 3. Have you read or heard read said Permit No. 18061, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

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

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

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Five second feet

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

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

18061 OK. P.H.B.

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

Ans. See answer to question No. 6

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. _____

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

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

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

(Signed) John Edgar

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Wallace, County of Shoshone, State of Idaho, on this day of March 12, A. D. 1938.

My commission expires Feb 14-1940

[Signature]
Notary Public.

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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18061

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

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

Post Office Address Box 625, Wallace, Idaho.

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

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

Kellogg, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18061, and are you familiar with its provisions and conditions?

✓ Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

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

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

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

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Five second feet.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

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

18061

R.H.B.

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

Ans. See answer to question 6

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

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

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

(Signed)

Joseph A. McLaughlin

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Wallace, County of Shoshone, State of Idaho, on this day of March 12, A. D. 1938

My commission expires

Feb 14-1938

Notary Public.

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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date January 31, 1938

Re: Permits 18061 & 18064.

THE WALLACE PRESS-TIMES
Wallace, Idaho

DEAR SIR:

Enclosed you will find ^{two} notice for publication once a week for four consecutive weeks prior to March 12, 1938, the date set for proof, the expense of the publication to be paid by the applicant, Sunshine Consolidated, Inc., 209 Civic Center Bldg., Wallace. (H. J. Hull, acting as attorney)

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

R. W. FARIS

Commissioner of Reclamation

18061

January 31, 1938

Re: Permits 18061 & 18064,
Sunshine Consolidated, Inc.

Mr. H. J. Hull
Attorney at Law
Wallace, Idaho

Dear Sir:

This will acknowledge receipt of notices in duplicate for publication in connection with beneficial use proofs, and also the authorization of the Sunshine Consolidated, Inc., to have the notices published in the Wallace Press Times, Wallace, Idaho, all in connection with Permits 18061 and 18064. Copies of the notices have been mailed to the newspaper with instructions to publish them once a week for four consecutive weeks prior to March 12, 1938.

We are herewith enclosing two sets of depositions, each set consisting of one for the holder and one each for two witnesses. On March 12, 1938, the date set for proofs, the holder of these permits should appear at your office with two disinterested witnesses who are familiar with the terms of the permits and the works constructed thereunder; and the enclosed depositions should be filled out and sworn to by them before you at Wallace, Idaho. When the depositions have been taken, they should be mailed to this office, together with the affidavits of publication of the notices.

We are herewith enclosing the Department's Receipt No. 16518 for the \$1.50 fee you remitted in connection with the recording of deeds under the above numbered permits.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

jl
Encl.
cc to Sunshine Consolidated, Inc.,
Wallace, Idaho

18061

H. J. HULL

LAWYER
WALLACE, IDAHO

January 28, 1938

Commission of Reclamation,
Boise,
Idaho.

Re: Permits No. 18061 and 18064
Sunshine Consolidated Mng. Co.

Gentlemen:

In accordance with your letter of January
24th, I enclose herewith check for \$1.50 to cover
recording fees of the Yeaman assignments.

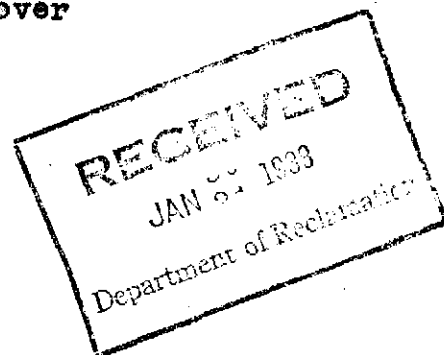
Very truly yours,

H. J. Hull

HJH:D

Enc.

18061



H. J. HULL
LAWYER
WALLACE, IDAHO

January 28, 1938.

Mr. R. W. Faris, Commissioner,
Department of Reclamation,
Boise, Idaho.

Dear Sir:

In re: Permits Numbers 18061 - 18064
Sunshine Consolidated, Inc.

Enclosed you will find duplicate notice for publication in proof of application of water to beneficial use in relation to Permit No. 18061, and also a letter from the Sunshine Consolidated, Inc., permitting you to publish this notice at its expense in the Wallace Press Times, Wallace, Idaho, and you will also find enclosed duplicate notice for publication and proof of application of water to beneficial use in relation to permit No. 18064, and also a letter from the Sunshine Consolidated, Inc. permitting you to publish this notice in the Wallace Press Times, Wallace, Idaho, at its expense.

The Wallace Press Times is a daily paper and is published every day except Sunday. Friday is the day set by the paper for publishing notices of this kind.

If you have forms for use in connection with the final proof and on which the final proof may be reduced to writing we would appreciate it if you would send us the proper forms for use in taking the final proof of the application of this water to a beneficial use, and also if you have forms of affidavits to be used by the witnesses, we would appreciate it if you would send us those forms.

We have set March 12th as the day for the final proof in this matter and trust that this is satisfactory to you.

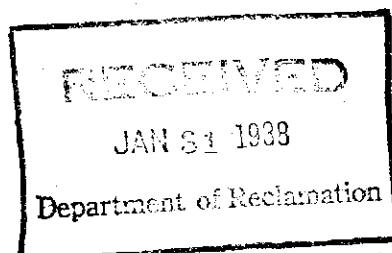
Very truly yours,

H. J. HULL,

By *Felix Rea*

FR:D

Encls.



18061

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 28, 1938.

(P. O.) Wallace, Idaho.

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Wallace Press-Times of Wallace, Idaho, published in
the county in which the works are situated.

Edith Stope
Assistant Secretary for
SUNSHINE CONSOLIDATED, INC.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water
per second, the following certificate must be signed by a well-known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

1806/

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

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

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

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

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

The place where said water is used ~~as for irrigation, give full and accurate description of the~~
lands irrigated is about 300 feet Northeast from Southwest corner of Section
 15, Township 48 North, Range 3 East, Boise Meridan, in the Southwest (SW)
 quarter (4) of the Southwest (SW) quarter (4) of Section 15, Township
 48 North, Range 3 East, Boise Meridan, Shoshone County, Idaho.

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

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

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

The date of priority which said user is prepared to establish is January 10, 1935

18061

W. W. PARRIS

Commissioner of Reclamation.

January 24, 1938

Re: Permits 18061 & 18064.

Mr. H. J. Hull
Attorney at Law
Wallace, Idaho

Dear Sir:

We are herewith enclosing Certificates of Completion of Work issued under each of the above permits to appropriate the public waters of the State of Idaho, together with the Department's Receipts for the fees you paid in connection with these certificates.

We are also returning the two instruments whereby the two above permits are conveyed from Y. M. Yeaman to the Sunshine Consolidated, Inc. These instruments have been made a matter of record in this department, and are now being returned to you for your files. Will you please remit \$1.50 for the recording of these instruments.

In compliance with the request contained in your letter of January 14th, we are enclosing forms to be used in connection with your final proofs under these permits. You should fill out the notices in duplicate and return both copies to this office, together with your authorization for us to have the notices published in a newspaper in Shoshone County. Be sure to set the date for proof far enough in advance to allow for a four weeks publication of the notices prior to the date for the proofs. The proofs are to be made before a notary public or other officer authorized to administer oaths.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

Jl
Encl.
cc to Joseph T. Hall.

18061

H. J. HULL

LAWYER

WALLACE, IDAHO

January 14, 1938.

JAN 18 1938

U. S. DEPT. OF RECLAMATION

Mr. R. W. Farris,
Commissioner of Reclamation,
State House Building,
Boise, Idaho.

In re: Water Permit Application No. 25269
Permit Number 18061
Water Permit Application No. 25268
Permit Number 18064.

Dear Sir:

Enclosed you will find an affidavit of proof of completion of works in relation to water appropriation Water Permit Number 18061 and Water Permit Number 18064.

You will also find enclosed a letter of Joseph T. Hall explaining the type of work that has been completed in relation to these two permits.

No doubt your records show that the above numbered permits were issued to W. M. Yeaman. W. M. Yeaman has assigned all of his interest in these permits to the Sunshine Consolidated, Inc. The original and a copy of the assignment of Mr. W. M. Yeaman of all interest in each of these permits to the Sunshine Consolidated, Inc., an Idaho corporation, is also enclosed herewith. If you only require one copy of the assignment by Mr. Yeaman for your files we would appreciate it if you would return one of these copies to us with an acknowledgment thereon that you have received a copy of said assignment.

You will also find enclosed our check in the sum of \$10.00 which is the amount of the fee for the issuing of certificates of completion of work.

We would like to submit proof of application of water to beneficial use in relation to both of these permits as soon as possible and would therefore appreciate it if you would furnish us with the proper forms and instructions for the submission of this proof.

If you desire any further information in relation to the assignment from Mr. W. M. Yeaman to Sunshine Consolidated, Inc. we will be pleased to furnish you with the same promptly

If, by any chance, we have not complied with all of the requirements in relation to the proof of completion of works, we will

18061

Mr. R. W. Farrie
Commissioner of Reclamation,
Boise, Idaho.

Page 2.

do so immediately upon notification from you.

Very truly yours,

H. J. HULL

By

Felix Rea

FR:D

Encls.

Registered Mail

18061

18061 ✓
18064

SUNSHINE CONSOLIDATED, INC.

RECEIVED

MAR 18 1938

Department of Reclamation

Wallace, Idaho,
March 10, 1937

Department of Reclamation,
State of Idaho,
Boise, Idaho.

Gentlemen:

This letter is to supplement our affidavit regarding the Proof of Completion of Labor on Permits No. 18061 and 18064.

It has appeared to the writer that perhaps, for your files, you would like to have further information with regard to these water rights than is required on your affidavits, which are attached hereto.

During 1935 there was constructed at the point of diversion site, specified in Form 18061, just below the Sunshine dam on Big Creek, a smaller dam and penstock for the Sunshine Consolidated. This dam is well constructed of stone, wood, earth and concrete. This work is well done and built to be permanent. This dam is equipped with the necessary fish race and is constructed to weather the spring floods. From this dam the water is carried to the portal of the Gullickson tunnel, a distance of approximately 2,500 feet. This line is constructed of 16" stave pipe. This pipe has been buried for its entire length and supporting foundations have been built where necessary.

P. No. 18064 A dam and concrete penstock have been constructed at the point of diversion on Gullickson Creek. From this dam a 6" line feeds into the 16" line above mentioned at a point about 1,000 feet south of the Gullickson tunnel. This work is constructed with a view to permanency and is very strongly built. The 16" line feeds into a penstock above the Gullickson tunnel from which a further 16" line is taken off to run through a turbine installed early in 1936. This turbine is used to power the ventilating fans for work in the Gullickson tunnel. By March, 1936, thereafter, the work had been entirely completed and the water had been put to beneficial use as required.

The cost of the dams was in the neighborhood of \$500.00, and subsequently improvements in the amount of approximately \$300.00 have been made on these dams. The cost of the pipe line, and its installation, amounted to \$10,402.21.

Very truly yours,

JTH:D

18061 Joseph J. Darr

Permit No. 18061STATE OF IDAHO
Department of Reclamation

RECEIVED

JAN 18 1938

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of SHOSHONE } SS

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

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

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

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

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

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

I. Kind of works: Dam and pipe line (See accompanying letter)
 (Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

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

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

(b) Capacity of reservoir acre feet.

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

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

(State whether ditch, flume or pipe.)

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

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

Ninth: Remarks: That See accompanying letter for further details

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

(Sign here)

My commission expires Feb 14-1940

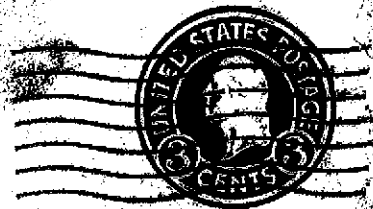
Notary Public.

18061

18061

After 5 days, return to
DEPARTMENT OF RECLAMATION,
State House,
BOISE, IDAHO.

NOV 9 1937



W. M. Yeaman
Kellogg, Idaho

18021

REASON FOR RETURN TO SENDER	REASON FOR RETURN TO SENDER
Unknown address	Unknown address
Post office address	Post office address
Refused	Refused
Other	Other

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

W. M. Yeaman
Kellogg, Idaho

Boise, Idaho, November 8, 1937

Dear Sir:—

Under the terms of your permit No. 18061 you are required to complete your diversion works on or before January 11, 1938. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00 a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

R. W. FARIS

Commissioner of Reclamation.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

W. M. Yeaman
Kellogg, Idaho

Boise, Idaho, **November 8, 1937**

Dear Sir:—

Under the terms of your permit No. **18061**.....you are required to complete your diversion works on or before.....**January 11, 1938**.. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00 a Certificate of Completion will be issued to you.

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Yours truly,

R. W. FARIS
Commissioner of Reclamation.

18061

18061

AFFIDAVIT AND ASSIGNMENT

STATE OF IDAHO)
) ss
County of Shoshone)

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

18061

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

W.M. Veaman

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

A.D. 1937.

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



November 25, 1936

✓
Re: Permits 18061 & 18064.

Mr. Lester S. Harrison
Attorney at Law
Kellogg, Idaho

Dear Mr. Harrison:

I have your communication of November 17th, wherein you say that the holder of the above permits now desires to offer the necessary proofs under these rights.

We are accordingly furnishing the proper forms for proof of completion of works under each of these permits. The affidavits should be executed separately, since the two permits constitute two separate rights. There will be no publication in connection with this matter, and upon receipt of the affidavits, together with fees in the amount of \$10.00, that is, \$5.00 for each proof, we shall issue certificates of completion of works.

The holder will then be in a position to proceed with final proof, or what is known as proof of application of water to beneficial use. This latter procedure requires a publication and a field examination by an engineer from this department. We shall be glad to furnish the proper forms with detailed instruction for this proof immediately after the certificates of completion of works have been issued.

Very truly yours,

Chief Clerk & Office Engineer

PLH:jl
Enc.

18061

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18061

Boise, Idaho, January 14, 1935

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
the third page.

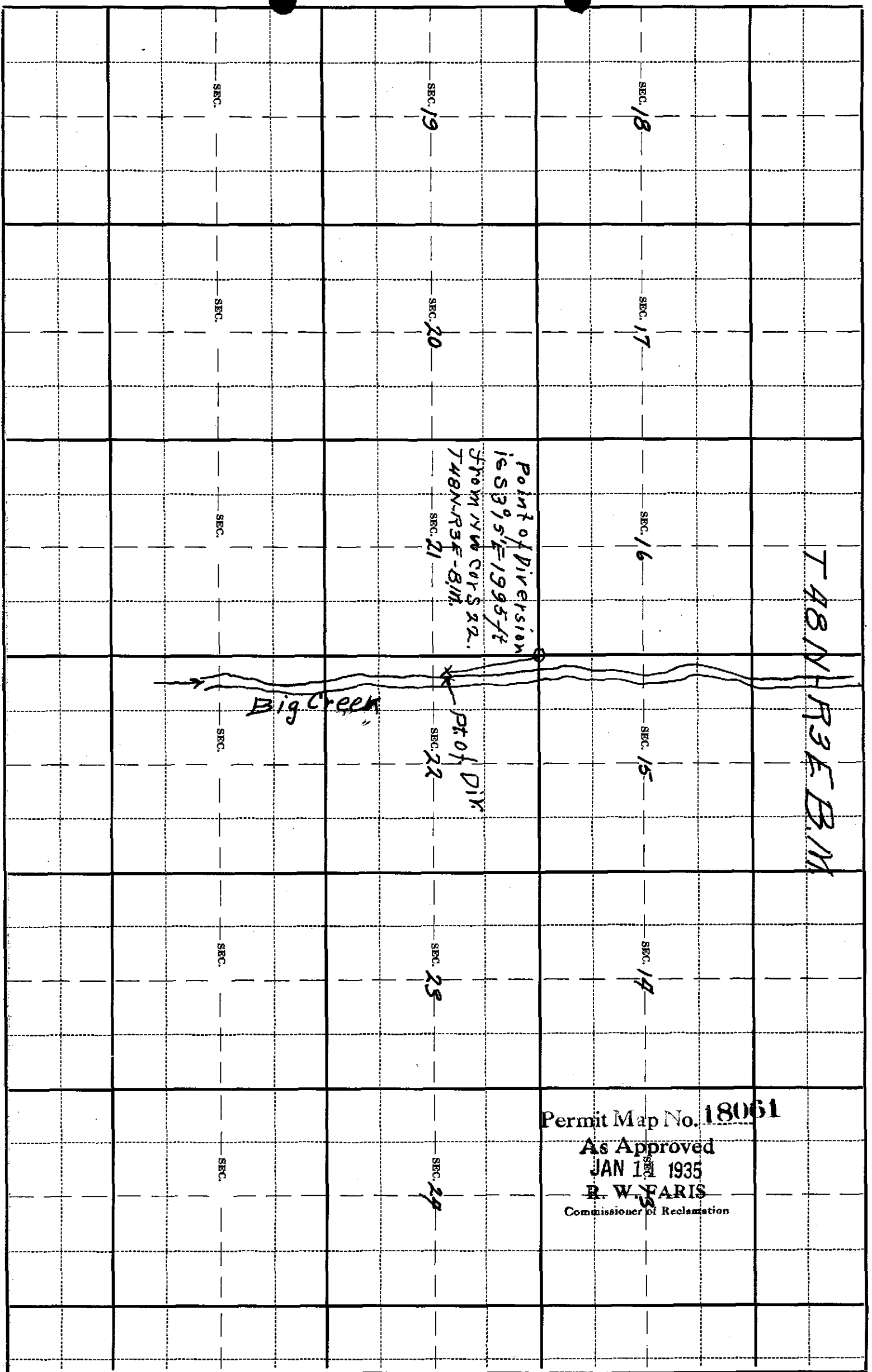
MR. W. M. YEAMAN
Kellogg, Idaho

R. W. FARIS
Commissioner of Reclamation.

18061

NAME OF APPLICANT W. M. YEAMAN

FORM NO. 0



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