

May 31, 1928.

Re: PERMITS Nos. 16838-39-40 ~~31~~
41

JULIUS P. HALL,
Wallace,
I d a h o.

Dear Mr. Hall:

I have your letter of May 23 explaining why it is impossible or, at least, impractical for you to begin work on your Permits as numbered above.

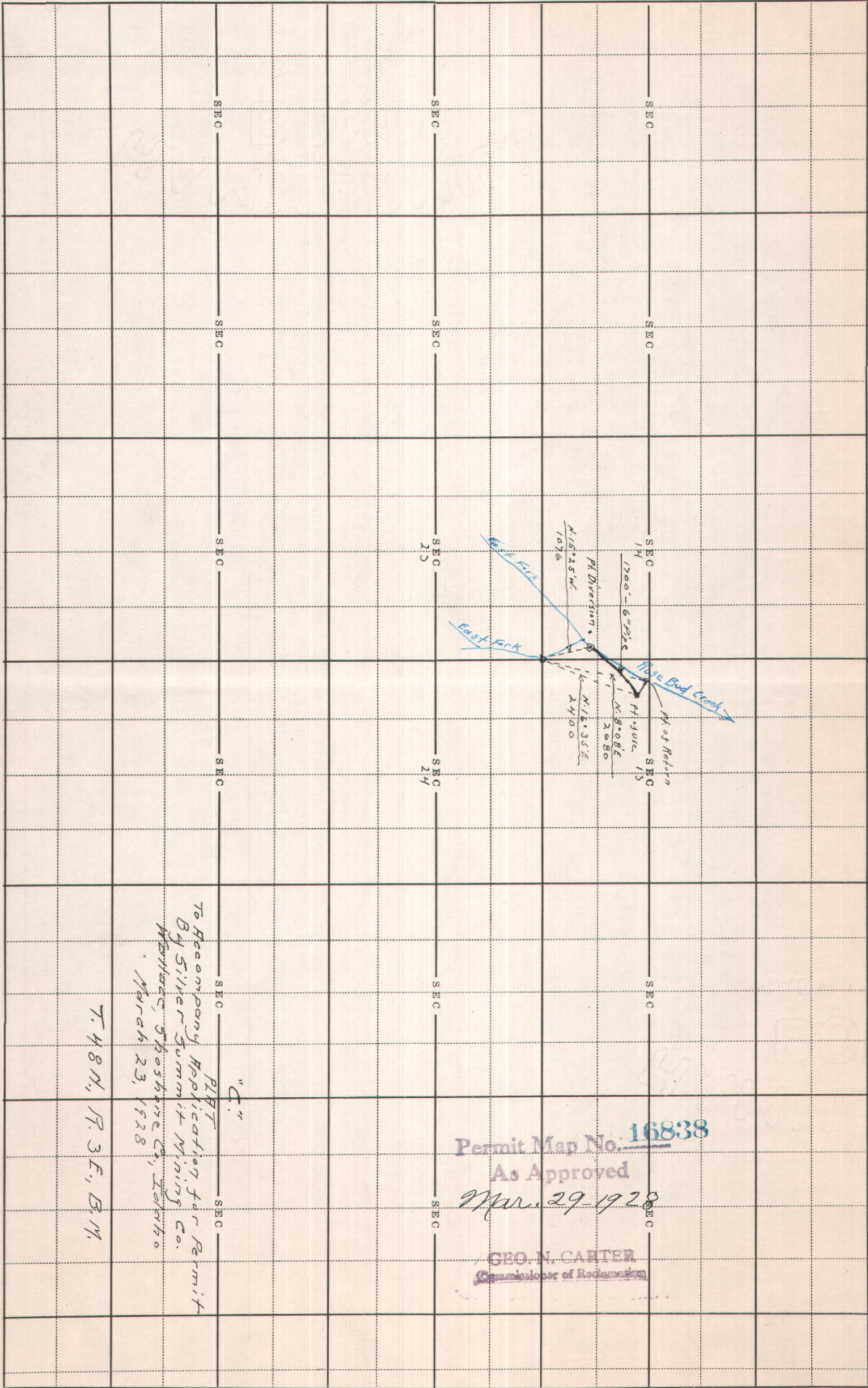
The requirement of commencing work within sixty days of approval of a permit is statutory and, possibly, this Department has no authority to waive same, however, we make no examination of the works to be constructed under a permit until such time as proof of completion of works is due; in the mean time the Permittee may use his own discretion in the matter of making progress with his construction. The only emergency which I can foresee is that of a contest on the ground that you have not complied with the provisions of the permit, however, in a case such as this I would so far as I can forecast incline to over-rule a protest of this nature. My suggestion is, therefore, that you proceed to the construction work as soon as it is practical for you to do so. In the mean time your letter will be sufficient notice of your desirability to comply with the "beginning of work" clause of the permit.

Very truly yours,

Commissioner of Reclamation.

GNC/tp

16838



State of Idaho

License and Certificate of Water Right

Water License No. 16838

Amount 2.0 sec. ft.

Water District No.

Priority 3-26-1928

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

Silver Summit Mining Company

of Wallace, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Rose Bud Creek, a tributary of South Fork Coeur d'Alene river, for the purpose of mining, milling and power, under Use Permit No. 16838 of the Commissioner of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume of Licenses, at page 3660, on the 10th day of April, 1931;

The right hereby confirmed dates from March 26, 1928;

The Point of Diversion is located in the SE 1/4 SE 1/4, Sec. 14, Tp. 48 N., R. 3 E., B. M. Shoshone County. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.0 cubic feet per second.

Description and location of use: In the NW 1/4 SW 1/4 of Sec. 13, Twp. 48 N., R. 3 E., B. M.

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

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 10th day of April, 1931.

R. W. FARIS

Commissioner of Reclamation

(SEAL)

94 2148

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

Application No. 23791
Permit No. 16838
District No.

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

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

I. If applicant is a corporation, give:

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

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

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

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

II. The financial resources of the applicant are:

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

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

(c) Bonds to be issued:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Average grade per mile **570** feet.

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

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

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

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

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

Silver Summit Mining Company, Applicant.

By Julius P. Hall Agent.

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

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16838.

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

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

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

Work to begin on or before May 28, 1928 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **September 29, 1929.**

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

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

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

Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			----- Permit No. 16838 CERTIFICATE OF COMPLETION OF WORKS ----- To All Whom It May Concern: This is to certify that the Silver Summit Mining Co., of Wallace, County of Shoshone, and State of Idaho, the holder of Permit No. 16838, issued upon Application No. 23791 bearing date of priority of March 26, 1928, authorizing the diversion of 2.0 second feet of the waters of Rosebud Creek, County of Shoshone, State of Idaho, for mining, milling and power purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.0 second feet of the waters of Rosebud Creek; that the point of diversion of said waters is in the SE¼SE¼ of Sec. 14, Twp. 48 N., R. 3 E., B.M., and that the water is to be used for mining, milling and power purposes. Witness my hand this 24th day of December, A.D. 1929. GEO. N. CARTER Commissioner of Reclamation Proof of Completion of Works made December 19, 1929. Certificate of Completion of Works issued December 24, 1929. 2.0 BR. 7-100. 19.3660																

April 11, 1931.

Re: Permit No. 16838

Harry P. Pearson, President
Star Summit Mining Company
Wallace, Idaho

Dear Sir:-

Enclosed you will find water license issued under
the above numbered permit, with receipt for fee paid.

Very truly yours,
R. W. FARIS
Commissioner of Reclamation.
By

Chief Clerk.

Encl.

16838

SCANNED

DEC 19 2005

Wallace, Idaho
March 24, 1931

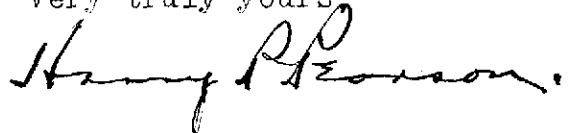
Hon. Geo. W. Carter,
Commissioner of Reclamation,
Boise, Idaho

Re: Permit No. 16838

Dear Sir:-

As per your letter of March 18th enclosed you
will find "Proof of Publication" from the Wallace
Miner and a P.O. Money order for \$5.00 the fee requested.

Very truly yours



Harry P. Pearson,
Pres. Silver Summit Mng. Co.

HPP/AJ

16838

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 10:00 a. m. on the 18th day of February, 1930, at Wallace, County of Shoshone, State of Idaho, before John E. Sherrard, Probate Judge, proof will be submitted of the application to beneficial use of 2 cubic feet per second of the waters of Rose Bud creek in accordance with the terms and conditions of Permit No. 16838 heretofore issued by the Commission of Reclamation of the State of Idaho.

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

The use to which said water has been applied is mining, milling and power.

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

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) not for irrigation.

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

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

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

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

GEO. N. CARTER,
Commissioner of Reclamation.
J2-23-4t

H. A. McLeod, being first duly sworn on his oath, deposes and says that he is the manager of **THE WALLACE MINER**, a weekly newspaper printed and published at Wallace, Shoshone county, state of Idaho; that said newspaper has a general circulation in said county, and has been continuously and uninterruptedly published in said county during a period of 78 consecutive weeks prior to the 2nd day of January, A. D. 19230 that the Notice of Proof Application of Water to Beneficial Use.

of which a copy is hereto attached, was first published in said newspaper in its issue dated the 2nd day of January, A. D. 19230, and was published in each successive issue of said newspaper for the full period of Four weeks, the last publication thereof being in the issue dated the 27rd day of January, A. D. 19230

H. A. McLeod
Subscribed and sworn to before me this 6th day of June, 1930, A. D. 1930

Thomas McCabe

Notary Public in and for the State of Idaho,
Residing at Wallace, Idaho.

16838

March 18, 1931.

Re: Permit No. 16838

Mr. Harry P. Pearson
President, Silver Summit Mng. Co.
Wallace, Idaho

Dear Sir:

The report of our examining engineer for proof of beneficial use of water under the above numbered permit has just been filed here and is satisfactory.

There yet remains to be filed to complete this proof the affidavit of publication from the Wallace Miner and fees in the sum of \$5.00. Upon receipt of these the license will be issued.

Very truly yours
GEO. N. CARTER
Commissioner of Reclamation
By
Chief Clerk.

16838

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 16838

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant: Silver Summit Mining Company

2. Source of water supply: Rosebud Creek

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

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

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

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

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

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): _____

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

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

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

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

(Signed)

Fred H. Coleman

Examiner.

16838

Silver Summit Mng. Co

Wallace

Permit No. 16838

Examination for BEN. USE

County SHOSHONE

INSTRUCTIONS TO EXAMINERS

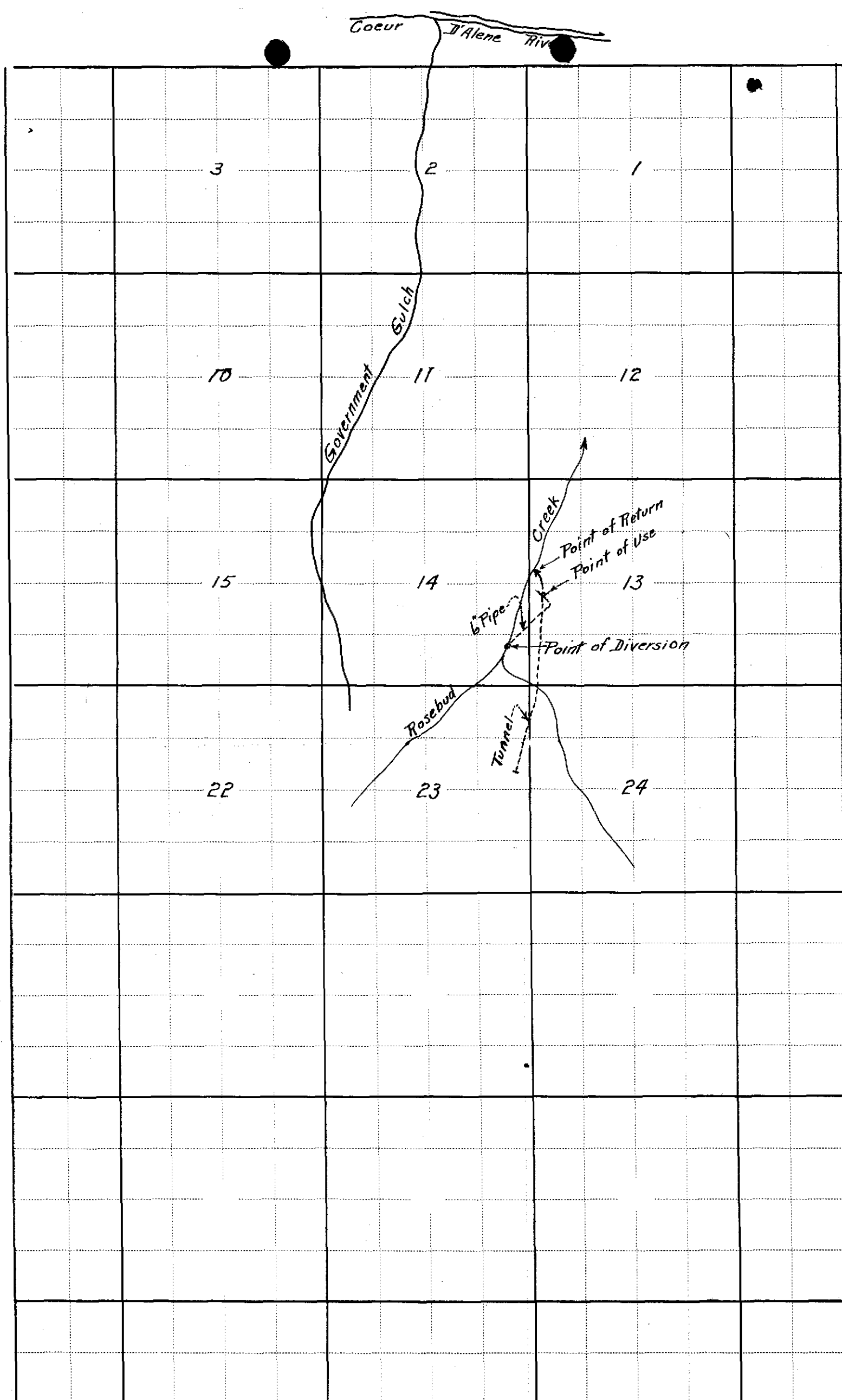
1. Always carefully note the location of the point of diversion, and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 16838

REPORT ON PROOF OF BENEFICIAL USE



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

16838

June 1, 1930.

Re: Permit No. 16838-Silver Summit Mining Co.

Mr. Harry P. Pearson
Wallace, Idaho

Dear Sir:-

We are today in receipt of depositions of yourself and two witnesses for proof of beneficial use of water under the above permit. These are in proper form and will be placed on file without final action until the examination can be made by our field engineer later in the season.

The affidavit of publication should be obtained from the Wallace Miner and mailed to us.

The fees due before the proof is completed amount to \$5.00. These, however, need not be sent in until you are further advised when the engineer's report has been filed.

Very truly yours,
GEO. N. CARTER
Commissioner of Reclamation.

By _____
Chief Clerk.

16838

as per

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 16838

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Ans. 2 cu. sec. feet.

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

Ans. Same party and Company

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

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

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

Ans. No other water right on Rose Bud Creek.

(Sign) *Henry P. Pearson*
Pres Silver Summit Mining Co.

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in *Wallace*, County of *Shoshone*, State of Idaho, on this *18th* day of *February*, A. D. 19*30*.

John E. Sherrard
Probate Judge

My commission expires

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16838

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

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

Occupation, draughtsman

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

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

Ques. 3. Have you read or heard read said Permit No. 16838, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Rose Bud Creek. Point of Diversion is in the S.E. $\frac{1}{4}$, S.E. $\frac{1}{4}$, Sec. 14, T. 48 N., R. 3 E., B.M. Small earth, timber and concrete intake dam and 1700 ft. of 6 inch galvanized iron pipe.

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

Ans. Approximately 2 second feet

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

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

16838

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

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

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

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

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

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

Ans. No

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

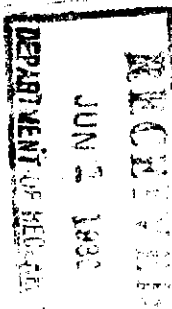
Ans. Prior to December 1, 1929 water was being used and is now, as stated in reply to question No. 7 to the amount of approximately 2 cu. sec. ft.

(Signed) Thos M. Waller

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Wallace, County of Shoshone, State of Idaho, on this 18th day of February, A. D. 1930.

My commission expires _____

John E. Sherrard
Notary Public.
Probate Judge.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16838

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

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

Occupation, Engineer's assistant.

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

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

Ques. 3. Have you read or heard read said Permit No. 16838, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Rose Bud Creek. Point of Diversion is in the S.E. $\frac{1}{4}$, S.E. $\frac{1}{4}$, Sec. 14, T. 48 N., R. 3 E., B.M. Small earth, timber and concrete intake dam and 1700 ft. of 6 inch galvanized iron pipe.

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

Ans. Approximately 2 second feet

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

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

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

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

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.
Water has not been used for purposes other than heretofore stated. Part of the 2 second ft. could be used for irrigation and domestic purposes on 18.25 acres recently purchased by the Silver Summit Mining Co. in the S.E. $\frac{1}{4}$, N.W. $\frac{1}{4}$ and the S.W. $\frac{1}{4}$, N.E. $\frac{1}{4}$, Sec. 13, T. 48 N., R. 3 E., B.M.

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

Ans. No

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

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

(Signed) G. H. Ross

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Wallace, County of Shoshone, State of Idaho, on this 18th day of February, A. D. 1930.

My commission expires _____

John E. Sherrard
Notary Public
Probate Judge

May 24, 1930

RE: Permit No. 13838-Silver Summit Mining Co.

Julius P. Hall
Mining Engineer
Wallace, Idaho

Dear Sir:

Referring to your letter of the 16th inst. would say that proof of beneficial use of water under the above numbered permit was advertised to be made on February 18, but as yet the depositions of holder and witnesses have not been received here. This proof was to have been made before John E. Sherrard, Probate Judge at Wallace. Please advise us if this proof was made as advertised and if so have the depositions sent in as soon as possible.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By

Chief Clerk

CB:G

16838

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, February 7, 1930

Harvey P. Pearson, President,
Silver Summit Mining Co.
Wallace, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 16838

DEPOSITION OF PERMIT HOLDER, DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On February 18, 1930, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Wallace before John E. Sherrard, notary public.

2. When the depositions have been taken, they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

GEO. H. CARTER
Commissioner of Reclamation.

16838

WALLACE PRINTING COMPANY

PUBLISHERS OF

THE WALLACE MINER

THE WALLACE EVENING NEWS THE MULLAN DAILY NEWS

WALLACE, IDAHO Dec 28, 1929.

Mr. Geo. N. Carter,

Commissioner of Reclamation,

Boise, Idaho.

Dear Sir;

We beg to acknowledge receipt of yours of the 25, with notice for publication of the Silver Summit Mining Company, which will be published as per your instructions.

Very truly yours,

The Wallace Miner,

By *Shaw McLeab*

16838

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date.....December 26, 1929.....

Wallace Miner
Wallace, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to.....February 18, 1930....., the date set for proof, the expense of the publication to be paid by the applicant,.....Silver Summit Mining
.....Company, Wallace, Idaho.....

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,

Geo. M. Carter
Commissioner of Reclamation

16838

December 26, 1929

RE: Permit No. 16838

Harry P. Pearson, President
Silver Summit Mining Co.
Wallace, Idaho

Dear Sir:

We are mailing you herewith certificate of completion of works issued under your above numbered permit, together with receipt for fee.

Notice for publication of beneficial use proof has been forwarded to the "Wallace Miner".

Very truly yours,

GEO. M. CARTER
Commissioner of Reclamation

By
Chief Clerk

G

16838

JULIUS P. HALL
MINING ENGINEER
WALLACE, IDAHO

December 18, 1929

Commissioner Of Reclamation,
Boise, Idaho.

Re-Permit 16838
Silver Summit Mining Co.

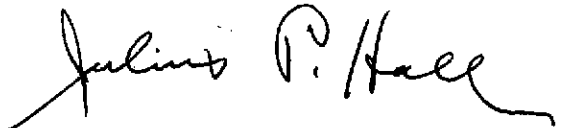
Dear Sir:-

As per your letter of Sept. 17th I am enclosing
proof of completion of works with affidavit and \$5.00 fee.

I am also enclosing papers for beneficial use of
water with notice of proof.

In reply to your letter of Dec. 3rd to Harry P. Pearson,
President, Silver Summit Mining Company, regarding permit
16840, in which diversion works were to be completed March 29,
1930, the Silver Summit Mining Company have concluded to do
nothing further under this permit.

Yours very truly,



Julius P. Hall.

JPH/AJ

16838

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 17th 1929
(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 Miner of Wallace, published in the county in which the works are situated.

Harry P. Pearson.
Pres. Silver Summit Mining Company

(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.

Julius P. Hall
Engineer.

16838

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

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

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

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

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

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

Not for irrigation

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

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

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

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

GEO. N. CARTER

Commissioner of Reclamation.

SE SE Sec 14
T. 48 N. 3 E

16838

Permit No. 16838

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Shoshone } SS

Harry P. Pearson, President

Silver Summit Mining Co., being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the state of Idaho, No. 16838, and that his postoffice address is Wallace State of Idaho

Second: That the name of the stream from which said water is to be diverted is Rose Bud Creek

Third: That the point of diversion of said water is N. 19° 40' W. 965.0 ft. distant from the S.E. Cor. Sec. 14, T. 48 N., R. 3 E., B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 29, 1931.

Fifth: That the use for which said water is intended is Mining, Milling & Power

Sixth: That on December 1, 1929 ~~the date above mentioned~~, the works constructed under said permit were ~~(or were not)~~ fully completed and consisted of the following:

I. Kind of works: Dam and Pipe

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

II. Dimensions of work:

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

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

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width 1 feet, height 1 feet.

(d) Conduit Pipe width at bottom feet, width at water line feet, depth of water feet; diameter of pipe 6 inches, average grade per mile is 570 feet. Length of conduit is 1700 miles.

5280

Seventh: That said works are capable of conducting to the place of intended use

2 second feet of water.

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

Mining, Milling & Power

Ninth: Remarks: That

Harry P. Pearson
(Sign here)

Subscribed and sworn to before me this 19th day of Dec, 1929

My commission expires

Harry A. Rogers
County Recorder Notary Public.
By S. A. White, Deputy

16838

September 17, 1929.

RE: PERMIT NO. 16838-Silver Summit Mng. Co.

Mr. Julius P. Hall,
Wallace, Idaho.

Dear Sir:-

Per your request the 14th inst., we are mailing you herewith blanks for proof under the above permit.

For proof of completion of works, where the amount of water does not exceed 6.4 second feet, all that is required is the affidavit of holder and fee of \$5.00.

For proof of beneficial use of water, notice of proof is required to be published for a period of four weeks prior to the date of making such proof. The blanks enclosed for this proof should be filled out and returned to this office, the date for making proof being set far enough ahead to allow for the required publication.

Deposition blanks for holder and two witnesses will later be mailed to the notary public, or other officer before whom proof is to be made.

Very truly yours,
GEO. H. CARTER
Commissioner of Reclamation.

By _____
Chief Clerk

Encl.

16838

JULIUS P. HALL
MINING ENGINEER
WALLACE, IDAHO

September 14, 1929

Mr. Geo. H. Carter,
Commissioner Of Reclamation,
Boise, Idaho.

Dear Sir:

The Silver Summit Mining Company wishes to make
final proof under water right Permit No. 16838.

Will you send me the proper blanks, etc.?

Thanking you, I am,

Very truly yours,

Julius P. Hall

JPH/AJ

(Julius P. Hall.)

6 - 10

16838

August 23, 1928

Re: Permit 16838

MR. JULIUS P. HALL
Mining Engineer
Wallace, Idaho

Dear Sir:

I have your letter of August 16 regarding Permit 16838, Silver Summit Mining Company.

You ask, particularly, regarding the designated point of diversion which you state has been moved some 135 feet upstream. If this change in location has not thrown the point of diversion into some other legal subdivision, I do not believe it is necessary to make mention of the fact. In case the diversion is now in some other legal subdivision, ~~as~~ if it was described by a transit tie in the original application, you should file an amendment, using the form enclosed.

You also make some comment regarding adverse claims to this water by the Lincoln Mining Company. The records in this office do not disclose any correspondence from this company regarding water rights on Rosebud Creek.

Very truly yours,

Commissioner of Reclamation

GNC/eq
Enclosure

16838

Wallace, Idaho,
August 16, 1928.

Mr Geo. N. Carter,
Commissioner of Reclamation,
Boise, Idaho.

Re-PERMIT NO. 16838.

Dear Sir:

Under Permit No. 16838, the Silver Summit Mining Co. have practically completed the grade and are now digging the trench for the pipe. Approximately, 1300 feet of 6 in. pipe are now on the ground near the Point of Use.

The Point of Diversion will be about 135 feet farther up the creek than is stated in the Application No. 23791.

To cover the new Point of Diversion should we file an amended application or will this be handled at the time of final proof?

In a round about way, we hear that before the Silver Summit Mining Co. put the water to Beneficial Use, the Lincoln Mining Co. (successors to the Silverado Mining Co.) will file an injunction preventing the use of the water. Without bad luck and no unforeseen accidents, the water will be in use about the first of September.

Since my visit to your office on March 27, 1928, has the Lincoln Mining Co. written you regarding Water Rights on Rose Bud Creek? If so, would it be possible for our Company to obtain copies of such correspondence?

Thanking you for the above information, I remain,

Yours very truly,

Julius P. Hall
Agent for the Silver Summit Mng. Co.

16838

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	CABLE LETTER
NIGHT LETTER	WEEK END LETTER

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

NEWCOMB CARLTON, PRESIDENT

J. C. WILLEVER, FIRST VICE-PRESIDENT

Form 1206-A

NO.	CASH OR CHG.
CHECK	
TIME FILED	

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Boise, Idaho, June 2, 1928.

MR. JULIUS P. HALL

Wallace, Idaho.

Letter received Answer mailed thirty first

Out of city hence delay

GEO. H. CARTER,
Commissioner of Reclamation

COLLECT

16838

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L
If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.	

WESTERN UNION



TELEGRAM

NEWCOMB CARLTON, PRESIDENT.

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L
If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.	

RECEIVED AT

1923 JUN 2 PM 12 29

KHA190 12

WALLACE IDA 2 1107A

COMMISSIONER OF RECLAMATION

BOISE IDA

DID YOU RECEIVE MY LETTER DATED MAY TWENTY THIRD REPLY
MY EXPENSE

JULIUS P HALL.

16838

May 31, 1923.

Re: PERMITS Nos. 16838-39-40-41

JULIUS P. HALL,
Wallace,
I d a h o.

Dear Mr. Hall:

I have your letter of May 23 explaining why it is impossible or, at least, impractical for you to begin work on your Permits as numbered above.

The requirement of commencing work within sixty days of approval of a permit is statutory and, possibly, this Department has no authority to waive same, however, we make no examination of the works to be constructed under a permit until such time as proof of completion of works is due; in the mean time the Permittee may use his own discretion in the matter of making progress with his construction. The only emergency which I can foresee is that of a contest on the ground that you have not complied with the provisions of the permit, however, in a case such as this I would so far as I can forecast incline to over-rule a protest of this nature. My suggestion is, therefore, that you proceed to the construction work as soon as it is practical for you to do so. In the mean time your letter will be sufficient notice of your desirability to comply with the "beginning of work" clause of the permit.

Very truly yours,

Commissioner of Reclamation.

GHO/tp

16838

Wallace, Idaho,
May 23rd, 1928.

Mr. Geo. N. Carter,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

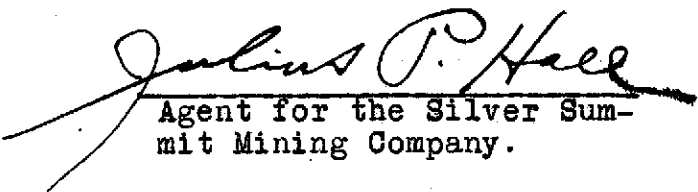
In relation to application for Permit Nos.
16838, 16839, 16840 and 16841, by the Silver Summit
Mining Co.-

In your approval, work is to be started by
May 28, 1928. I have run out grade lines and made a
partial survey with the intention of starting work
on the right-of-way tomorrow.

The attorney for the Silver Summit advises that
insomuch as the right-of-way is almost ^{entirely} interlapped on
Lincoln Mining Co.'s property, we would possibly be
liable for damages and trespass if work was started
before making some arrangement for the right-of-way.
The only arrangement that can be made is to condemn
the right-of-way. This will take time.

Under the circumstances, is it possible to
obtain an extension of time on starting the work?

Thanking you, I am,


Agent for the Silver Summit Mining Company.

16838

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 16838

Mr. Julius P. Hall,
Box 612,
Wallace, Idaho.
Dear Sir:

Boise, Idaho,

March 31, 1928.

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.

GEO. N. CARTER.

Commissioner of Reclamation.

16838

